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House of Representatives

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. CAMPBELL of California).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 13, 2006.

I hereby appoint the Honorable JOHN CAMPBELL to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. BACA) for 5 minutes.

HATE CRIMES

Mr. BACA. Thank you very much, Mr. Speaker. The topic I want to talk about this morning is hate crimes. As immigration debate has intensified, white supremists, neo-Nazis, and other racists have increased their efforts to spread the racist message. White supremists have not simply expressed racist convictions but have urged others and white Americans generally to fight back against perceived invasion of white United States by Hispanics from Mexico. The rhetoric has grown

increasingly by radicals, and their success is spreading and has been coupled with a rise in hate crimes across our country. And I state, across the country.

Police reports document a growing number of acts of violence by far right extremists against Hispanics regardless of their status as citizens, whether they are profiling them, making remarks, creating different kinds of attitude and atmosphere and hate. The Anti-Defamation League, a nonprofit that fights anti-Semitism and other biases, put out a report last month that said hateful and racist rhetoric aimed at Latino immigrants had grown to a level unprecedented in recent years.

The report detailed numerous examples of hate crimes, including two men in Tennessee who were sentenced to prison in December for shattering a window and painting Nazi symbols in a local Mexican market. Near Houston, two white teenagers were arrested in April accused of beating a Latino youth and sodomizing him with a pipe. Days later on Long Island, a white teen was accused of threatening two Latinos with a machete and a chain saw. Police say ethnic slurs were used in each case.

We must condemn these kind of acts and work to promote a unified America, work to promote a unified America. Even the President has warned us of the dangerous rhetoric being used in discussions on immigration. During his speech last month he noted, "America needs to conduct this debate on immigration in a reasonable and respective tone. We cannot build a unified country by inciting people to anger or playing on anyone's fear or exploiting the issue of immigration for political gains." And I state, exploiting it for political gains.

The white supremists are employing sophisticated techniques to spread their message over the Internet including blogs, chat rooms, and racist and violent video games. And as you can

see by the poster out here, Border Patrol, I recently heard about a racist game distributed freely on the Internet called the "Border Patrol" that encourages players to shoot at immigrants as they cross the United States, as you can see right here. These games first surfaced in the year 2002, but have come up once again and aimed at immigration debate.

The Border Patrol games. In the game the Border Patrol, Mexican Americans are incarcerated and presented with disgusting and harmful stereotypes. The game does not present them as hard-working individuals who come to this country, like any other who has come to this country before, to build better opportunity. This country is built on immigrants, and many individuals come here for that reason, not for the reason displayed in this Border Patrol display that we have out here.

People have come to contribute to our country and will continue to come to contribute to this country because they believe in America and its principles and what it stands for. Instead, you can see from the poster that Mexican American immigrants are labeled as bandoleer-wearing Mexican nationalists, tattoo-touting drug smugglers, and pregnant breeders who must be kept out at any cost.

In the second poster, as you can see out here, Border Patrol 2, as you can see by the second poster the object of the Internet game Border Patrol is to shoot Mexican immigrants as they try to cross the borders into the United States. Here, again, we are talking about hate crimes, attitudes and behavior by individuals. Here, a family is being targeted as they rush past a sign that reads, "Welcome to the United States." The sign contains the American flag in which the stars representing 50 states have been replaced with a Jewish Star of David, and a small sign that appears below that says, "Welfare Office" with an arrow.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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These games are not only obscene, it incites anger and violence in the minds of children and creates attitude and behavior changes. Psychologically then people begin to think in terms of hating anyone of color. And when you hate people of color, you demonstrate hate and anger. The fact that the national immigration debate is fueling their efforts in is downright scary.

Border Patrol is one of several racist computer games that hate groups are currently offering for sale or download on the Internet. Other games like Ethnic Cleansing, Drive By 2, and African Detroit Cop were created to further racism, anti-Semitic, and other opinions.

These images on poster number three is Save The Last Dance. This image contains an altered movie poster. The actual film featured an interracial romance between teenagers. As you note in the version of this poster, the African-American male is depicted by a gorilla. The poster also spreads a traditional anti-Semitic attack that blames Jews for controlling the American media and suggests that a film about interracial tolerance and mutual respect is somehow Jewish propaganda. The most obvious message of this poster is that the way to deal with members of minority groups, as well as whites who have relationships with them, is with violence.

It only takes one individual with hate in his heart to act on these notions. For us, that is a very real concern as the national discussion on immigration continues to gain momentum. We cannot have this debate at the expense of the safety of immigrants in our communities and total Americans who are here in the United States.

I understand that not everyone in Congress agrees with a more inclusive vision of the American family or the American dream to be here in the United States and to have what everybody else has and to build a better life for themselves. Instead of recognizing the needs for real comprehensive immigration reform, some Republicans have viewed this issue to play on people's fear and exploit the debate for their political gains. I hope that people understand what is going on now and at the national level.

EXTREMISTS DECLARE 'OPEN SEASON' ON IMMIGRANTS: HISPANICS TARGET OF INCITEMENT AND VIOLENCE

OVERVIEW

As the public debate over immigration reform has taken center-stage in American politics and public life, white supremacists, neo-Nazis and other racists have declared "open season" on immigrants and attempted to co-opt and exploit the controversy by focusing their efforts—and their anger—on the minority group at the center of the controversy: Hispanics.

As a result, to a level unprecedented in recent years, America's Latino immigrant population has become the primary focus of hateful and racist rhetoric and extreme violence—aided, abetted and encouraged by America's white supremacist and racist haters.

Spurred in recent weeks by the debate on Capitol Hill and the groundswell of grass-

roots activism in support of America's immigrant community, extremists have become increasingly emboldened by, and fixated on, the controversy over immigration policy, encouraging their supporters to capitalize on the issue by encouraging antiimmigrant activism, and even violence against all Hispanics.

While white supremacists have for many years attempted to exploit rising anti-immigration sentiments in the U.S., the level and intensity of their attacks against Hispanics has reached dangerous new highs, with right-wing extremists joining anti-immigration groups, distributing antiimmigrant propaganda and holding frequent antiimmigration rallies and protests.

As a result, Hispanics, regardless of their citizenship or immigration status, increasingly are becoming the targets of hatred and violence from hardcore white supremacists.

Racists ranging from neo-Nazis to Klansmen to racist skinheads are among the most active anti-immigration activists in the country. Motivating their actions is the core conviction of modern white supremacist ideology: That the white race itself is threatened with extinction by a "rising tide of color" controlled and manipulated by Jews.

This following report examines the recent record of extreme rhetoric and violence from white supremacist groups and their followers that has played out against the backdrop of the immigration debate in America.

WHITE SUPREMACIST ANTI-IMMIGRATION PROTESTS

White supremacists have taken to the streets in a deliberate attempt to attract publicity and to exploit and co-opt the national discussion on immigration for their own hateful purposes. Viewing immigration as a "wedge" issue through which they believe they can foist their racist and anti-Semitic views on the American public, and attract recruits and attention for themselves, white supremacists have organized a number of rallies and protests with anti-immigration and anti-Hispanic themes.

Many of the extremist events have taken place in southern states. There, white supremacists hope to exploit anti-immigration sentiment that has risen as a result of a significant influx of Hispanic immigrants, primarily agricultural workers, into areas of the South that had never before had a substantial Hispanic population.

Demonstrations, rallies and other events taking place in spring 2006 included:

In Seattle, Washington, and Las Vegas, Nevada, members of the neo-Nazi National Vanguard held anti-immigration protests on May 20. On its Web site, the National Vanguard declared that day to be a "day of protest against George W. Bush's plan to destroy America," calling the president's immigration proposals a "sellout of the nation." In Seattle, neo-Nazis appeared along Interstate 1-5, displaying signs for motorists stuck in traffic to read. In Las Vegas, white supremacists held a small rally in front of the federal courthouse.

In Keene, New Hampshire, New England members of the Arkansas-based neo-Nazi group White Revolution held a self-described "anti-invasion" demonstration on May 7 to protest "the invasion of America by illegal non white hordes." Members of other white supremacist groups, ranging from the National Socialist Movement to the American Front, also showed up.

In Russellville, Alabama, members of the Alabama chapter of the Indiana-based National Knights of the Ku Klux Klan held an anti-immigration rally on May 6, yelling "Let's get rid of the Mexicans!" National Knights leader Ray Larsen was on hand, telling the crowd that gathered that immigrants

"want you out of here because they want this as their land." After the rally, the Klansmen burned a cross in a field outside of town.

In Montgomery, Alabama, the neo-Confederate group League of the South and the Coalition against Illegal Immigration together organized an anti-immigration "Cinco de Mayo" demonstration on May 5. Promoting the event in his racist and anti-Semitic newspaper First Freedom, Olaf Childress wrote that he planned to be there, "maybe even with a baseball bat. Already got a placard in mind: MEX GET THE HELL OUT OF MY COUNTRY." Childress did show up with such a placard and a baseball bat, telling a local reporter that "Jewish supremacists" had a plan to abolish the borders of the U.S. Other signs at the demonstration displayed slogans such as "multi-culturalism is liberal insanity." In Greenville, South Carolina, the racist Council of Conservative Citizens held an anti-immigration demonstration on April 29 in front of the offices of Republican Congressman Lindsey Graham, where they burned Mexican flags and displayed signs such as "More INS, Less IRS," "Vote for Pedro to Go Home," and "I Didn't Fight in Iraq for Illegal Aliens."

White supremacists also showed up to counter events organized by immigration and human rights activists, in particular the May 1 "Day without Immigrants" events organized around the country by immigrant rights activists. In San Angelo, Texas, members of the Empire Knights of the Ku Klux Klan showed up to counter local events. In Dayton, Ohio, half a dozen members of the neo-Nazi National Socialist Movement appeared in Nazi uniforms at a pro-immigration march to protest, in their words, "the illegal wetback scum and Shabbat goy mud lovers." In Madison, Wisconsin, in April, members of the neo-Nazi New Order passed out literature at an immigrant rights event at the capitol.

Even where white supremacists have not shown up in person, they have plastered communities around the country with crude anti-Hispanic and anti-immigration fliers. In Bakersfield, California, for example, one community was littered with National Vanguard fliers that read "Civilization: One Job Mexicans Won't Do." Residents of Pasadena, Texas, discovered racist fliers that urged people to burn down the homes of people thought to be illegal immigrants.

BORDER VIGILANTE GROUP EVENTS

Anti-immigration border vigilante groups have also organized anti-immigrant events around the country this spring. The largest border vigilante group, the Minuteman Project, held a reprise in April of their 2005 vigilante border patrols along the Arizona-Mexico border, and followed up with a caravan that staged anti-immigration events across the country. One Minuteman event in Birmingham, Alabama, was organized by Mike Vanderboegh, a former militia leader. At the rally, an attendee distributed copies of Olaf Childress's racist and anti-Semitic newspaper, First Freedom. Other anti-immigration groups held rallies from Arizona to Minnesota.

Anti-immigration groups have also turned to publicity stunts. The Minutemen, for example, declared on May 9 that they would start building their own "border security fence" on private property along the border with Mexico, unless the federal government itself deployed the military or erected such fencing. The Minutemen claimed that they had received nearly \$200,000 in donations to build such a fence. Other border vigilante groups have already begun or announced similar projects.

THE RHETORIC: DECLARING "OPEN SEASON" ON IMMIGRANTS

White supremacists have not simply expressed racist convictions, but have urged each other and white Americans generally, to "fight back" against the perceived invasion of the "white" United States by Hispanics from Mexico.

The rhetoric in such pronouncements has grown increasingly radical. "Beaner Brown Supremacist Militias of Latino Communist immigrants firmly intend to conquer [the southwest]," suggested a topic heading on the white supremacist Legion of Saints message board recently. "Will White Americans sit back, watch it happen & let them do it? Or will White Americans remember the Alamo!?"

Such voices are unfortunately hardly isolated. Here are just a few recent examples:

Alabaman Larry Darby, a Holocaust denier and candidate for Alabama attorney general, recently stated in a May 3 interview on Alabama Public Television that he wanted National Guard troops on the border with orders to "shoot to kill, absolutely . . . we are at war, we are being invaded by a foreign country, we are at war."

James Wickstrom and Frances Farrell, the virulently racist and anti-Semitic hosts of the "Yahweh's Truth" radio program, blamed Jews for the immigration "invasion" on his May 3 broadcast. Wickstrom claimed that pro-immigrant marches were being organized and financed by "communist Jews" and the "communist Catholic church," and that Jewish organizations are "criminal accomplices of these illegal aliens." Farrell suggested that "one attack on one of their marches with automatic weapons or even just rifles will put a stop to them and the time's coming when this is going to happen."

One member of an Aryan Nations faction, "Pastor" Jay Faber of Pennsylvania, claimed on April 10 on the Aryan Nations Internet forum that "I already know they will not throw one of these stumpy little brown beasts out of here, so for the amount of quats in my area, I have at least 10 rounds of ammunition for each of them."

Aryan Nations faction leader August Kreis in October 2005 claimed on his Web site that "this infestation of cockroaches need deportation or extermination!" If legal means of "stopping this rising tide" were not enough, "then these brown squat monsters should begin to turn up dead all across Amerika . . . We now have another game animal to add to our list of available targets for our favorite pastime, hunting, and we'll declare permanent open season on these dirty wetbacks! From what I have heard through the grapevine the Skinheads and Klans across the country are more than prepared for this type of action. I say let's play by state and see which state can claim the most kills and let the jewsmedia whores keep score!"

Oregon National Socialist Movement leader Jim Ramm wrote in June 2005 that "the browner invasion is much like a cancerous tumor that should of [sic] been removed. But instead, it was allowed to grow and infect other organs . . . as this brown disease rages out of control the white patient faces racial death."

Kevin Strom, leader of the neo-Nazi National Vanguard, gave a shortwave radio broadcast in June 2005 in which he claimed that "These Mestizo invaders are so different from us that by mixing with them or being dispossessed by them we will cease to live, we will cease to be ourselves or have a place to exist to support the lives of our future generations. And that is the crucial reason why this invasion must be stopped."

"AliisioRex," a member of the neo-Nazi web forum Stormfront, wrote in July 2005

that "they are barbarians, they are our enemies, they want to destroy our civilization and we have to fight them. We need to organize better and be more open activists; otherwise, I only see race war in the future." Another Stormfronter, "Strasser," wrote in November 2005 that "White minorityhood on a national level is a very real possibility. How can White folk tolerate this? Do they care that most minority populations become a cultural hostage? What is the interest in having their children a minority on a mestizo dominated campus? Mestizo immigration is going to force White America to make some very important decisions."

Such statements appear routinely on white supremacist Web sites and in white supremacist literature.

Perhaps the white supremacist most active in explicitly advocating extreme violence against Hispanics is New Jersey racist radio talk show host Hal Turner. He reserves his most extreme statements to urge violence against illegal immigrants from Mexico:

May 3, 2006: Following the May 1 demonstrations, Turner posted to his Web site a 145-page "ethnic cleansing manual" that he said explained "in graphic detail why white people need to prepare to ethnically cleanse this nation and how to do it using force and violence."

October 31, 2005: "Slowly but surely we are headed toward the solution that I have been advocating for years: kill illegal aliens as they cross into the U.S. When the stench of rotting corpses gets bad enough, the rest will stay away."

October 11, 2005: "For years I have been publicly advocating on my radio show and this web site, that Mexican illegal aliens be shot dead as they cross into the U.S. illegally . . . I plant the seeds verbally and the seeds grow in the minds of others . . . I am proud to advocate even more killings!"

July 15, 2005: "I once again advocate extreme violence against Mexicans . . . Once they're dead, their heads should be cut off and put on pike poles as a warning to others."

May 17, 2005, responding to news that a restaurant owned by the mayor of Denver had employed an illegal alien who allegedly murdered a police officer: ". . . his policy of affording sanctuary to other illegal aliens makes Mayor John Hickenlooper worthy of being killed. I sincerely hope that someone takes a rifle with a scope and puts a bullet through [his] head."

May 15, 2005: "I advocate extreme violence against illegal aliens . . . I think it would be terrific to trap them by their ankles in steel bear traps then beat them to death when you return and find them in the trap . . . Oh, if any American sides with the illegals—like a big mouth politician or a politically correct, ass-kissing local sheriff, lawyers, judges, or the like—it would be a real public service to kill them too!"

ANTI-IMMIGRATION GROUPS

The violent rhetoric has not come only from explicitly white supremacist groups, but also from members and leaders of anti-immigration groups. Anti-immigration activist Fred Puckett, the leader of "Minuteman of One," was caught on camera in late April telling an undercover reporter for a local Phoenix television station that "once you shoot a couple of these sons of bitches, they'll think twice."

Perhaps most strikingly, Arizona anti-immigration activist Laine Lawless, who has been associated with several border vigilante groups and eventually started the group Border Guardians in 2005, sent an e-mail in April to a prominent Ohio member of the neo-Nazi National Socialist Movement, Mark Martin, asking him to pass its contents on to his

white supremacist contacts. Martin did so, forwarding the message to several white supremacist forums on Yahoo and Usenet in early April, but unfortunately for Lawless, Martin ignored the part of her message which read, "Please don't use my name," and instead forwarded the message in full.

Lawless's e-mail, titled, "how to get rid of them," urged a variety of intimidating, harassing, and even illegal and violent tactics to intimidate immigrants into leaving the U.S., including cutting down the broadcast tower for a Spanish language radio station near Phoenix and stealing money from illegal aliens. "I hear the red necks in the South are beating up illegals as the textile mills have closed," she wrote. "Use your imagination."

Lawless's suggestions were consistent with previous statements she had made, including a late March posting to an anti-immigration Internet forum in which she wrote that "my Southern friend tells me the rednecks in the South just beat [illegal aliens] up. Unfortunately, there are too many of them to use that tactic there any more."

Earlier, in February, Lawless posted to a Texas Minuteman message forum that "We need borders to . . . preserve our culture, instead of accepting any kind of flotsam and jetsam that seeks to float into our territory."

Mark Martin himself seemed willing to personally engage in intimidating tactics. In early May, he admitted in a Google Internet forum that he and another member of the National Socialist Movement had passed out racist fliers in Covington, Ohio, at houses "surrounding a suspected illegal Mexican jobsite." The two neo-Nazis also approached workers at the jobsite and demanded to see identification from them. When workers refused, Martin allegedly told one of them that he "was an illegal, wetback who was stealing American jobs and . . . spreading disease." Workers called the police, who told the neo-Nazis to leave or be charged with harassment.

THE VIOLENCE: GROWING NUMBER OF ASSAULTS

Not surprisingly, white supremacists have not limited their actions to hateful or even violent rhetoric. The past several years have seen a growing number of violent assaults and attacks by white supremacists against legal and illegal Hispanic immigrants, as well as Hispanic American citizens. The crimes have ranged from vicious vandalism to brutal assaults and murders. In most cases, the perpetrators did not even know the victims, but targeted them solely because of their appearance.

Only a minority of hate crimes are committed by ideological extremists, but such extremists have committed some of the worst hate crimes in America. The increased willingness of such white supremacists, especially racist skinheads, to attack Hispanics represents a dangerous and disturbing trend.

Here are some of the hate crimes committed by white supremacists against Hispanics in the U.S. in the past three years.

April 29, 2006, New York. A teenager was arrested in East Hampton, Long Island, after he allegedly threatened a Hispanic teenager with a machete and chased a second teenager with a chain saw while shouting racial epithets. Described by classmates as a skinhead, the alleged perpetrator had previously posted to the Internet photographs of himself posing as a Nazi and adorning a shed with swastikas. He and two others, whom police have allegedly linked to the incident, were suspended from school.

April 22, 2006, Texas. David Henry Tuck, 18, and Keith Robert Turner, 17, were arrested and charged with aggravated sexual assault in the brutal attack of a teenage Hispanic

high school student in Houston. The victim was beaten and sodomized with a plastic pipe from a patio umbrella, then kicked in the head with steel-toed boots. He was left with head wounds and major internal injuries. The victim had bleach poured on him and was burned with cigarettes. Witnesses allegedly stopped the attackers from carving something onto the victim's chest. Tuck is a self-described skinhead who sports Nazi tattoos. In 2003, at age 14, Tuck and two adult white supremacists were implicated in the racially motivated beating of a Hispanic man, according to court records and witnesses. The two adults received federal and state sentences for their role; juvenile records are not public in Texas.

January 2006, California. Ryan Nicholas Newsome, a member of the Another Order white supremacist gang, pleaded no contest on January 20, 2006, to assault charges in Yuba County. He pleaded no contest to assault with force likely to cause great bodily injury with a criminal street gang enhancement as a result of an August 2005 incident, in which he and an associate allegedly assaulted a Hispanic man.

December 2005, Tennessee. A Blount County judge on December 1, 2005, sentenced Jacob Allen Reynolds and Thomas Matthew Lovett to four years in prison and six months in prison (and two and a half on probation) respectively after they pleaded guilty to vandalizing a Mexican food store in Maryville on May 7, 2005, causing over \$17,000 in damages. The men allegedly broke windows and a refrigerator, vandalized a car, and spraypainted Nazi symbols on the store. Three others charged still await trial.

November 2005, Texas. Christopher Chubasco Wilkins, a prison escapee, was recaptured on November 5 and charged with murdering three men in the Fort Worth area during his month-long escape. Wilkins, who is according to police a self-proclaimed white separatist heavily tattooed with a variety of white supremacist tattoos, including a portrait of Adolf Hitler, is alleged to have killed two Hispanic men and one African-American man by gunshots to the head. Police are examining a possible racial motive. Wilkins had been living at a halfway house in Houston, after being released from federal prison, and left the house without permission.

November 2005, Tennessee. A federal judge sentenced former Klansman Daniel James Schertz to 14 years in prison for selling pipe bombs to a person he thought would use them to kill Mexican and Haitian immigrants. The person turned out to be an undercover informant. Schertz, a former corrections officer and member of the North Georgia White Knights of the Ku Klux Klan, pleaded guilty to making five pipe bombs to be used to blow up a bus carrying Mexican workers. Later, Schertz expressed gratitude that the government had stopped him, but said, "We should have people here who know how to speak English. They are over here illegally and nothing gets done to them."

October 2005, California. A Sacramento man and two other suspects who allegedly attacked and injured six people in a hate-crime spree at two local parties were arrested in the early morning of October 16, 2005. Ryan Marino, 22, posted bail from El Dorado County Jail later Sunday after being charged on four counts of assault with a deadly weapon with an extenuating circumstance of a hate crime. He allegedly used brass knuckles after shouting epithets against Hispanics and proclaiming "white pride" at a home Sunday evening. Party attendees later identified Marino, who police said crashed the parties with the intent of "beating up Mexicans."

September 2005, Utah. A federal judge on September 27, 2005, sentenced Lance

Vanderstappen to 20 years in prison for trying to kill a Hispanic man while in a holding cell in July 2005 awaiting sentencing for a racketeering charge. The victim had stab wounds to his neck, throat and chest. In court, Vanderstappen, a member of the notorious Soldiers of Aryan Culture white supremacist prison gang, admitted that he targeted the victim because he was Hispanic, saying "I intentionally tried to kill him." Vanderstappen pleaded guilty to attempted murder.

September 2005, New Jersey. Joseph Schmidt of Little Egg Harbor received a sentence of three years' probation in September 2005 after pleading guilty in June to two counts of bias intimidation, two counts of aggravated assault, two counts of criminal mischief, two counts of possessing weapons for an unlawful purpose, and simple assault. The charges were related to a string of attacks on minorities, primarily Hispanics, in Ocean County in 2003. Schmidt, a member of the white supremacist skinhead group East Coast Hate Crew, received a light sentence because he had cooperated with authorities in prosecuting other members of the group. Three others involved in the incident pleaded guilty and one was acquitted. Others have yet to go to trial.

July 2005, California. Four people, three men and one woman, were arrested in Riverside, California, on July 11–12, 2005, charged with making terrorist threats with a hate crime enhancement. Some of the people arrested had "white pride" tattoos, according to authorities, who also seized a variety of white supremacist items. According to police, the suspects drove to a home and challenged several Hispanics there to a fight, threatening them and using racial slurs. A similar episode occurred the next night. According to police, the people arrested claimed no particular group affiliation but said they were proud to be "members of the Aryan race."

May 2005, Arizona. White supremacist Steve Boggs was sentenced to death on May 13, 2005, for murdering three fast-food workers in Mesa, Arizona, in 2002 during a robbery. He had been convicted of three counts of first-degree murder and various robbery, burglary and kidnapping charges. Boggs shot the victims, a Native American and two Hispanics, then stuffed their bodies into a freezer at the store. Boggs wrote to a Mesa police detective that he had wanted to "rid the world of a few needless illegals. I don't feel sorry." Another defendant still awaits trial. According to prosecutors, the two men were members of a small hate group they called the Imperial Royal Guard.

May 2005, Texas. Two racist skinheads pleaded guilty on May 5, 2005, to a racially motivated beating of a Hispanic man in January 2003. Douglas Brannan of Hockley and Mark Fletcher Smith of Spring, both sporting many white supremacist tattoos, were convicted of civil rights violations. The two men, and a teenager, had attacked a Hispanic customer at a gas station, beating him and kicking him with steel-toed boots until he was unconscious while shouting "border jumper," "spic," and "we kill people like you." Brannan received a five year sentence and Smith a three year sentence.

December 2004, California. Ten racist skinheads from Redlands and Riverside attacked three Hispanics in the parking lot of a topless bar on December 29, 2004. According to police, they assaulted the men while yelling racial slurs at them and identifying themselves as members of skinhead groups. No arrests have yet been made.

November 2004, Wisconsin. Mark Lentz of Sheldon, Wisconsin, received a three-month sentence and two years of probation, as well as 40 hours of community service, after

pleading no contest to a misdemeanor hate crime. Lentz was the last of four racist skinheads to be sentenced for luring a Hispanic man outside a bar in Waukesha, then hitting him on the head with a bottle and repeatedly kicking him. Mark Davis II of Waukesha earlier received a 3½ year sentence and two years of extended supervision, Kasey Bieri received an 18-month jail term and three years of probation, and Jeffrey Gerloski received four months in jail and two years probation.

June 2004, Texas. Ranch Rescue member Casey Nethercott was convicted by a Texas jury of felony firearm possession in connection with an attack on two illegal immigrants from El Salvador outside of Hebronville, Texas, in 2003. He was sentenced to five years in prison. The two immigrants (now in the U.S. legally) successfully sued Nethercott and others involved in the incident for a total judgment of \$1,450,000.

November 2003, Idaho. Aryan Nations member Zachary Beck was arrested for felony malicious harassment as a hate crime for attacking a Hispanic male in the parking lot of a supermarket after asking if the victim was Mexican. While awaiting trial on that charge, he was later re-arrested after allegedly shooting at a police officer in Longview, Washington, during a standoff. He still awaits trial on the alleged crimes.

June 2003, California. Two racist skinheads, Waylon Kennell and James Grlicky, were convicted in separate trials for the brutal beating of a Mexican migrant worker in San Diego in the fall of 2003. Grlicky was convicted of attempted murder, conspiracy, robbery, assault and battery, with a hate crime enhancement. Kennell was convicted of assault causing great bodily injury and battery with serious bodily injury. According to the prosecutor in the case, the two went hunting for a "beaner" to beat and rob. They kicked the victim in the head around a dozen times, including "curbstomping" him—kicking down on the back of the head when the victim's open mouth is placed against a concrete curb (emulating a scene in the movie "American History X"). The victim suffered brain damage as a result of the attack.

May 2003, New Hampshire. Aryan Nations member Russell Seace, Jr., of Hampton Beach, pleaded guilty on May 27 to being a felon in possession of a firearm as part of a plea bargain with the federal government. In exchange for money, Seace had agreed to kill a Hispanic inmate after he was released, in retaliation for an alleged attack by the Hispanic man on a white prison inmate.

February 2003, Oregon. A Mexican landscaper in Beaverton was beaten with a baseball bat, robbed, and told to "go back home," by a man with a shaved head and a coat with "KKK" on it. Baseball bats are one of the weapons preferred by racist skinheads. Authorities posted a reward but were unable to make an arrest in the crime.

ANTI-IMMIGRATION ACTIVISTS AND WHITE SUPREMACISTS

It is not surprising that the most radical anti-Hispanic sentiment is coming from white supremacists; however, there are other groups joining the anti-Hispanic crusade. With mounting public awareness and concern over illegal immigration in America, the issue is also being exploited by extreme anti-immigration activists, some of whom are reaching out to white supremacists. The rhetoric of these activists is largely aimed at Mexicans, not other illegal aliens, and frequently does not distinguish between Mexicans and Mexican-Americans.

This extreme end of the anti-immigration movement includes both anti-Hispanic hate groups masquerading as immigration reform

groups as well as vigilante border patrol groups, who conduct armed patrols along the borders of the United States. Several border vigilantes have been arrested on weapons charges. Casey Nethercott, for example, associated with border vigilante groups such as Ranch Rescue and the Arizona Guard, is currently serving a five-year prison term on weapons charges stemming from a 2003 incident in which he and others confronted and assaulted two Salvadorans when on "patrol."

The vigilante border patrol groups have operated for several years but have expanded greatly in the past twelve months, spurred on by the media attention given to the so-called "Minuteman Project." In April 2005, Chris Simcox, who founded the Arizona-based Civil Homeland Defense, a border vigilante group, and Jim Gilchrist, based in California, joined forces to create the Minuteman Project, whose purpose was to gather thousands of volunteers for a month-long watch for illegal border crossers in Arizona. The project, which was highly publicized among right-wing extremists and white supremacists, attracted far fewer volunteers, many of them armed, during its first week. However, the publicity generated by the event resulted in numerous Minuteman chapters and spinoffs forming across America, even in states such as New York, Virginia, Vermont, and Illinois. These groups use the same radical rhetoric: that the United States is being "invaded" by Mexicans who must be stopped.

That message was clear at a three-day summit, "Unite to Fight Against Illegal Immigration," held in Las Vegas, Nevada, in May 2005. More than 400 anti-immigration activists gathered at the event to hear speakers describe illegal immigrants as "the enemy within" and "illegal barbarians," while suggesting that America was "at war" with illegal immigrants and urging people to "take America back."

Many of these anti-immigrant extremists have switched their focus from the border to day laborer centers, where they photograph Hispanics whom they assume are illegal aliens. This racial profiling has also occurred at fast food restaurants and other businesses where Hispanics are employed across the United States. White supremacist and anti-government groups continue to express interest and take part in these activities, and their rhetoric has become more and more confrontational.

INTERNET VIDEO GAMES TARGET HISPANICS

Extremists have shown a renewed interest in populating the Internet with links to video games that target

Hispanics, portraying them not as productive contributors to society, but as objects of scorn, derision and hate. Shoot-to-kill video games such as "Border Patrol," a game created in Flash that is easily accessible on the Internet through extremist Web sites, have become increasingly popular among those opposed to immigration and are widely shared among extremists in the United States. This has especially been the case as the national discussion over immigration has gathered force.

In "Border Patrol"—one of the more popular Flash games available on the Internet through various extremist Web sites—the object is to "kill" caricatures of Mexicans as they attempt to cross the border and gain entry to the U.S.

Players control a gun and are charged with killing stereotypical Mexicans. Targets include a "Mexican nationalist," who carries a Mexican flag and a pistol; a "Drug smuggler," wearing a sombrero and carrying a bag of marijuana on his back; and finally a "Breeder"—a pregnant woman who has two small children in tow. Aside from the

virulently anti-Hispanic themes within the game, it also hints at anti-Semitic myths such as "Jewish control" of the U.S. through an image where the border is represented by a bullet-ridden sign showing an American flag whose 50 stars have been replaced by a single Jewish Star of David.

Under this sign, another small sign directs the Mexicans to a "Welfare Office." The player "wins" when he or she has made 88 kills. The number 88 has significance to neo-Nazis, who use it as shorthand for "Heil Hitler" ("H" is the eighth letter of the alphabet).

"Border Patrol" was first created in 2002 by the now-defunct website "Zine 14," and was soon being copied and distributed by extremists and others. In March 2003, the neo-Nazi Aryan Nations group and Christian Identity preacher James Wickstrom both linked to copies of this game from the front pages of their Web sites. In recent months, the game has enjoyed a resurgence in popularity, largely due to neo-Nazis trying to capitalize on the national immigration debate. Neo-Nazi leader Tom Metzger posted the game on his Web site, and other extremists have linked to it and promoted it on fringe online discussion groups.

Games, music and cartoons are some of the methods extremist groups rely on as part of their efforts to reach a younger audience and to expose them to their hateful ideas and beliefs. Cartoon-like Flash games are seen as ideal for this task, because they are small and easy to create and share over the Internet, or enclose in an email message. In recent years, extremist groups such as the neo-Nazi National Alliance have also created more sophisticated video games, such as "Ethnic Cleansing," a game available on CD-ROM that also engages in the stereotyping and demonizing of Hispanics. Their aim is to attract unsuspecting users to extremist Web sites, where they can be exposed to the message and goals of the hate groups.

Such games are tools that extremists increasingly use to desensitize people against acts of violence, to portray hate crimes as something to be celebrated, to dehumanize America's Hispanic population and to draw attention to their cause using the new technologies available to them on the Internet.

IT IS TIME TO BRING OUR TROOPS HOME

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from New York (Mr. McNULTY) is recognized during morning hour debates for 5 minutes.

Mr. McNULTY. Mr. Speaker, when we debated the original Iraq war resolution, the administration told us that Iraq was stockpiling weapons of mass destruction, that there were ties between Saddam Hussein and 9/11, and that Iraq was within a year of having a nuclear capability.

Fast-forward to the deliberations of the 9/11 Commission. They concluded that there were no weapons of mass destruction, no ties between Saddam Hussein and 9/11, and no nuclear capability. Mr. Speaker, these votes weren't 8-4 or 7-5, they were all 12-0 that the very basis for the war did not exist.

When I go back home, Mr. Speaker, and my constituents ask me to summarize where we are in the war on terror, I tell them this: As we approach the fifth anniversary of the worst terrorist

attack in the history of our country, we have committed hundreds of billions of dollars in Iraq. More important than that, over 20,000 young Americans have either been killed or seriously wounded going after Saddam Hussein, who did not attack us, while Osama bin Laden, who did attack us, is still alive, free, planning another attack on our country. That, Mr. Speaker, is the very definition of failure in the war on terror. We went after the wrong guy.

But after the invasion, did we have a responsibility to help the Iraqi people build a new government and a new way of life? The answer to that question is yes. And we have fulfilled that obligation. We have helped them through not one, not two, but three elections. It is now time for the Iraqi people to stand up and defend themselves.

There is a general rule of military engagement that says that you do not signal to your enemy what you are going to do in advance. But there are exceptions to every rule, and there are two exceptions to this rule. Number one is that the insurgents in Iraq are using as a recruitment tool the argument that we have no intention of leaving their country and that we are going to steal their oil. And it is working! It is fueling the insurgency.

As for our friends in Iraq, those who want this new government and new way of life, they seem perfectly content to let our soldiers take all of the enemy fire. The problem with security in Iraq is not the system of training, it is the fact that the Iraqis are not stepping forward to defend their own government.

So today, Mr. Speaker, my basic disagreement with the President is this: He says that we should stay in Iraq until the Iraqis declare that they are ready to defend their own country; and I propose that we announce a timetable for withdrawal, start withdrawing our troops, and make our position very clear to the Iraqis: If they want this new government and this new way of life, they have to come forward, volunteer, stand up, and defend it. Mr. Speaker, it is time to bring our troops home.

HATE CRIMES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Texas (Mr. GONZALEZ) is recognized during morning hour debates for 2½ minutes.

Mr. GONZALEZ. Mr. Speaker, I rise today to address the House on an important issue that has already been addressed by my colleague Mr. BACA, and that is the power of words. And that is all we really have here in this chamber, and that is to address one another in a respectful manner and engage in a good faith debate about the merits or demerits of any particular issue.

Unfortunately, words can be harmful and they can incite and be counter-productive, and to be a disservice not just to this institution but to the

American people who are waiting for a good faith debate on the important issue of immigration.

However, this debate has been framed in a certain manner, to appeal probably to that rather unattractive underbelly that is out there in society, and that is bigotry and racism. And that is a true danger. And when I say it is a disservice to this country, it is beyond a disservice. It is going back in time.

A recent article that appeared this Sunday regarding this debate pointed out as follows, and this is so important that it cannot be adequately emphasized:

Most Americans who are in favor of stricter border enforcement are not bigots. Far from it. But some politicians and other public figures see an opportunity to foment hate and hysteria for their own profit. They are embracing a nativism and xenophobia that recall the 1920s when a State Department warning about an influx about filthy and unassimilable Jews from Eastern Europe led to the first immigration quotas, or the 1950s hey-day of Operation Wetback when illegal Mexican workers were hunted down and deported.

We are a better Nation than we were in the 1920s, we are a better Nation than we were in the 1950s, but only if we respect what this institution is all about, and that is a good faith based debate on the facts and the figures, and not to appeal to an emotional part of the human spirit that is not to be admired or promoted.

At this time I yield to my colleague, Mrs. NAPOLITANO, from the great State of California.

Mrs. NAPOLITANO. Mr. Speaker, I thank my esteemed colleague, JOE BACA, for taking the lead on this very important issue, and to the gentleman from Texas, CHARLIE GONZALEZ, for yielding to me.

I also find it very disturbing that extremists are using the immigration debate to stir up racial division and hatred. Whether it is in the form of violent anti-immigrant video games, in hate speeches, in racial slurs, in graffiti, in our schools, or in political debate, it is wrong.

I am here to ask you to ask our countrymen to say enough is enough. It is not a moral nor a decent way to treat or speak about our fellow human beings. Along with many of my colleagues, I implore individuals, families, and communities all over the country to stand up against this hatred.

THE BERLIN WALL AND THE WAR ON TERROR

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I would like to call the attention of the House to an anniversary that should not pass without reflection. My colleagues, 19

years ago, President Reagan stood in a divided Berlin at the Brandenburg Gate and challenged Mikhail Gorbachev to "tear down this wall." Today, as our brave men and women in the Armed Forces fight the global war on terror, we should remember the determination of President Reagan as he spoke those words in a divided city and the inspiration he brought to the people of Berlin and to the world.

Asked how he felt about the wall, President Reagan called it, quote, an ugly scar on the face of Berlin, a city of culture and history which was celebrating its 750th anniversary when Reagan visited it.

Today we recognize that the ideology of terror is an ugly scar on the face of Islam, and in our struggle against it we should bear in mind the lessons of the Cold War, a struggle that bears a deep resemblance and relevance to the global war on terror we wage today. Like the Cold War and the global war on terror, we face an ideology rather than a hostile state. Like communism, the creed of terror is expansionist, uncompromising, and poses a threat to freedom loving people everywhere.

In waging war against such an ideology, victory cannot be found on a single battlefield. The Cold War stretched from Asia to Africa to the very heart of Europe, just as our struggle today reaches from the Philippines to the mountains of Afghanistan to, as we recently saw, our neighbor Canada. Terrorism will strike wherever freedom reigns, from London to Madrid, to a quiet field in Pennsylvania.

The Cold War proved to be a generational conflict, spanning decades, and the global war on terror may prove an equally daunting task. But as in the Cold War, the fanaticism of our foes leaves no room for negotiation or compromise. The global war on terror is a fight we must win. The stakes are far too high to fail.

At the time of his speech in Berlin, the Soviet news agency called President Reagan's words openly provocative and warmongering, while some sources in the American news media were no kinder. When President Reagan called the Soviet Union an evil empire, many criticized him for his black and white point of view.

These criticisms sound familiar today, but the verdict of history is in. Within a decade of President Reagan's provocative speech, the Cold War ended with freedom's triumph.

Today, each news report of a bombing in which Iraqi women and children are slaughtered is a glimpse of a new evil empire of terror, reminding us that evil is alive in the world and must be opposed, the words of Edmund Burke ring true: "The only thing necessary for evil to triumph is for good men to do nothing."

I am proud to say that, as a Nation, we are meeting that challenge, not leaving evil unopposed. Last week we won a major victory with the death of the terrorist mastermind Abu Musab

al-Zarqawi. Our Armed Forces and intelligence services deserve congratulations for their fine work, along with the first responders, border agents, and other heroes at home who stand ever vigilant hoping their services will never be called into need.

My colleagues, in a generational struggle like the one we face, we should remember that we are the strongest when we stand together. Fortunately, we do not stand alone. We stand with allies from across the world, including many who have come face to face with terror. As President Reagan addressed his remarks in Brandenburg to the people of Eastern Europe, let us remember that those living under oppression or fear of terrorism will be heartened by the determination we show in this fight.

During his visit to Berlin 19 years ago, President Reagan was struck by the words of a young Berliner who had spray painted on the wall that divided the city: "This wall will fall. Beliefs become reality."

America has always been a beacon of hope, a living example of the transformative power of freedom. As the people of Berlin took up sledgehammers against the infamous wall and broke Communist's grip on the city, Americans know that as freedom and democracies take root in the new Iraq, when we see ink-stained fingers raised in defiance of threats, the people of the Middle East and the world will demolish terror with their ballots, and freedom will again triumph.

HATE CRIMES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. I thank Congressman BACA for bringing us together to acknowledge that hateful speech generates hateful acts. And I hope that we will have an opportunity as we discuss the immigration pathway for so many who are claiming America's dream that we will bring the tone down. Let me applaud the community of Houston where I come from where we are establishing weekly meetings called Houston's Unity Effort on Immigration.

Let me tell how immigration and hateful talk can generate ugly acts. The sodomizing of a teenager by Anglo youth, white youth, a Hispanic youth when the piquing comments about immigration were rising to the worst that we could hear. That young man now lays in a hospital bed recuperating, and I have asked for an Attorney General investigation as to the violation of his civil rights. Or, as been said, a video game that gives the highest points to a dead Mexican pregnant woman coming over the border. That is a lack of understanding and sensitivity. And just recently in Round Rock, Texas where a

bailiff called a young teenager who simply wanted to express their constitutional rights in walking out of a high school to claim some sort of dignity on immigration called them a wetback, and that same community charging them with misdemeanors for simply expressing their freedom of speech.

I know this Nation can do better and I know that we can do better. That is why I join with Congressman BACA to say that hateful speech generates hateful acts. This is the beginning of a hate crime if we begin to talk in a hateful way. Immigration can be done comprehensively, border security, and comprehensive immigration reform. Let us tone it down. Let us be reasonable and respectful.

I would like to yield the rest of my time to Mr. GREEN from Texas.

Mr. GENE GREEN of Texas. I would like to thank my Houston neighbor for yielding me the balance of her time.

Racial intolerance has divided this country since the Pilgrims landed at Plymouth Rock. The history of immigrants coming to this country teaches us that when one particular ethnic group comes to this country in large numbers, that group becomes the target of false suspicions and contempt. This has been true in our Nation's history, whether it be the Irish, the Germans, the Italians, or Chinese immigrants.

In 1921, Congress passed the first immigration restrictions because we were worried immigrants were coming in and taking our jobs. Now today we face a similar climate. We navigate through our latest effort to address immigration in this country with Hispanics, mostly from Mexico. Just last month, in my home county, we had a young Mexican American teenager who was nearly beaten to death and sexually assaulted by two white teenagers who were known to be racist.

Unfortunately, our country has seen a rise in crimes targeting particular races, ethnicities, and genders over the past few years. To combat this growing trend, many States and the Federal Government have considered and passed legislation designated as hate crimes legislation. If someone attacks me or my property because I am an Anglo, that is a crime and they should be punished. But if they attack me because I am an Anglo and they destroy my property or attack me, that should have a higher punishment level. And that is true in this country and it should be true in many of our States, and we need to make sure that happens. It is bad enough to have your property or you hurt, but somebody just doing wrong against you but doing it because they don't like your race, your ethnicity, the color of your skin, your religion or your gender is just wrong. Everyone should be protected from hate crimes regardless of where they occur.

Our Federal law only covers hate crimes if it is a federally protected ac-

tivity. This young man was actually at a private residence, so the U.S. Attorney says they can't file a hate crime in Texas. We are still working on the state law. Hopefully, the district attorney will do it.

All Americans should be outraged by these video games that the Internet depicts shooting caricatures of Mexicans crossing our border. This only incites needless hatred and creates more confusion on an issue that is already complicated. I hope my colleagues in the House will join me in denouncing and stopping any racial overtones surrounding the immigration issue. Our country is made up of immigrants; we all came from somewhere. Some of us were lucky enough, our parents got here sooner than others, but we are representative of every nationality and every ethnicity in the world.

I thank Congressman BACA for putting this together and my colleague from Texas for yielding.

Ms. JACKSON-LEE of Texas. Let me close by simply thanking you and saying that, in addition, we want to make sure that we don't undermine the Voter Rights Act by fighting over the language provision that should be included. That is actually part of the history of the Voting Rights Act, and I am very proud of Barbara Jordan some years ago the Voter Rights Act to include language minorities.

Mr. Speaker, hate crimes, hate acts, we need to recognize that this is what generates out of lack of understanding, and I believe Americans are better than this and understand the value of the comprehensive immigration reform border security without the attacking on young people who are innocent and become innocent victims of our hateful talk. We can do better and America can do better.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 9 o'clock and 57 minutes a.m.), the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order at 11 a.m.

PRAYER

The Reverend Joseph J. Kleinstuber, Pastor, St. Mary's Catholic Church, Bryantown, Maryland, offered the following prayer:

Almighty Father, we do well to join all creation in heaven and earth in praising You, our mighty God.

You made us in Your own image and set us over all creation. Once You chose a people and gave them dignity, and when You brought them out of

bondage to freedom, they carried with them the promise that all men and women would be blessed and that all would be free.

It happened to our forefathers who came to this land as if out of a desert into a place of promise and hope.

It happens to us still and we entrust the United States of America and this deliberative body into Your loving care.

You are the rock on which this Nation was founded. You alone are the true source of our cherished rights to life, liberty and the pursuit of happiness. We ask that You hold us in the palm of Your hand and God bless America. 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. STEARNS) come forward and lead the House in the Pledge of Allegiance.

Mr. STEARNS 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.

WELCOMING REVEREND JOSEPH J. KLEINSTUBER

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

Mr. HOYER. Mr. Speaker, I am very, very pleased to welcome to our midst Father Joseph Kleinstuber, a constituent of mine and an extraordinarily loved leader in our area. Father Kleinstuber is pastor of St. Mary's Church located in my district in Bryantown.

Father Kleinstuber was born in Washington, D.C. He attended Gonzaga High School, as well as Georgetown and George Washington Universities before going on active duty as an officer in the Air Force. He spent 3 years in the Air Force as chief of the Aviation Physiology Department at Randolph Air Force Base in Texas.

Following his military service, he studied at St. Vincent Seminary and was ordained as a Catholic priest in 1964.

Prior to coming to St. Mary's, Father Kleinstuber served as an assistant pastor of St. Anthony Church in the District and St. Andrew the Apostle Church in Silver Spring, Maryland. He also worked for 25 years at St. John's College High School here in Washington as chaplain, director of counseling, a member of the science department, and, of interest to our Speaker, wrestling moderator.

Since 2001, Father Kleinstuber has been at St. Mary's serving as the pastor of this more than 200-year-old parish where he is affectionately known by the students at St. Mary's Bryantown Catholic School as Father K.

I want to thank Father Kleinstuber for his dedicated service to the citizens of Bryantown and St. Charles County, and I wish to extend my gratitude and that of my colleagues to him for leading us in this morning's prayer.

Father, we wish you well and thank you for your leadership in so many different areas that have made our country a better place.

COMMENDING THE GOVERNMENT OF CANADA FOR ITS RENEWED COMMITMENT TO THE GLOBAL WAR ON TERROR

The SPEAKER. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 408, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 408, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 256] YEAS—409

- Abercrombie Brown (SC) Davis (AL)
Ackerman Brown, Corrine Davis (CA)
Aderholt Brown-Waite, Davis (FL)
Akin Ginny Davis (IL)
Alexander Burgess Davis (KY)
Allen Burton (IN) Davis (TN)
Andrews Butterfield Davis, Jo Ann
Baca Buyer DeFazio
Bachus Calvert DeGette
Baird Camp (MI) Delahunt
Baker Campbell (CA) Dent
Baldwin Cannon Diaz-Balart, L.
Barrett (SC) Cantor Diaz-Balart, M.
Barrow Capito Dicks
Bartlett (MD) Capps Dingell
Bass Capuano Doggett
Bean Cardin Doolittle
Beauprez Cardoza Doyle
Becerra Carnahan Drake
Berman Carson Dreier
Berry Carter Duncan
Biggart Case Edwards
Bilirakis Castle Ehlers
Bishop (GA) Chabot Emanuel
Bishop (NY) Chandler Emerson
Bishop (UT) Chocola Engel
Blackburn Clay English (PA)
Blumenauer Cleaver Eshoo
Boehrlert Clyburn Etheridge
Boehner Coble Everett
Bonilla Cole (OK) Farr
Bonner Conaway Fattah
Bono Conyers Feeney
Boozman Cooper Ferguson
Boren Costa Filner
Boswell Costello Fitzpatrick (PA)
Boucher Cramer Flake
Boustany Crenshaw Foley
Boyd Crowley Forbes
Bradley (NH) Cubin Ford
Brady (PA) Cuellar Fortenberry
Brady (TX) Culberson Fossella
Brown (OH) Cummings Foxx

- LoBiondo
Franks (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrist
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hoolley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski

- Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
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)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

- NOT VOTING—23
Hinojosa
Jefferson
Lewis (GA)
Manzullo
McKinney
Miller (MI)
Nussle
Oberstar
Payne
Peterson (MN)
Rush
Sessions
Snyder
Strickland
Weldon (PA)

□ 1135

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: "Concurrent resolution commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan."

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK, HOUSE OF REPRESENTATIVES, Washington, DC, June 8, 2006.

Hon. J. DENNIS HASTERT, The Speaker House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Susan Lapsley, Assistant Secretary of State for Elections, State of California, indicating that, according to the unofficial returns of the Special Election held June 6, 2006, the Honorable Brian P. Bilbray was elected Representative in Congress for the Fiftieth Congressional District, State of California.

With best wishes, I am Sincerely, KAREN L. HAAS, Clerk.

Attachment. SECRETARY OF STATE, STATE OF CALIFORNIA, June 8, 2006.

Hon. KAREN L. HAAS, Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 6, 2006, for Representative in Congress from the Fiftieth Congressional District of California, show that Brian P. Bilbray received 60,319 or 49.33% of the total number of votes cast for that office.

It would appear from these unofficial results that Brian P. Bilbray was elected as Representative in Congress from the Fiftieth Congressional District of California.

However, at this time there are 68,500 ballots still being processed by the jurisdiction. To the best of our knowledge and belief at this time, there is no anticipated legal challenge to the outcome of this election.

As soon as the official results from the San Diego Registrar of Voters are certified to this office reflecting votes of all 500 precincts involved, an official Certificate of Election will be prepared for transmittal to you as required by law.

Sincerely, SUSAN LAPSLEY, Assistant Secretary of State for Elections.

PROVIDING FOR SWEARING IN OF MR. BRIAN P. BILBRAY, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. BRIAN P. BILBRAY, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

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

There was no objection.

SWEARING IN OF THE HONORABLE BRIAN P. BILBRAY, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the California delegation present themselves in the well.

The Representative-elect will please raise his right hand.

Mr. BILBRAY appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 109th Congress.

WELCOMING THE HONORABLE BRIAN P. BILBRAY TO THE HOUSE OF REPRESENTATIVES

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

Mr. STARK. Mr. Speaker, as dean of the California delegation, it is my distinct honor at this point to yield to the senior member of the Republican California delegation, Mr. DREIER.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, since March 4, 1789, when the United States Congress was established, 11,792 individuals have had the opportunity to serve as Members of the United States Congress. During that period of time, a grand total of 29 have left this institution and come back representing a different district. Five of our sitting colleagues now fall among those 29: Mr. INSLIE; Mr. COOPER; Mr. PAUL; our California colleague Mr. LUNGREN; and now the gentleman who is here to work and ready to make sure that we stop the problem of illegal immigration, deal with the global war on terror, and make sure that we suc-

ceed in growing our economy, our colleague, Mr. BILBRAY.

Mr. BILBRAY. Mr. Speaker, I would like to, first of all, in the traditional way, thank my family and my friends, who were willing to support me through this quite unusual campaign. I would like to thank the people of the 50th District for giving me their trust and huge responsibility to represent them.

For those who may not know, the 50th District is a classic California coastline district, very environmentally sensitive; and I am grateful today that they believe in recycling Congressmen.

I know there are those in this room that are not happy to see me return, and all I ask of those is give me a chance to work with you again. I think we had a good working relationship in the past, and I look forward to a great working relationship in the future.

I would like to thank those of you that stood up and helped me in every way. This was obviously a team effort, and it was one that was well thought, hard fought, and well won.

Ladies and gentlemen, I leave you with one message: there were 18 people running for this seat. The voters had one of the broadest choices of any congressional race. But there was one issue and only one issue that allowed me to be elected. It was not my experience. It was not my hard work, and God knows it was not my intellect. It was the fact that the people in the 50th District wanted something done, they wanted a job and a message sent to Washington, that now and here is the time to address illegal immigration.

We did not enjoy the situation or appreciate the problem that created the vacancy, but let me say quite clearly what is obvious in the last few months is that the greatest scandal in America is not that one man broke the law, but that 12 million illegal immigrants are in this country and Washington is not doing enough about it.

So I ask you, even if you disagree with me on this issue, let us join together and work to address this issue so that both sides, Democrat and Republican, and Independent, can go home proud that we did right by the American people and worked together for our future and our grandchildren's future.

Thank you very much.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from California, Mr. BRIAN P. BILBRAY, the whole number of the House is 433.

CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER. The unfinished business is the question of adoption of the conference report on the bill, H.R. 4939.

The Clerk read the title of the bill.

The SPEAKER. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 351, nays 67, not voting 14, as follows:

[Roll No. 257]

YEAS—351

Aderholt	Cubin	Hoekstra
Akin	Cuellar	Holden
Alexander	Culberson	Hooley
Allen	Cummings	Hostettler
Andrews	Davis (AL)	Hoyer
Baca	Davis (CA)	Hulshof
Bachus	Davis (FL)	Hunter
Baird	Davis (IL)	Hyde
Baker	Davis (KY)	Inglis (SC)
Barrett (SC)	Davis (TN)	Israel
Barrow	Davis, Jo Ann	Issa
Bartlett (MD)	Davis, Tom	Istook
Bass	DeFazio	Jackson (IL)
Bean	DeGette	Jackson-Lee
Beauprez	Dent	(TX)
Becerra	Diaz-Balart, L.	Jefferson
Berman	Diaz-Balart, M.	Jenkins
Berry	Dicks	Jindal
Biggert	Dingell	Johnson (CT)
Bilbray	Doggett	Johnson (IL)
Billirakis	Doolittle	Johnson, E. B.
Bishop (GA)	Doyle	Johnson, Sam
Bishop (NY)	Drake	Jones (OH)
Bishop (UT)	Dreier	Kanjorski
Blunt	Edwards	Kaptur
Boehlert	Ehlers	Keller
Boehner	Emanuel	Kelly
Bonilla	Emerson	Kennedy (MN)
Bonner	Engel	Kennedy (RI)
Bono	English (PA)	Kildee
Boozman	Etheridge	Kilpatrick (MI)
Boren	Everett	Kind
Boswell	Fattah	King (NY)
Boucher	Feeney	Kingston
Boustany	Ferguson	Kirk
Boyd	Fitzpatrick (PA)	Kline
Bradley (NH)	Foley	Knollenberg
Brady (PA)	Forbes	Kolbe
Brady (TX)	Ford	Kuhl (NY)
Brown (OH)	Fortenberry	LaHood
Brown (SC)	Fossella	Langevin
Brown, Corrine	Fox	Lantos
Brown-Waite,	Franks (AZ)	Larsen (WA)
Ginny	Frelinghuysen	Larson (CT)
Burgess	Gallely	Latham
Burton (IN)	Garrett (NJ)	LaTourette
Butterfield	Gerlach	Leach
Buyer	Gibbons	Levin
Calvert	Gilchrest	Lewis (CA)
Camp (MI)	Gingrey	Lewis (KY)
Cantor	Gonzalez	Linder
Capito	Goode	Lipinski
Capuano	Goodlatte	LoBiondo
Cardin	Gordon	Lowe
Cardoza	Granger	Lucas
Carnahan	Graves	Lungren, Daniel
Carson	Green (WI)	E.
Carter	Green, Al	Lynch
Case	Green, Gene	Mack
Castle	Gutknecht	Maloney
Chabot	Hall	Marchant
Chandler	Harman	Marshall
Chocola	Harris	Matheson
Clay	Hart	Matsui
Cleaver	Hastings (FL)	McCarthy
Clyburn	Hastings (WA)	McCaul (TX)
Cole (OK)	Hayes	McCotter
Conaway	Hayworth	McCreary
Conyers	Hefley	McHugh
Cooper	Herger	McIntyre
Costa	Herseth	McKeon
Cramer	Higgins	McMorris
Crenshaw	Hinojosa	Meek (FL)
Crowley	Hobson	Meeks (NY)

Melancon	Rangel	Snyder
Mica	Regula	Sodrel
Millender-	Rehberg	Souder
McDonald	Reichert	Spratt
Miller (FL)	Renzi	Stearns
Miller (NC)	Reyes	Stupak
Miller, Gary	Reynolds	Sullivan
Mollohan	Rogers (AL)	Sweeney
Moore (KS)	Rogers (KY)	Tanner
Moran (KS)	Rogers (OH)	Tauscher
Moran (VA)	Rohrabacher	Taylor (MS)
Murphy	Ros-Lehtinen	Taylor (NC)
Murtha	Ross	Terry
Myrick	Roybal-Allard	Thomas
Napolitano	Royce	Thompson (MS)
Ney	Ruppersberger	Thornberry
Northup	Ryan (OH)	Tiahrt
Norwood	Ryan (WI)	Tiberi
Nunes	Ryun (KS)	Towns
Oberstar	Sabo	Turner
Obey	Salazar	Udall (CO)
Ortiz	Sanchez, Linda	Udall (NM)
Osborne	T.	Upton
Otter	Sanchez, Loretta	Van Hollen
Oxley	Sanders	Velázquez
Pascrell	Saxton	Visclosky
Pastor	Schiff	Walden (OR)
Pearce	Schmidt	Walsh
Pelosi	Schwartz (PA)	Wamp
Peterson (MN)	Schwarz (MI)	Wasserman
Peterson (PA)	Scott (GA)	Schultz
Pickering	Scott (VA)	Waters
Pitts	Shadegg	Watt
Platts	Shaw	Weldon (FL)
Poe	Shays	Weldon (PA)
Pombo	Sherman	Weller
Pomeroy	Sherwood	Wexler
Porter	Shimkus	Whitfield
Price (GA)	Shuster	Wicker
Price (NC)	Simmons	Wilson (NM)
Pryce (OH)	Simpson	Wilson (SC)
Putnam	Skelton	Wolf
Radanovich	Slaughter	Wynn
Rahall	Smith (NJ)	Young (AK)
Ramstad	Smith (TX)	Young (FL)

NAYS—67

Abercrombie	Honda	Owens
Ackerman	Inslee	Pallone
Baldwin	Jones (NC)	Paul
Blackburn	King (IA)	Pence
Blumenauer	Kucinich	Petri
Campbell (CA)	Lee	Rothman
Cannon	Lofgren, Zoe	Schakowsky
Capps	Markey	Sensenbrenner
Coble	McCollum (MN)	Serrano
Costello	McDermott	Smith (WA)
Delahunt	McGovern	Solis
Duncan	McHenry	Stark
Eshoo	McKinney	Tancredo
Farr	McNulty	Thompson (CA)
Filner	Meehan	Tierney
Flake	Michaud	Watson
Frank (MA)	Miller, George	Watson
Gohmert	Moore (WI)	Waxman
Grijalva	Musgrave	Weiner
Gutierrez	Nadler	Westmoreland
Hensarling	Neal (MA)	Woolsey
Hinchev	Neugebauer	Wu
Holt	Olver	

NOT VOTING—14

Barton (TX)	Gillmor	Payne
Berkley	Lewis (GA)	Rush
Deal (GA)	Manzullo	Sessions
DeLauro	Miller (MI)	Strickland
Evans	Nussle	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISSA) (during the vote). There are 2 minutes remaining in this vote.

□ 1202

Mr. HOSTETTLER changed his vote from “nay” to “yea.”

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEDICARE PRESCRIPTION DRUG PLAN

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

Mr. BROWN of South Carolina. Mr. Speaker, in February of this year there were approximately 112,311 Medicare part D seniors in my district. About 46,052, or 42 percent, were enrolled in a Medicare drug plan.

In March I held Medicare workshops throughout my district to educate our seniors about the Medicare part D coverage. The participation was overwhelming. As a result of these workshops, as of May 7, 2006, approximately 83,437, or 74 percent, of my eligible seniors were enrolled in the part D plan.

Currently, more than 38 million Medicare beneficiaries nationwide have good drug coverage. That is over 90 percent of all eligible beneficiaries. The Medicare prescription drug coverage is a big win for our seniors.

DEBATE ON THE WAR IN IRAQ

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

Mr. KUCINICH. Mr. Speaker, there will be a great debate this week about the war in Iraq. Will we debate whether Iraq had anything to do with 9/11? No, because everyone knows Iraq did not. Will we debate whether Iraq had weapons of mass destruction? No, because everyone knows Iraq did not. Will we debate the administration's exit strategy? No, because they don't have one.

It will be an interesting debate, because the very reasons which brought Members to vote for the war no longer have a basis in fact. They keep changing day by day, the reasons, why we are in Iraq. And as each new reason is brought to light, it keeps evaporating like the sun evaporates the morning dew.

After a while, the war becomes self-justifying, a patriotic exercise. So we will engage in a great debate about a war that is not so great, about a war based on a lie while our troops and innocent civilians die as we debate greatly.

THANK YOU TO OUR SOLDIERS

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

Mr. PRICE of Georgia. Mr. Speaker, what an honor it is for me to stand here today and recognize three outstanding soldiers and citizens, Sergeant Kenneth Kraus, Staff Sergeant Jacob Long, and First Sergeant Michael Matthews. These brave men represent the best our country has to offer. They served in our military and now continue service in Roswell, Georgia, as police officers and city employees.

Just like the freedoms they protect, the heroism and selflessness embodied

by our brave soldiers must never be taken for granted. Each and every day these men and women sacrifice for the well-being of Americans and our allies, and they stand on the front lines in Iraq, Afghanistan, and around the world bringing freedom and hope to millions; and they do so with an unwavering dedication and professionalism.

We must insure that they have not only our gratitude but our genuine support in their continued efforts. Thanks to Sergeant Kraus, Staff Sergeant Long, and First Sergeant Matthews, as well as all members of the United States armed services for their contributions both at home and abroad.

You continue to make our Nation great and our friends and allies around the world secure and free. God bless you.

RISING COLLEGE EDUCATION COSTS

(Ms. CORRINE BROWN of Florida asked and was given permission to address the House for 1 minute.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, attention students: since the Bush administration took office in 2001, tuition and fees at 4-year public colleges have increased by 40 percent, forcing more and more students and their families to take out Federal loans. The typical student borrower now graduates from college with a record of \$7,500 debt, which they must start paying months after they graduate.

But thanks to the Bush administration, come July 1, interest rates will be raised by 7 percent, and for the parents 7.8 percent. To avoid adding potential thousands of dollars to the life of their loans, students and parents with Federal student loans should consolidate now before the July 1 rates take effect and lock in interest rates as low as 4.75 percent.

To circumvent increases caused by the Republican raid on student loans, a tax on student loans, borrowers should call the Department of Education at 1-800-557-7392. I repeat, to avoid this, call 1-800-557-7392.

5,172 MISSING CHILDREN ARE FOUND

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

Mr. POE. Mr. Speaker, the ladies of the gulf, Hurricanes Katrina and Rita, battered Louisiana and Texas, shattering families, scattering 5,172 children across the country. In the darkness of the night, children disappeared from their families. Searchers only hoped and prayed that they would be found.

Frantic parents upon arrival in safe harbors panicked because they were separated from their kids. While the hurricanes were a bad dream, losing their kids was a nightmare.

This is when the child crusaders came together, without hesitation, launching into action, combing 50 States, searching among thousands of people. In the end, all 5,172 children were brought home. After hundreds of hours of manpower, success occurred because of the dogged determination of the National Center For Missing and Exploited Children.

Through the tenacious work of peace officers and the tireless efforts of the U.S. Postal Service and thousands of nameless citizen volunteers, children were united with their parents. Yesterday, I was with the President at the White House when the First Lady honored these valid heroes, demonstrating the face of tragedy is best met by strong hearts and iron wills, and people just taking care of people.

And that's just the way it is.

HOUSE GOP IGNORES THE ECONOMIC CONDITIONS OF AMERICA'S WORKING CLASS

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

Mr. CLEAVER. Mr. Speaker, having come to Congress in this 109th, I am come to the conclusion that it is not good for any party to have complete power here in Washington. It creates a hubris that then, I think, does immense damage to the Nation. Over the last 6 years, we have seen the control of Congress and the White House by Republicans; and for whatever reason, it appears that the economic direction that we have taken in the country is in favor of the upper class, and the benefits are supposed to trickle down.

Mr. Speaker, there is a tsunami of frustration rolling across America. People are hurt. The average family is now paying \$1,200 more a year for health insurance. College tuition has jumped 40 percent and gas prices have doubled. Housing is the least affordable in the last 14 years. A tsunami of frustration is rolling across America.

Mr. Speaker, I believe we can do better.

PROBLEMS WITH SENATE IMMIGRATION APPROACH

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to speak out against the Senate's amnesty plan. Their bill is fundamentally unfair as it benefits only those who came to this country by breaking our laws. No illegal alien is left behind by this bill, because it gives aliens in-state tuition rates at colleges.

Further, the Senate bill would allow 217 million new immigrants to come here over the next 20 years. That is two-thirds of our current population. Some of my constituents have been

sending me bricks suggesting that they go toward building the wall on our southern border.

When constituents have to step in to help send bricks to Congress, obviously they feel very strongly about the immigration issue. Actually, Americans should start sending bricks over to the Senate, and I hope that they do. However, the problem is they probably will not mail them. They will be throwing them at the Senate.

DO-NOTHING CONGRESS

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

Mr. BUTTERFIELD. Mr. Speaker, the House is back in session for yet another week. The sad fact is that this House has only been in session 43 days this year; but once again, the Republican majority refuses to schedule any meaningful legislation to address our Nation's energy crisis. So that is why we call this the do-nothing Congress.

The Republican Party's cosy relationship with Big Oil is causing pain for the American consumer and jeopardizing our national security. Last year, Big Oil recorded record profits, thanks partly to billions in tax breaks that Republicans rewarded their friends last year. Yet, House Republicans remain defiant in their opposition to repealing the \$8 billion in tax breaks they have given to their friends in the oil industry.

Mr. Speaker, this is really a question of fairness. Why should oil companies continue to receive giant tax breaks from the Federal Government when they are recording record profits. Democrats want to repeal these unnecessary subsidies so we can provide consumers with some relief.

WAR SUPPLEMENTAL APPROPRIATIONS

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

Ms. FOXX. Mr. Speaker, I am proud of our Speaker and the majority leader for taking a fiscally responsible stance on the Emergency Supplemental Appropriations Act for Defense and the Global War on Terror. Our leaders pledged that this House would reject an emergency supplemental spending package that exceeded the amount requested by the President, and this was absolutely the right stand to take.

I am sure there are folks who could argue the merits of the additional funding proposed by the Senate, but we should debate those merits at another time. This war supplemental spending is for emergency spending for the war on terror. It should not be used as a free-for-all for nonemergency spending that should be debated in our yearly budget and appropriations process.

I am very pleased that the House and Senate reached an agreement on this supplemental package that eliminated

the \$14 billion in additional funding that had been added by the Senate. This action proved that this Congress is committed to fiscal discipline.

The conference report now accomplishes its original goal by providing \$65.8 billion in funding for our troops so that they have the equipment and resources they need to win the war on terror.

DEMOCRATS FIGHTING TO EXPAND OPPORTUNITY TO ALL

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, the American people want Congress to focus on their priorities, and that is exactly what the House Democrats are doing. We are fighting to expand opportunity to all Americans, not just a privileged few.

At a time when the average college student graduates with more than \$17,000 in debt, Democrats want to expand the opportunities available to them by cutting the interest rates on their college loans, not increasing them, like the Republicans are doing.

At a time when wages remain stagnant for most Americans, Democrats continue to fight to raise the minimum wage because we want a fair and working wage. By increasing the minimum wage, we would not only expand opportunity for 7 million workers, but we would also increase wages for middle-class workers who have not seen a substantial pay raise in over 5 years.

At a time when high-paying jobs are going overseas, Democrats have an innovation agenda for science, engineering, information technology.

Mr. Speaker, it is time that this House really got to work.

□ 1215

SCHOOL SAFETY ACT

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

Mr. KIRK. Mr. Speaker, today the House will consider the School Safety Act authored by Congressman PORTER of Nevada. This bipartisan legislation will help make every classroom in America safer.

Recently, Michigan officials found that while the schools check their own State criminal records before hiring a coach or a teacher, 2,500 felons were still hired by Michigan's schools because they had out-of-state arrest records.

In 1998, President Clinton authorized States to share arrest records in compacts, and 25 States have done this but 25 have not, including Illinois.

John Porter's bill will link the criminal records for all 50 States. It will give school boards the tools they need to prevent a felon with an in-state or out-of-state arrest record from being put in charge of a classroom or team.

Americans have a right to safe, gun-free classrooms, and this bill will help make that happen.

DISASTER ASSISTANCE FOR FARMERS

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

Mr. POMEROY. Mr. Speaker, a preceding speaker noted the supplemental bill just passed. I want to speak about an aspect left out of this supplemental bill because of the actions of the majority.

Any assistance for farmers outside of the gulf region who suffered disaster losses in the 2005 production year were left out of the disaster bill. Supported by a bipartisan majority in the Senate, left out on a party-line vote in the House.

Our Nation's farmers have provided this majority and this President with plenty of help over the years, and they certainly deserve better than to have the President of the United States issue his first veto threat on a disaster bill that helped farmers when natural disasters took their crops.

They, instead, provided just for hurricane, farmers who lost during the hurricane. Well, look, maybe a drought does not have a name, maybe a flood does not have a name, but when you have a natural disaster and it wipes out our farmers, they deserve help from our government. That is how you keep family farmers in business, and it is a darn shame the Republicans stopped it in this bill.

STARK DIFFERENCE BETWEEN PARTIES IN APPROACH TO WAR ON TERROR

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

Mrs. BLACKBURN. Mr. Speaker, there is a stark difference in the way the Republicans and the Democrats approach this war on terror. There are many of the liberal elites who want to disengage and would like to leave broad swaths of this planet to terrorists. This course of action would lead to a lot of pain and suffering for future generations, for our children, for our grandchildren. It also would embolden the terrorists who are watching everything that we do and would lead to more strikes on U.S. soil.

After 9/11, our country made a decision that enough was enough and that it was time to fight back after two decades of terrorist strikes. It was time for us to protect our national security, and yes, indeed, because of our men and women in uniform, we have, and they are doing it brilliantly.

Is every day in this battle a victory? No. Is it easy? No. Is it very difficult? Incredibly so. But the important thing, it is a necessary fight and we are winning.

STUDENTS SHOULD CONSOLIDATE TO AVOID RATE INCREASES

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

Ms. SOLIS. Mr. Speaker, graduation season is in full swing, and all across the country eager college students are walking across the stage and entering into the workforce. While many wonderful experiences no doubt lie before them, one factor will quickly dampen their spirits, the reality that they are now saddled with unmanageable debt they accrued while obtaining their college degree.

The debt will grow even more daunting if they miss an important deadline that is fast approaching. That is why I came to the floor today, Mr. Speaker, to encourage all college graduates and their parents who are carrying debt to consolidate their Federal college loans before July 1. If they do not, interest rates will rise by 7 percent for students and 7.8 percent for their parents. Consolidating this month will allow them to lock in a low rate of 4.75 percent, drastically reducing the overall amount they will have to pay.

Mr. Speaker, the Republicans refuse to join us in making college affordable for many, many young people. In fact, they actually made college more expensive for American students when they passed a \$12 billion in higher education cut earlier this year.

I urge strong support for our students and parents.

MAKING U.N. DUES ASSESSMENTS MORE FAIR

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

Mr. STEARNS. Mr. Speaker, the assessment of member dues at the United Nations has always been something of a joke. Japan pays 19.5 percent of the U.N. budget and does not even get a chance to sit on the Security Council. By contrast, Security Council members Russia and China contribute only 1 percent and 2 percent respectively to the U.N.'s multibillion dollar budget. We pay over 22 percent.

Currently, the U.N. bases assessments on gross national income figures, the proper measure of which cannot be taken when currencies are not convertible. The United States recently proposed that assessments be calculated the World Bank way, using data on purchasing power parity, to better reflect what states can afford. This would raise Russia's share of the budget to about 2.5 percent, China's to 13.7 percent, leaving America's mostly unchanged.

Should they not want this recognition, under the new accounting method, China's share of world gross domestic product rises to second place from seventh, just as Russia's rises to 10th place from 16th?

GOP IS THE CUT-AND-RUN CONGRESS

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

Mr. EMANUEL. Mr. Speaker, Karl Rove has said that the Democrats want to cut and run on the war in Iraq. Well, let us talk about cutting and running.

When we were told this would be a quick war and turned into a long war, this Congress cut and run from its oversight responsibility.

When we were told 130,000 troops would be enough but more were clearly necessary, this Congress cut and run from doing its oversight responsibility.

When we were told this would be a conventional war and it turned into an insurgency, this Congress cut and run from its oversight responsibility.

When we were told oil would pay for reconstruction, but the taxpayers were left with a \$480 billion tab, this Congress cut and run from its oversight responsibility.

When we were told we would be greeted as liberators but had become treated like occupiers, this Congress cut and run from its oversight responsibility.

Mr. Speaker, Republicans want to portray the greatest foreign policy challenge of a generation as simply a choice between staying the course and cutting and running. Democrats look forward to this debate.

Mr. Speaker, oversight requires the vigilance and patriotic determination of every Member of Congress to do the job we were sent here to do and ask the questions that their constituents want.

Mr. Speaker, it is time for new priorities in Iraq and here at home.

BETTY BRADY'S RETIREMENT

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

Mr. GINGREY. Mr. Speaker, I rise today to thank Betty Brady for nearly 30 years of service to the Powder Springs, Georgia community, most recently as the city clerk.

Betty's retiring from public service this year, and I know the whole city will miss her enthusiasm and her dedication.

Betty has worked with the City of Powder Springs since 1977, and in 1992, she was appointed city clerk. Over the past 14 years, Betty has worn many hats, accomplishing administrative, organizational and public relations duties for the mayor and city council.

As a native of Powder Springs, Betty brought a passion to her role as city clerk. Never one content to sit on the sidelines, Betty gave her time and energy to almost every aspect of city government.

In retirement, Betty will have more time to spend with her husband Aubrey, her three sons and her seven grandchildren.

Mr. Speaker, I ask that you join me and all my colleagues in thanking Betty Brady for her years of service to the Powder Springs, Georgia community.

LEAK OF SENSITIVE PERSONAL INFORMATION AT DEPARTMENT OF VETERANS AFFAIRS

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

Mr. SALAZAR. Mr. Speaker, the leak of the sensitive personal information of millions of veterans and active duty military personnel by the Department of Veterans Affairs is a disgrace.

The information, including Social Security numbers, dates of birth and disability was taken from the VA to an employee's home via his laptop. When the laptop was stolen from his residence, the private, sensitive information of more than 26 million veterans and active duty troops were stolen with it, making them all potential targets for identity theft.

No employee of the Federal Government should have the ability to walk out of their office with that amount of personnel data on their computer. The administration needs to make sure that something like this never happens again.

The VA must also work with Congress to provide assistance to the millions of victims of this leak without affecting veterans' benefits. Veterans should have the resources made available to them free of charge to monitor their credit reports for suspicious action.

If any of our veterans or troops become victims of identity theft because of the security breach, they should not be held responsible. After all, it was by no act of their own that their personal information was compromised.

Last night, I introduced H.R. 5588, a bill that would ensure the veterans are protected in case of their stolen identity.

I urge my colleagues to support this important legislation.

IRAQI SECURITY FORCES GAINING GROUND IN IRAQ

(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, as the House prepares to consider a resolution for victory in the global war on terrorism, I would like to congratulate U.S. troops and coalition forces for training Iraqi security forces.

In 3 years, coalition troops have transformed hundreds of thousands of Iraqi volunteers into battle-tested Iraqi security forces. The Defense Department's quarterly report recently stated that there are more than 263,400 trained and equipped Iraqi security forces. Additionally, the Iraqi Army

now controls 30,000 square miles of territory, an area roughly the size of my home State of South Carolina. Nearly two-thirds of combat operations are now conducted by Iraqis alone or jointly with coalition forces.

Day by day, Iraqis are defeating terrorists and gaining control over their country. Progress in Iraq is helping to ensure security in America, and we must remain committed to completing this critical mission protecting American families.

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

REPUBLICAN RAID ON STUDENT AID INCREASES LOAN COSTS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, with tuition costs rising and the availability of financial aid declining, many parents in our country are finding it harder and harder to afford the cost of college education for their sons and daughters. However, these families know the importance of having a college degree in today's economy. We really cannot underestimate the importance.

Therefore, large numbers are relying on student loans to help meet tuition costs. While these loans can be a great resource to make college accessible to more students, they can also cause great financial hardships for the borrower when they graduate and the payments are due.

The administration has supported making paying for these loans even more difficult by enacting their raid on student aid and cutting \$12 billion from the higher education budget. Because of these drastic and devastating cuts, interest rates on student and parent loans for college will increase significantly July 1.

To avoid this dramatic increase in interest rates, I encourage all Federal student loan borrowers to visit www.loanconsolidation.ed.gov to consolidate their loans before July 1.

KATRINA BILLS

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

Ms. MCKINNEY. Mr. Speaker, this week several of my colleagues and I are circulating a chart listing 176 Katrina bills, out of which only a dozen have become law to date. As we sit here today, dozens of survivors are protesting the injustices suffered at the hands of FEMA. Hurricane season is upon us again, and FEMA continues to deny housing assistance to tens of thousands of needy families, many of them now rendered homeless.

New Orleans remains a toxic disaster zone that still looks much like it did the day after the hurricane. Despite the tens of billions of dollars spent on no-bid, sweetheart contracts, much of it wasted.

Will the 163 Katrina bills sitting in committee also go to waste? Or will Congress address the ongoing specific needs of the survivors by moving existing legislation and checking fraud and abuse by providing real oversight of appropriations?

The choice is ours.

□ 1230

HOUSE REPUBLICANS TURN BACKS ON MIDDLE CLASS; ECONOMIC INSECURITY GROWS

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

Mr. PALLONE. Mr. Speaker, House Republicans have turned their backs on the middle class, and that is one of the main reasons an overwhelming majority of Americans want Congress to move in a new direction. Our constituents want us to work on behalf of all Americans, not just the wealthy few. But for 5 years now the Bush White House and Congressional Republicans have showered millionaires with large tax breaks while ignoring the economic conditions of the middle class. This year, while middle-class families received an average of a \$60 tax break, America's millionaires received a whopping \$65,000 gift from the Federal Government. And Washington Republicans call this fair?

It would be one thing if both the wealthy and middle class were both benefiting in today's economy, but again many of our constituents are facing uncertain times. Today, wages are stagnant, family debt is on the rise, health care benefits have either disappeared or increased dramatically, and savings levels have plummeted.

These are the economic conditions many of our constituents face today, but this House Republican majority seems content with the status quo; and it is time this House listened to hard-working middle-class Americans.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 862, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 862

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of June 13, 2006, providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes.

The SPEAKER pro tempore (Mr. DENT). The gentleman from Florida is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. For the purpose of debate only, I yield the customary 30 minutes to my good friend from Florida (Mr. HASTINGS), 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.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 862 waives clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules. House Resolution 862 will allow the House to consider the rule for consideration of the Transportation, Treasury, and Housing and Urban Development Appropriations Act for fiscal year 2007.

The Rules Committee received numerous requests from the authorizing committees to expose portions of the bill that they feel represent legislating on appropriations bills. We are working through those requests now. Later today the Rules Committee will meet to thoroughly consider these requests and report out a rule.

Although we have not passed a final rule on this bill yet, Mr. Speaker, historically appropriations bills have come to the House floor governed by an open rule. I expect that we will continue to do so in order to allow each and every Member of this House the opportunity to submit amendments for consideration, obviously, as long as they comply with the rules of the House.

Mr. Speaker, I urge my colleagues to support this same-day rule so we can move forward to the rule on this important appropriation bill as soon as the rule is ready.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Florida, my good friend, Mr. DIAZ-BALART, for yielding me the time; and I yield myself such time as I may consume.

Mr. Speaker, I rise today with a bit of trepidation about this rule and this process, which clearly circumvents the regular order of business of the House. I can find no reasonable explanation or sensible justification for going around the well-established rules of this body to bring the transportation appropriations bill to the floor today in this manner.

The majority has been so kind in explaining why it believes that this martial law is needed. Unfortunately, the majority's explanation has fallen a bit short on convincing this side of the aisle that we need to do this today and not tomorrow.

For the life of me, I can't figure out why this bill must come to the floor in this manner. It is, after all, only Tues-

day. You would think that after controlling the House for 11 years that my friends in the majority would have figured out how to bring a nonemergency appropriations bill to the floor under regular order. Indeed, there is simply no good reason to handle these bills outside the normal parameters of the way the House should conduct its business.

Moreover, when the House does operate this way, it effectively curtails our rights and responsibilities as serious legislators. When the leadership of this body bypasses the rules of regular order, as it is attempting to again do today, it really does discredit this great institution in which all of us are privileged to serve.

Realize, Mr. Speaker, my concerns are not content but rather process. This martial law rule sends a false message to the American people that this is what the Framers intended when they envisioned the House of Representatives. The House of Representatives ought to be a body of thought and deliberation, where America's greatest needs are given proper consideration. Under the majority, however, thought and deliberation have been replaced by rubber stamps and obvious disorganization. This is not a good thing, and it is a disservice to the American people.

I really do urge my colleagues to reject continued attempts to circumvent regular order in the House of Representatives.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would simply note that the Transportation, Treasury, HUD bill passed the full Appropriations Committee by a voice vote on June 6. In other words, without opposition, without noted opposition; and the bill was filed on June 9. It has been available for everyone to see and review for days now. It was also on the schedule since last week.

I have no further speakers on this side of the aisle. I would ask my good friend if he has any other speakers.

Mr. HASTINGS of Florida. I was trying to allow that we go a bit longer only for the reason that the next agenda matter is not present for us. I won't make an accusation that that allows that my friends in the majority are having difficulty in organizing their efforts.

My good friend from Florida, for example, just commented that this has been a measure, or this is a measure, that was passed and that it has been known since June 9; and at the very same time, at the outset, you began by saying that we are in the process of determining what we are going to do before we report out the rule.

You know, we use a lot of beltway language here, and for a long time I didn't believe that there was a beltway mentality. The tragedy is now I, as well as others that I know, have become a part of it. Let me say what I am talking about.

When I say I am not talking about content, I am not talking about the substance of the transportation measure that is so critical to this Nation. What I really am talking about is the process where the Nation's representatives get an opportunity to speak on issues of vital concern. So, then, when we say that this rule circumvents regular order, as a general rule Jane and Joe Lunchbucket don't have a clue what we are talking about. So perhaps it would be helpful, since we have a little time, to explain to them what regular order would normally require for a nonemergency appropriations measure.

The rule that we are getting ready to present this transportation measure under also called for same-day consideration of legislation providing for the Department of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and independent agencies for the fiscal year ending September 30, 2007, and for other purposes. What it does is it circumvents one of the rules, which is 6(a) of rule XIII. That generally doesn't mean a thing to the American public, but let me tell them what it means.

That rule requires a two-thirds vote in order to consider a rule on the same day reported from the Rules Committee. Two-thirds of the Members of this House would have to do that. What we are doing with this rule is we are waiving that two-thirds requirement and we are saying it is all right, you can bring up any of these things under the same-day rule because it doesn't require two-thirds of the Members.

I can assure you if two-thirds of the membership were required in order for us to be able to proceed along regular order, it might not be difficult to achieve; but it would be fair for us to function that way. So we have ignored the process repeatedly here in the House of Representatives. And what that does is it creates a situation where Members in the House of Representatives who represent constituents don't get an opportunity to have their measures considered by the Rules Committee or by the House under regular order, thereby precluding them from having an opportunity to actually receive the best interests of their representative as it pertains to issues that are germane to their interests in their locales.

That is a long way to describe that when you waive the process, you waive the rights of the people that we represent to have their representatives present their views here on the floor of the House of Representatives and to have this great deliberative body work its will. Therein lies the rub with this particular kind of process.

It even has a distinct name: martial law. That sounds like something that is forcing something or requiring something to be done under the aegis of authoritarian rule. That is not right, and that is what we complain of, those of us that have the opportunity and privilege to do so in the Rules Committee.

Mr. Speaker, I have no further speak-ers, and I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

PROVIDING FOR CERTAIN ACCESS TO NATIONAL CRIME INFORMA- TION DATABASES

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4894) to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children.

The Clerk read as follows:

H.R. 4894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ACCESS TO NATIONAL CRIME INFORMATION DATABASES BY SCHOOLS AND EDUCATIONAL AGENCIES FOR CERTAIN PURPOSES.

(a) *IN GENERAL.*—The Attorney General of the United States shall, upon request of the chief executive officer of a State, conduct fingerprint-based checks of the national crime information databases (as defined in section 534(f)(3)(A) of title 28, United States Code, as redesignated under subsection (e)), pursuant to a request submitted by an entity of the State, or unit of local government, which is designated to conduct background checks on individuals employed by, under consideration for employment by, or volunteering for, a private or public elementary school, private or public secondary school, local educational agency, or State educational agency in that State in a position in which the individual would work with or around children. Where possible, the check shall include a fingerprint-based check of State criminal history databases. The Attorney General and the States may charge any applicable fees for these checks.

(b) *PROTECTION OF INFORMATION.*—An individual having information derived as a result of a check under subsection (a) may release that information only to an appropriate officer of a

private elementary school, private secondary school, local educational agency, or State educational agency, or to any person authorized by law to receive that information.

(c) *CRIMINAL PENALTIES.*—An individual who knowingly exceeds the authority in subsection (a), or knowingly releases information in violation of subsection (b), shall be imprisoned not more than 10 years or fined under title 18, United States Code, or both.

(d) *DEFINITIONS.*—In this section, the terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency”, have the meanings given to those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(e) *TECHNICAL CORRECTION.*—Section 534 of title 28, United States Code, as amended by section 905(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162), is further amended by redesignating the second subsection (e) as subsection (f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

□ 1245

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4894 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 4894 sponsored by the gentleman from Nevada (Mr. PORTER). This legislation provides our Nation's schools with an additional tool to ensure the safety of our schoolchildren when hiring teachers, staff and volunteers.

Children are our Nation's greatest resource. Parents trust that when they send their children off to school they will be provided a safe environment in which to learn. Teachers are vested with a tremendous responsibility of preparing kids for a successful future, and the overwhelming majority of our educators conduct themselves as consummate professionals.

Unfortunately, we sometimes hear about teachers who engage in criminal conduct involving students. These few bad apples not only jeopardize our children's safety, but tarnish the reputation of those in the educational community. While all incidents of this nature are an outrage, the tragedy of some is compounded when these deplorable actions are perpetrated by individuals whose past criminal record should have identified them as potential threats.

Today all States require some type of background check for school employees. Unfortunately, some individuals with alarming records of criminal conduct slip through the cracks. Last year police in Charlevoix, Michigan, discovered that a convicted sex offender was volunteering as the director of the AmeriCorp program for the local school district. The man had an arrest record dating back to 1964, including sex offenses involving children.

School officials submitted the man's date of birth, Social Security number and driver's license number for a background check through the State system. However, his criminal record did not show up because the man had legally changed his name some 20 years earlier. Authorities learned of his criminal history only after he underwent a fingerprint check for a weapons permit.

In May, a California teacher was convicted on 17 counts of molesting nine students. Just last week, a second California teacher was arrested on charges that he molested a third-grade student. Even more disturbing is that this man had been suspected of a similar incident in 1990 and arrested for attempted rape in 1994.

This bill gives States direct access to Federal fingerprint databases to make sure that convicted sex offenders never work in a school again. Many school districts are experiencing a surge in growth that in turn increases the demand for qualified teachers and staff. Schools are under added pressure to expedite the hiring process to meet this demand. H.R. 4894 streamlines access to the Federal fingerprint databases so schools can be confident that they are hiring upstanding teachers and staff.

The bill authorizes the Attorney General to provide States with accurate fingerprint-based background checks for current school employees and prospective faculty, staff and volunteers who work with children. Either the Attorney General or the State may charge a fee for the check. The background information may be released only to the appropriate school official or State education agency, and any person who exceeds this authority or misuses the background information may be fined or imprisoned for up to 10 years.

I commend the gentleman from Nevada (Mr. PORTER) for his work on this issue, and urge my colleagues to support this bill.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, allow me first of all to say that in our work on the Committee on the Judiciary, and particularly the Subcommittee on Crime, there is no doubt that one of the most prevalent issues that we address is a way to protect our children, whether it is against sexual predators, whether it is against the heinous acts of individuals who not

only sexually abuse our children but then ultimately kill them, and certainly we are aware of the far-reaching impact that the lack of structure and process has on our educational system, particularly individuals who are working in our schools, primary and secondary, and work with our children as it relates to sports activities.

So I am certainly in support of H.R. 4894, and clearly I would argue that we have a better product. I do not want to be anywhere suggesting that we are not fighting for our children. I do want to offer the fact that, as I indicated, that we have a better product, that we can agree that the criminal background checks done on individuals working with children is something we all want, and certainly we want to be able to include those who pose a threat.

But we do want to have a criminal background check system, of course, that has the elements of some order and constitutional protection. Might I just say to my colleagues that a version of the language that is in this bill already passed twice in H.R. 3132 and H.R. 4472, which really means in a bipartisan way we agree with this. So I thank the gentleman from Nevada (Mr. PORTER) for reinforcing our agreement.

I do hope as we talk about our particular issues that we would recognize that it is important to be able to put in the processes that would question whether all raw data is the kind of data that we should include for access by these institutional entities.

I do believe as we move toward the Senate and have a conference on this bill, we will find common ground so that what we put forward will protect our children absolutely and as well be a system that will be readily accessible to our educational institutions and at the same time give them the information that they need to ensure that those who are apt to injure, harm our children, are weeded out of our educational system.

We like the streamlined process. We like the fact that the Attorney General is, if you will, able to handle the fingerprints and data. But I know as we make our way toward conference we will have even a further opportunity to make this bill the kind of bill that provides the support and safety in the employment place of our educational institutions for all of our children.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER), the principal author of the bill.

Mr. PORTER. Mr. Speaker, I thank Mr. SENSENBRENNER, the majority leader, Mr. BOEHNER, Mr. McKEON, and my good friend, Mr. KIRK, who has helped me organize this agenda for the country, and the 50 some cosponsors.

Mr. Speaker, we have an epidemic in the United States. We have an epidemic of sexual predators following our children, whether it be on the com-

puters, whether it be in our public parks, whether it be in the workplace, or even our schools.

I would suggest that all Members of Congress take a look at maps that local law enforcement have of the sexual predators that hang around our schools, that move into our school areas, if not adjacent across the streets from our schools. We need tools. We need additional tools to help our teachers and professionals, our administrators in our schools to streamline the process to get as much information as possible.

As Chairman SENSENBRENNER mentioned the Michigan example, it is unacceptable that a teacher could change his name legally and still teach, having been in prison for having molested an 8-year-old child. Currently, only 26 States are in the compact approved by Congress in 1999 giving States the tools to do background checks through the FBI. That means there are 27 million students in 24 States that do not have this same tool available to them to make sure their environment is safe.

Mr. Speaker, this bill is common sense. It streamlines the process for all 50 States. It allows access by all 50 States to this information, and will not circumvent existing background checks and procedures by our school districts, who I know are trying to do the right thing.

We are fortunate to have some of the greatest and best teachers in the world, but we want to make sure that those few that try to sneak through the system are caught in advance.

As a Member of Congress from one of the fastest growing States in the country, we hire close to 2,500 new teachers a year, close to 5,000 support staff and faculty. We need to make sure that the fast-growing States and the balance of States in this country have as much information as available because I cannot imagine the pain as a parent myself of having my child molested by someone in our schools.

Mr. Speaker, I am very proud of our teachers and administrators and school boards for what they are doing. We need to make sure they have the latest in technology available. Through this bill, all school districts will have access to this information. I would ask for the support of this body for H.R. 4894. I appreciate the time we have today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say as I indicated, I applauded Mr. PORTER for his vision on protecting our children and also for responding to many of the educational institutions around America who have asked for some sort of format, some sort of structure to help them be able to, if you will, navigate themselves around this massive criminal justice system that in fact has an impact on how children are cared for in our schools and day care centers and places of sports activities.

But I do think as I support this legislation that Americans also understand that we want people to have an opportunity for rehabilitation, to engage in a productive life and to be able to provide for their families. Putting aside the sexual predators and those who are plagued by violent crimes and violent crimes against children, I would offer to say that we want to make sure as well that those who are perpetrators of nonviolent crimes or individuals charged with petty theft, but people who have been out of the system for decades have the opportunity for employment and rehabilitation.

I hope as we make our way toward conference again that these considerations will be taken into account and we will review this so we can work with Mr. PORTER and work with conferees and work with the Senate to make sure that we get constructive legislation to help us all.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the leader on the Democratic side has given two speeches. The speeches are supposedly in support of the bill, but then there is a whole long list of problems with it. Now we cannot make the perfect the enemy of the good when we are trying to protect children.

This is a bill that gives school districts the tool to get additional information on people who might try to harm children. So I think our committee has done a very good job in considering this legislation and making it not maybe a perfect bill but a very, very good one. We do not need a conference. We ought to pass it today, and then the other body ought to pass it and let's get on with it.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the chairman for yielding me this time.

I rise today in strong support of H.R. 4894. This is a commonsense piece of legislation to protect our schoolchildren from being exposed to convicted pedophiles on a daily basis. Isn't it a matter of common sense that a school in my hometown of Orlando, Florida, can do a nationwide criminal background check to make sure that its janitors, coaches and schoolteachers are not convicted pedophiles from New York, Massachusetts, California, or Texas?

Well, that is not happening right now. What does happen is they perform a background check in-state to make sure that someone hasn't been convicted in Florida of being a pedophile, and they perform a background check in 26 other States that signed on as part of a reciprocity agreement in 1998. What they don't check, however, is if anyone has a pedophile conviction from 24 other States, including the largest States in this country, States like California and New York and Texas and Massachusetts.

I became involved in a mentoring program as a volunteer back when I was practicing law called the Compact Mentoring Program. I personally went out and recruited 700 individuals in my community to be mentors to kids who were at risk of dropping out of high school.

□ 1300

My number one fear is that one of those people I recruited may be a convicted pedophile from another State. We didn't have the tools to do anything about it.

Congressman JON PORTER's bill gives us the tools to do something about it. I think this bill should get an award for the most commonsense piece of legislation we have considered all year.

I urge my colleagues to vote "yes" on H.R. 4894.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I am proud today to join Mr. PORTER and my fellow members of the Suburban Caucus in support of H.R. 4894. It is fitting that this legislation is the first bill to reach the floor for consideration as part of the Suburban Agenda. H.R. 4894 follows the commonsense set of issues that frames the Suburban Agenda, protecting kids and families at home and at school, providing families with better ways to save for college, and protecting our resources for a sustainable future.

As the father of six children, I want to know that when I or my wife drop our kids off at school that they will be well taken care of. Our teachers are responsible for our children's welfare for the 6 or 8 hours that they are at school, and we need to know without question that their safety will be paramount on the minds of teachers, faculty, and also volunteers.

Unfortunately, some would take advantage of their students. Instead of guiding our children, they are preying on them. Mary Kay Letourneau and Debra Lafave have become household names. But for each high-profile case of inappropriate encounters between teacher and student, how many go unnoticed, unreported?

That is why today's legislation is so important. H.R. 4894 would give schools the ability to request background checks on candidates for employment. Teachers, janitors, administrative staff, all would be subject to a background search through the Department of Justice's national crime information databases.

This legislation protects our kids, our communities, and maintains the high standard that we set for our educators. I am proud to support the legislation today and call on my colleagues to support it as well.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today in support of H.R. 4894, the

School Safety Acquiring Faculty Excellence Act, and I congratulate the leadership of my friend and colleague, Mr. PORTER, and of course of Chairman SENSENBRENNER, for bringing this important piece of legislation to the floor today.

This bill allows all States to access national criminal databases to obtain criminal information when hiring teachers. The safety of our children in America's schools is a major priority not only to our Nation's educators, but to every parent and guardian; and that is why I stand in support of it today. We need to make every resource available to our schools to ensure that the qualifications and the background of the faculty they hire are unquestioned.

This legislation streamlines the process and ensures that those who are hired to work with and educate our children are trustworthy, honest, and law abiding citizens. Mr. Speaker, this is a great opportunity for the House of Representatives to take a stand with our communities and our schools and give them the tools necessary to make certain that our children are safe.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the distinguished Chair of the Republican Conference, the gentlewoman from Ohio, and a former judge, Ms. PRYCE.

Ms. PRYCE of Ohio. Mr. Speaker, ask any group of parents what they worry about most, and I guarantee you that keeping their kids safe in a world that sometimes seems to get more dangerous by the day will be at the very top of that list.

The legislation before us will help make kids in this country safer by giving schools access to national criminal information databases, allowing to them conduct more thorough background checks on prospective teachers. It is as simple as that.

It goes without saying that the vast majority of teachers in this country are praiseworthy men and women dedicated to the well-being of the children that they teach. But, unfortunately, even schools are not safe from the criminals and pedophiles who threaten the innocence and safety of our kids.

It must be a priority of this Congress and our Nation to see that anyone who has harmed a child is brought to justice, and this legislation will help to ensure that no criminal ever finds a safe haven in a school.

I want to thank Mr. PORTER for his hard work, Chairman SENSENBRENNER for allowing this to go forward and for your hard work. And I am especially pleased to see it move forward as part of the Suburban Agenda. And I urge my colleagues to support the SAFE Act.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time and am prepared to yield back if the gentlewoman from Texas will do the same.

Ms. JACKSON-LEE of Texas. I have requests for time, and I would like to proceed.

Mr. Speaker, let me, as well, thank Chairman SENSENBRENNER and thank

Ranking Member CONYERS, as well as Mr. COBLE and Ranking Member SCOTT for bringing forward a constructive answer to all of our concerns.

Mr. Speaker, I don't take a back seat to anyone in terms of advocacy for children, and fighting against child predators that have harassed and, if you will, violently attacked our children across America. We should stand up for them. I hope that this House will eventually take up the DNA legislation that I have that has a separate, distinctive DNA bank for those who are child predators.

We are grateful that in the subcommittee with Mr. SCOTT and Mr. COBLE this bill has addressed many of the issues that look at this in a broader sense. So it is important when we talk about bills that we want to be as near perfect as we can get. And I believe that we have the political will and the good conscience of this House and the Senate that we will get there. The idea is to protect our children, and the idea as well is to recognize that the parameters of our Constitution will allow us to do that while addressing those concerns. So I am hoping that we will have a perfect bill because our children deserve so and, as well, that we will have a bipartisan effort to work on this issue.

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

Mr. SENSENBRENNER. Mr. Speaker, I said I had no further requests for time. Is the gentlewoman from Texas prepared to yield back to allow me to close?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have the great pleasure of yielding 1 minute to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend the committee for bringing this item before us. I am often before this committee with a different issue that relates to the whole business of how do you help individuals reintegrate. But I rise to express strong support for this legislation because I remember the words of the songwriter who said that our children are the future. And given the fact that they are, we have a responsibility to do everything within our power and possibility to make sure that they can grow up safe and secure.

I want to also commend my colleagues and the chairman of one of my subcommittees, Mr. PORTER from Nevada, for his work on this legislation. I strongly support it and urge its adoption.

Ms. JACKSON-LEE of Texas. I have no further speakers, and I close simply. Mr. Speaker, by thanking the distinguished gentleman from Illinois who has represented the broadness of our view. We must protect our children, and I believe that this bill is on its way to its perfection so that our children will not be subjected to infractions in this legislation, but truly be protected. And I hope that any other legislative

initiative that comes forward to protect our children will receive this bipartisan cooperation that we have achieved in the House Judiciary Committee.

I ask my colleagues to vote for the legislation of Mr. PORTER.

I yield back my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill is not even close to the outer parameters of the Constitution. What it does is it allows the sharing of fingerprint data identification that has all been constitutionally collected with school districts who are hiring new personnel to find out if they have something in their background that would disqualify them from a job working with children. And that is all there is to it.

The fingerprints were valid. It is merely sharing the fingerprints with somebody who has got a legitimate use for them.

Now, there are criminal penalties involved for those who use those fingerprints for other than verifying somebody who is applying for a job at a school or volunteering there, for any other purpose whatsoever.

What has been said in the debate, using the Michigan cases and the two California cases, shows that there are loopholes in the present system that allow people who wish to molest children to get jobs undetected of their past record. And what the gentleman from Nevada is doing is making sure that those people are identified before they can wreck another young life.

What's wrong with that? This doesn't need perfection. It is simple; it is straightforward. And it ought to pass.

Mr. MCKEON. Mr. Speaker, I rise today in support of H.R. 4894, the School Safety Acquiring Faculty Excellence Act, a measure to provide school districts with the ability to ensure the safety of their classrooms.

I thank Mr. PORTER for leading the charge in making certain that children in our schools are learning in the safest environment possible. America's teachers are at the very heart of our education system and play a vital role in the lives of children. Their daily one-on-one interaction with the children in their classrooms cannot easily be matched.

It is for those reasons that we want to be certain that our teachers are of no threat to our children. The School Safety Acquiring Faculty Excellence Act is a logical and realistic approach to providing school administrators the tools necessary to help ensure their schools are safe.

Mr. Speaker, teachers deserve our utmost appreciation for their service and lifelong dedication to education. It is through this legislation, however, that we also address the realities of today and provide reassurance that we are keeping predators out of our classrooms. The safety and protection of our schoolchildren is imperative.

Again, I would like to thank Mr. PORTER for his continued efforts to help guarantee the safety of our schools, and I urge my colleagues to support this bill.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 4894, to provide for certain

access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children. Our children are America's future. It is important that they receive the best education we can offer them. It is also important that they be placed in a safe learning environment. Furthermore, local government has an obligation to provide for the safety and security of students. We help ensure that America's children learn without being put at risk by allowing local, territorial and state educational agencies to access national crime information databases.

Teachers play a prominent role in the lives of children and in the shaping of their character. This bill gives public and private schools the tools they need to ensure that the teachers they hire uphold the highest standards of conduct while educating our children. I support H.R. 4894 because it will help keep America's children safe inside the classroom.

Mr. SENSENBRENNER. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FEENEY). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4894.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

EXEMPTING PERSONS WITH DISABILITIES FROM SECTION 8 RENTAL ASSISTANCE PROHIBITION

Ms. PRYCE of Ohio. Mr. Speaker, I move that the House suspend the rules and pass the bill H.R. 5117, as amended.

The Clerk read as follows:

H.R. 5117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXEMPTION OF PERSONS WITH DISABILITIES FROM SECTION 8 RENTAL ASSISTANCE PROHIBITION.

Subsection (a) of section 327 of Public Law 109-115 (119 Stat. 2466) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph:

“(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I might consume. The story of this bill begins 4 months ago when I first heard that disabled students, many of whom rely on section 8 housing assistance, were at risk of losing support they depend on to go to school in and around Columbus, Ohio.

Marilyn Frank, the executive director of Creative Living, an organization in Columbus that provides a home for the severely disabled, told me that she feared a new law aimed at eliminating abuses in the section 8 program had the potential to hurt some of our most vulnerable citizens. Many of these residents would be unable to pursue their dreams of higher education without the support of Creative Living and the funding of the section 8 program.

H.R. 5117 gives us the opportunity to right a wrong. We can give these students the peace of mind that they can continue their education without fear that they will lose the housing on which they depend.

Now, the story behind the story begins more than a year ago. Media reports in Iowa and elsewhere questioned the integrity of section 8. It became clear that students, some student athletes, many from well-to-do families, were residing in subsidized housing created for low-income Americans. The images from these reports were patently offensive. While some families struggled to make financial ends meet to stay in the section 8 residences, a group of college football players lived in low-income housing, rent free and spent their \$500 per week stipend at the mall on video games.

Congress responded quickly to close these loopholes and tightened the eligibility requirements for students who wish to reside in federally subsidized housing.

Unfortunately, that fix overlooked the disabled. This bill simply exempts disabled students who were receiving section 8 from these new requirements, thus grandfathering in disabled students who are currently going to school and receiving this assistance. The list of exempt individuals also currently includes veterans, married individuals, and those with dependent children.

The bill we are considering today ensures that disabled students who desperately are dependent upon section 8 to pursue their education will not be unfairly shut out of the rental assistance program.

I would like to thank my fellow Ohioans, Chairman OXLEY and Congressman NEY, Chairman HOBSON and Congressman TIBERI, for helping move this bill quickly to the floor. Mr. LEACH and Ranking Member FRANK from Massachusetts also deserve a great deal of thanks.

But our fight is not done. Unfortunately, because of some CBO scoring issues, the bill before us today is not

the broad fix to the section 8 program I had originally sought. And subsidized housing facilities like Creative Living cannot accept new students under the section 8 program until a more permanent solution is enacted by this body.

□ 1315

To that end I will continue to work to ensure that facilities like this can continue to house students with disabilities in the future and allow them to pursue their dreams.

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

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

Mr. Speaker, first of all, I would like to thank the gentlewoman from Ohio, Ms. PRYCE; the gentlemen from Ohio, Mr. TIBERI and Mr. HOBSON; and the distinguished chairman of the Subcommittee on Housing and Community Opportunity, from Ohio, Mr. NEY; as well as the ranking member, Mr. BARNEY FRANK; and Chairman OXLEY for their work on this measure. The full Committee on Financial Services reported it out unanimously by voice vote on May 24 of this year. As indicated by my colleague Ms. PRYCE, this bill corrects an unintended consequence of a provision added to the HUD appropriations bill last year that sought to close a loophole in the Section 8 program allowing student athletes and other non-needy students access to subsidized housing.

The fiscal year 2006 Transportation, Treasury, HUD, Judiciary and D.C. Appropriations conference report, codified as Public Law 109-115, included a provision that effectively counted the income of parents when determining whether students under the age of 24 are eligible to receive Section 8 assistance. That provision does not apply to veterans or to students who are married or have children. This bill, H.R. 5117, would additionally exempt students with disabilities from this treatment.

Mr. Speaker, the same appropriations bill included language intended to close the loophole in the Section 8 program which allowed student athletes and other non-needy students access to Section 8 housing intended for low-income persons. While this was not the intention of the appropriators, it created a potential hardship for the disabled community. However, the final rule issued by HUD in response to Public Law 109-115 has the potential to disqualify from Section 8 eligibility those severely disabled individuals under the age of 24 who are enrolled in an institution of higher learning.

H.R. 5117 is prescriptive, Mr. Speaker. It merely adds persons with disabilities to the list of exempt individuals. Of course, the disabled can least afford additional burdens and, therefore, anything that we can do to lessen their burden is well worth it. The final rule issued by HUD included this prohibition, and the sooner it is lifted, we will be able to return a sense of fairness to

the Section 8 program, particularly where disabled students are concerned.

So I would urge my colleagues to support the passage of H.R. 5117.

And let me just say that this bill is typical of the kind of work that is getting done on our committee. We have tremendous cooperation from both sides of the aisle to do good work relative to making sure that not only rental opportunities are available to those who need it, but we are doing wonderful work in this committee on home ownership issues. What better month to be able to correct this problem in law than the month of June. This is National Home Ownership Month, and I think that our committee has certainly recognized this. And while we make this correction, we are working on a lot of other bills.

I am so proud of the work that we are all doing on FHA to bring it up to date and make sure that our opportunities are available for the least of these. I am so proud of the work that we are going to mark up on voucher reform. I am very pleased about the idea that many of us are getting together to try to hold on to HOPE VI.

So in this National Home Ownership Month, today we stand to send a signal not only to the disabled but to those who somehow get overlooked, forgotten, that we really are on point.

Mr. Speaker, again, let me just thank my colleagues on the committee on both sides of the aisle for the work that we are doing. I thank them today for 5117, for all of the other work that we are doing, and I would say that many others in this House can look at the work that this committee is producing and be proud and perhaps even use it as an example.

And so, Mr. Speaker, I urge passage at this time.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I just want to say this is a great victory today. We are ensuring that these students do not have to put away their textbooks or even hang up their lab coats because of something that we did when we thought we were correcting a problem. There are enough challenges put in front of individuals with severe disabilities, and worrying about a place to call home while they attend college should not be one of them.

I also appreciate the bipartisan effort on this bill and so many other pieces of legislation that moved through our committee.

And thank you, Ms. WATERS, for joining me in this effort.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. PRYCE) that the House suspend the rules and pass the bill, H.R. 5117, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and insert extraneous material thereon.

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

There was no objection.

RECOGNIZING THE 50TH ANNIVERSARY OF THE INTERSTATE HIGHWAY SYSTEM

Mr. PETRI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 372) recognizing the 50th Anniversary of the Interstate Highway System.

The Clerk read as follows:

H. CON. RES. 372

Whereas on June 29, 1956, President Dwight D. Eisenhower signed the Federal-Aid Highway Act of 1956 to establish a 41,000-mile National System of Interstate and Defense Highways, known as the "Interstate Highway System", and the Highway Revenue Act of 1956 to create a Highway Trust Fund;

Whereas in 1990, the National System of Interstate and Defense Highways was renamed the "Dwight D. Eisenhower National System of Interstate and Defense Highways" to recognize President Eisenhower's role in the creation of the system;

Whereas in 2006, this web of superhighways, now spanning a total of 46,876 miles throughout the United States, has had a powerful and positive impact on our national life;

Whereas the Interstate Highway System has proven vital in transporting people and goods from one region to another speedily and safely;

Whereas the Interstate Highway System has facilitated trade both within our national borders and globally and helped create unprecedented economic expansion and opportunities for millions of Americans;

Whereas the Interstate Highway System has brought diverse communities throughout our land closer together and kept us connected to one another as well as the larger world;

Whereas the Interstate Highway System has made it easier and often more enjoyable to travel to long-distance destinations and spend time with family members and friends who live far away;

Whereas the Interstate Highway System is a pivotal component in our national system of defense and emergency preparedness efforts;

Whereas the Interstate Highway System remains one of our country's paramount assets as well as a symbol of human ingenuity and freedom; and

Whereas this anniversary provides an occasion to both honor one of the largest public works achievements of all time and reflect on how it can remain effective in the years ahead: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the golden anniversary year of the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(2) recognizes the achievements of the Federal Highway Administration (and its predecessor,

the Bureau of Public Roads), the State departments of transportation, and the highway construction industry, including contractors, designers, engineers, laborers, materials producers, and equipment companies, for their contributions to the construction of the Interstate Highway System and the quality of life of the citizens of the United States; and

(3) encourages citizens, communities, government agencies, and other organizations to promote and participate in celebratory and educational activities marking this uniquely important and historic milestone.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 372.

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

There was no objection.

Mr. PETRI. Mr. Speaker. I yield myself such time as I may consume.

Thursday, June 29, will mark the 50th anniversary of the Federal law that brought America its unparalleled interstate highway system. This 46,508-mile web of superhighways has transformed our Nation and our Nation's economy. It is a symbol of freedom and it is a tribute to human ingenuity.

As America entered the 20th century, good roads, even paved roads, were not common. In addition, it was rare for roads in one State to link up with roads in adjacent States. Roads might lead outward from cities, even to State lines, but there was no guarantee they would meet other roads in neighboring States. The concept of an interstate system as we know it today can be traced back to a 1939 report to Congress called "Toll Roads and Free Roads."

In 1944, the National Highway Committee, appointed by President Franklin Delano Roosevelt and headed by Commissioner of Public Roads Thomas MacDonald, produced plans for a national system of approximately 34,000 miles of expressways.

However, it was the efforts of President Dwight David Eisenhower that gave us the interstate highway system we have today. Eisenhower personally witnessed the need for a national highway system in 1919, when as a young lieutenant colonel in the Army he helped staff a convoy of 81 military vehicles from Washington, D.C. to San Francisco. It is kind of a modern day Lewis and Clark Expedition. The journey took 62 days, and the convoy averaged 6 miles per hour. On today's interstate system, such a trip could be easily completed in less than a week.

During the journey, Lieutenant Colonel Eisenhower formed the opinion that the United States desperately

needed a better highway system. Eisenhower made the creation of an interstate system a keystone of his domestic agenda when he came into office in the early 1950s.

Eisenhower's original effort to pass legislation to create an interstate system went down in defeat in July of 1955. He was unwilling to accept defeat, however, and he resumed his campaign in 1956. Eisenhower's plan required the Federal Government to bear the majority of the construction cost, recognizing this massive public works project was vital to interstate commerce, national defense, and economic growth. His plan also established a user fee-based financing plan through a gas tax and this funding source is still the bedrock of the current Federal Aid Highway Program.

Congress passed the Federal-Aid Highway Act of 1956 in June of 1956, and on June 29, 1956, President Eisenhower signed the bill into law and set in motion the interstate system as we know it today.

I am honored to be here this afternoon to recognize the 50th anniversary of the interstate system, and I look forward to taking part in the other events that are planned throughout this month to honor this historic anniversary.

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

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

I thank the gentleman from Wisconsin for his very thoughtful historical rendition of the evolution of the interstate highway program.

This resolution honors the golden anniversary of the Dwight D. Eisenhower National System of Interstate and Defense Highways. But the original interstate highway, one that linked several States, was charted by George Washington in 1784, a year after the Revolutionary War concluded. Traveling to the Ohio country on horseback, Washington carefully observed the people and the land. He saw that settlers were trapped, that they could fall under the control, as he wrote, of "the Spaniards on their right or Great Britain on their left." He recognized the need to unite our new Nation by opening, as he called it, a smooth way through the Appalachian Mountains to enable the settlers, again as he put it, "to pass our markets before the trade may get into another channel." A quaint way of saying things.

Washington determined the best route through the mountains was Nemacolin's Trail, a network of old Indian hunting paths that Washington knew well from his early days as a surveyor. It took almost 50 years to convert the trail into the first federally funded interstate highway that we now know as the National Road.

There is little dispute that, as Chairman PETRI mentioned earlier, Thomas Harris MacDonald, chief of the Bureau of Public Roads for 34 years, from 1919 to 1953, was the visionary who devel-

oped the initial plans for the present day interstate highway system. In fact, Chief MacDonald's stature was such that when I started here on the Hill as a junior staff person on the Subcommittee on Rivers and Harbors of the Committee on Public Works his name was revered. The people almost bowed in mentioning his name. He really developed the plans for the present interstate highway system.

In 1938, the Congress mandated development of a plan for an interstate highway system. MacDonald laid out the plan in a report entitled "Toll Roads and Free Roads," 1939. Based on that report, Congress in 1944, as it could see the end of World War II, directed the Bureau of Public Roads to undertake a study of a nationwide system of interconnected highways, totaling some 44,000 miles.

□ 1330

That national system of interstate highways directive by the Congress, was carried out by the Bureau of Public Roads, with a plan to link major cities; that is, those of 50,000 population and more. But it did not provide a funding mechanism.

And in the aftermath of World War II, as the Nation rushed to reintegrate the 16 million men and women who served the U.S. in the great war, put aside the development of a highway plan as we rushed to convert to civilian purposes industries that had built machinery of war.

But MacDonald continued working tirelessly with State departments of highways, with urban planners, with others, to continue developing this idea of an interstate highway system. He had sustained it through the Great Depression, he had sustained the idea through World War II.

He was not dismayed by the rush to civilianize the war-time economy of the United States. He kept working on this until his retirement in 1953. Indeed it was, as Chairman PETRI said, President Dwight Eisenhower who exercised the political will and leadership to take this vision to reality.

But there was also another force, the increasing congestion on our Nation's highways, and with it, the increasing death rate on our Nation's highways. It was projected in 1951, 1952, that if we did not do something about the congestion on our highways and the rising death toll, we would be killing 100,000 people a year on America's highways. That was the driving force behind moving to the next stage and bringing the vision of an interstate system to reality.

I will not repeat the very thoughtful and I think erudite presentation that Mr. PETRI cited of President Eisenhower as a lieutenant colonel taking the convoy across the United States. He stated that was an experience that lingered in Colonel Eisenhower, General Eisenhower, President Eisenhower's mind as he confronted this issue.

His great thought was to tap General Lucius Clay to head a commission to take the idea of the 1944 Congress report, the MacDonald report, and work with the Governors again, with other interested parties, and develop a plan to finance this system. That is what the Clay Commission report did that was really different.

It set forth a plan for a viable funding mechanism to undertake the interstate highway system with an idea that you would have a dedicated revenue stream so that at the beginning of the project planners could see their way to the end of that project.

That was what truly launched the interstate highway construction program. My predecessor, John Blatnik, who served in this body for 28 years on the Committee on Public Works and was its chairman for 4 years, was one of the five House co-authors. It was largely the House of Representatives that drove this issue forward.

I remember many discussions with Mr. Blatnik talking about the discussions that went late into the evenings and about how to finance the interstate highway system.

President Eisenhower's Secretary of the Treasury favored a bonding program, which would have greatly enriched Wall Street investors, but the House held out for an egalitarian tax that everybody would pay, calling it a fee, a fee to build the interstate highway system.

And that fee started out to be 3 cents, a fuel excise tax. But after one year of experience with the 3-cent tax, they realized this was not going to be enough and came back the following year, in 1957, and passed 1 additional cent, an increase in that fee. That passed this body, if you can imagine it, on a voice vote. We can hardly pass anything on a voice vote today. But that was done in those days, because there was a need to move ahead.

The original authorization was for a system of 42,500 miles and today, as Mr. PETRI already said, it is 46,876 miles. You have to keep asking the Highway Administration how many more miles have been added because some continue to creep in as designated segments of the interstate.

But the States responded immediately. Eisenhower signed the bill into law June 29, 1956. By September, projects were under construction, because the States were ready. They knew they had to move ahead quickly. They knew we needed this system of divided, access-controlled, interconnecting highways that would theoretically allow you to travel from coast to coast or from border to border without a traffic light.

Now, of course today that is not possible, but the principle of coast to coast and border to border travel was realized with the interstate highway system. We now have invested \$128.9 billion, the Federal Government in partnership with the States, the Federal share an estimated \$114.3 billion.

And the marvel is that this system that represents 1 percent, just a little over 1 percent of the Nation's total public road mileage, carries 24 percent of all the highway travel, 40 percent of all travel by single-unit and combination trucks, 721 billion vehicle miles estimated to travel annually on the interstate highway system.

It is the marvel of the world. Every year there are delegations from other countries who come here to meet with us on the Committee on Transportation and Infrastructure to ask how did you do it? How did you finance it? How do you keep it going? How do you keep it in good shape? It is an engineering marvel of the world.

Washington, President Washington, General Washington's original version of a national road has now been fulfilled.

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

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me time.

Mr. Speaker, I rise in support of the resolution. I thank the gentleman from Michigan for his remarks. My particular interest in this legislation, in honoring the interstate transportation system, is the gentleman that has been mentioned in both remarks, and that is President Eisenhower, a fellow Kansan, and that historic moment on June 29, 1956, when our President initiated the interstate highway system, is one that we memorialize in Kansas. We are very much a transportation-dependent State. We are land-locked in the middle of the country and roads and highways that lead elsewhere are lawfully important to us, particularly in the sense of commerce and moving industrial goods and agricultural commodities to market.

But President Eisenhower, in his life and his involvement in the interstate system, is memorialized in Abilene, Kansas, his hometown, at the Eisenhower Center where photographs of the interstate construction are on display.

Mr. Speaker, I rise this afternoon just to again remark about this remarkable individual, this former general, this former President of the United States, who had the foresight as a military leader and commander to bring the country together in regard to a transportation system that is so important to us today.

So as a Kansan, I am here to pay tribute not only to the interstate system, but to President Dwight D. Eisenhower. I thank the committee and the gentleman for yielding me the time and for bringing this occasion to the House floor today. I urge my colleagues to support this historic occurrence that matters so much to Kansas and Americans in 2006, 50 years later.

Mr. OBERSTAR. Mr. Speaker, can I inquire how much time is remaining on our side?

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the ranking member for the time. I too rise to commemorate the 50th anniversary, the great vision of President and General Dwight David Eisenhower, in terms of the national highway system.

Fifty years. It is a long time. And now we need to look forward to the next half of the first century of the national highway system, and that is going to constitute quite a challenge. We, just after some lengthy struggle, finally reauthorized the highway program with SAFETEA-LU last summer.

But what we see looming before us is a system that is starting to show its age. The cracked bridge problem in Oregon, failing bridges that were constructed actually with 1950s technology, just before we moved to prestressed concrete, the cast-in-place bridges, and other places around the country. The system is showing its age, the wear and tear, it is showing in places that it is not up to the task of current traffic volumes, and we need to look to the future of this great artery of commerce and transportation and recreation transport for Americans, daily commutes to work, to long trips to far-away places within this wonderful country.

And that is a challenge that the chairman of the committee has begun to address with hearings to look at what the future sources of funding will be to meet even greater demands than the initial construction of this system.

So I rise today both to commemorate the 50th anniversary and the visionaries who gave us this great system, and to join with my colleagues here who I know will be part of the solution about how it is going to be celebrated yet another 50 years from today as still an essential artery for commerce and transportation in the United States, because visionaries in this and some near subsequent Congresses recognized the need to continue to invest, reinvest and enhance the system.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, I thank the chairman for the work on this legislation today and for making note of the anniversary of the interstate highway system, and as we also honor the work of our past President Eisenhower for his work to make sure that we bear the fruits of the system 50 years later.

The 50th anniversary, we come here today on, but perhaps at this time it is appropriate also that standing on his shoulders we could do what he would like to see at this point in time as we move forward to the second half of that century to build upon what he has already done, to create a new system as we honor his work of the past.

You know, this new system would be one in which we return some of the authority that we have now assumed on the Federal level back to the States to give them more discretion, basically to maximize the resources that are out there to create that great transportation system that we have in this country today. We could do that by returning primary transportation authority and responsibility and taxing authority back to the States.

What would this do? This would free State transportation dollars from the Federal micromanagement that we have seen in the past and other budgetary pressures as well. It would let people back at the States, people who actually use these roads and bridges and tunnels and what have you, to help make the decisions to decide when, how and where and how they are going to finance them. They would make the decisions in the future how they would finance it, they would make the decisions how they would be regulated.

You know, Mr. Speaker, I say in conclusion on this that we can honor this President who was indeed a great President for what he did for this country, but you know he was a greater general for all that he did for this country as well. And as a general he knew that sometimes the best decisions were made by those field commanders who were in the field. And I would just suggest to you, Mr. Speaker, that now is the time to allow the States to assume command.

Mr. PETRI. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker and my colleagues, first of all I want to thank the chairman of our Highway Subcommittee and the ranking member for their leadership and taking time to recognize our interstate system. It is one of our most important Federal assets, particularly as we pay tribute now to the 50th anniversary of our interstate system founded in 1956. You have heard some references to President Eisenhower and his vision, a conservative Republican President in 1956.

And actually some of the history of the idea and really the push for an interstate system was delivered by Vice President Nixon on July 12, 1954.

□ 1345

Vice President Nixon was sent to the National Governors Conference in Lake George in New York, where the Governors had assembled. At that conference, in 1954, is where he proposed to all the Governors on behalf of President Eisenhower an interstate system.

Now, you have to put this in perspective, folks, because the Federal budget was \$71 billion in 1954, and he was proposing what would be probably a half a trillion dollar system and infrastructure project in that day. I am sure there must have been a couple of people who said, that is going to be a highway to nowhere.

But, again, that is the kind of vision, that is the kind of foresight leadership

that has meant so much to this Nation, particularly because our roads, our ports, our airports are all the heart of our infrastructure and allow us to do the business of our country. The business of our country is commerce.

The current state of our interstate, I am sad to rise on the 50th anniversary and say that it is in disrepair. We heard Mr. DEFAZIO talk about it, but we are congested from the Atlantic to the Pacific, from sea to shining sea. Our interstate needs cry out for help. We need new financing. We need new projects and partnerships to move the business of this country on our interstate highways that are clogged.

We do have two problems. One is financing. We are looking, instead of a trillion-dollar system that might have been proposed in 1954, trillions of dollars in infrastructure. The other thing is regulatory reform. These projects get bogged down in delay. We need to speed up that process which in time can also have costs attached to it.

So we need a vision like Richard Nixon proposed to the Governors association in Lake George in 1954. We need the vision of Dwight David Eisenhower, a conservative Republican President who proposed an interstate system which now links one end of this country and all corners of this Nation together.

Again, this is important, not just looking at the past, but looking at the future and building on what we have inherited and the significant milestone and anniversary in the history of our interstate system.

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

Mr. Speaker, what was unique about and continues to be unique about the interstate highway system is the Federal-State partnership that I referenced earlier, not public-private financing, not bond financing, as was proposed by Eisenhower's Secretary of Treasury and rejected by this House of Representatives, but a shared partnership, shared in financing 90 percent Federal, 10 percent State, shared in designing the route structure and the system to connect cities of 50,000 or greater population throughout this country, and to vastly enhance safety.

What we are hearing since enactment of SAFETEA-LU that took the Federal highway program to new financing, \$286.3 billion, is worry about availability of funds for the future and the surface transportation subcommittee, under the leadership of the gentleman from Wisconsin, has held several very thoughtful, productive, in-depth hearings on how not only the interstate, but how the total national highway system will be financed in the coming years.

We also directed a commission to be established in the enactment of SAFETEA-LU to evaluate financing plans and to report back to the Congress on financing.

I am not enamored of public-private financing issues. I am not enamored

and am very much opposed to toll systems. They will not be a sustained program. Toll roads, toll bridges would not have brought us the interstate highway system that we have, we enjoy today that was a marvel of the industrial world.

We need to sustain the highway trust fund, keep it a user-based system, and its inherent genius is that it never has nor can it or ever will it run a deficit. In contrast, the surplus funds in the highway trust fund for many years, from 1968 through 1998, were used to finance, to cover up deficits and finance other activities of the Federal Government. We must not allow that to recur, although it has.

There is a surplus built up where the trust fund is being used to overshadow parts of the deficit. We must continue this sustained financing, self-supporting financing mechanism that does not run a deficit, that is user-based, that is broad-based, that is egalitarian in its application.

For President Eisenhower, I would say history should and has already judged him very warmly, not only for his military leadership, but for what he has done for infrastructure and his support, not just passing, but from personal experience of the interstate highway system, which we have already discussed. But he signed into law the legislation establishing the St. Lawrence Seaway, providing for the U.S. partnership in Canada in opening the fourth sea coast of the United States, and creation of the FAA from the old Civil Aeronautics Authority, the first-ever construction funding to help build runways to accommodate the Jet Age in 1958, which was just dawning upon America.

We didn't know what to do with this new-type civilian aircraft, but we knew and engineers knew that they had to have better runways, better taxiways, better terminals. President Eisenhower understood that and signed into law the legislation not only to create the Federal Aviation Administration and the old CAA, but also funding for the construction of the needed high-quality runways to accommodate the Jet Age.

His legacy is really remarkable when we think back in perspective of what was needed to build the base of America, build our economic strength through our transportation infrastructure. What we celebrate in this legislation today is the accomplishment of that interstate highway system. It is a golden anniversary. As my colleague from Oregon, Mr. DEFAZIO, said, I am looking forward to the next 50 years, provided there is enough fuel to get us there.

I join with my good friend and colleague from the State of Wisconsin (Mr. PETRI). His leadership on the subcommittee of surface transportation has been superb in asking all Members to join in support of this legislation honoring the 50th anniversary of the interstate highway program.

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

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

Mr. Speaker, just to conclude and build on the remarks of the dean of our committee, Mr. OBERSTAR, we are celebrating the 50th anniversary of a remarkable thing, a generation of Americans, some have said the Greatest Generation, that thought not just of itself, but of its country and its future and invested in the future.

They were not borrowing against existing assets, against existing assets for current expenses. Instead, they were taxing themselves or paying fees themselves to build for the future to create a greater, productive enterprise here in the United States, one symbol of that, of what we are celebrating today, the 50th anniversary of the interstate highway system, the envy of the world, the backbone of the strongest economy in the world.

I had the opportunity, as a much younger person, to meet Dwight Eisenhower on several occasions. I got out of school when I was in fourth grade to go down to the railway station in Fond du Lac, Wisconsin, one of the last whistle-stop campaign trips, and again once while in high school. These groups come from all over the country to visit their legislators and so on. I was with a group about to meet President Eisenhower in the Rose Garden in the White House.

But in those days Presidents would often, not only Eisenhower, address the country. Not because there was some great crisis, but because they were always trying to rally people to a constructive cause. I remember him often speaking and saying as a former general who had known war that the true strength of a country was not embodied just in its army, though military, though that was a part of it; the true strength of a country was the moral fiber of its people and the productive capacity of its economy.

If those were tended to, you could always build military strength out of that. But if you relied solely on military strength, you would have a hollow strength and would not have the sustainability that the strong economy and character of the people could provide to face any threat.

Part of that strength is our interstate highway system. He led us to build it. It is our job to sustain and to renew it in future generations and, as a part of that, to commemorate its great contribution and success through this resolution. I urge all Members to join us in supporting it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 372.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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SUPPORTING RESPONSIBLE FATHERHOOD, PROMOTING MARRIAGE, AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN, ESPECIALLY ON FATHER'S DAY

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 318) supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, as amended.

The Clerk read as follows:

H. RES. 318

Whereas married fathers are more likely to have a close, enduring relationship with their children than unmarried fathers;

Whereas according to a 1996 Gallup poll, 90.3 percent of Americans agree that fathers make a unique contribution to their children's lives;

Whereas in a study of fathers' interaction with their children in intact two-parent families, nearly 90 percent of the fathers surveyed said that being a father is the most fulfilling role a man can have;

Whereas a broad array of the Nation's leading family and child development experts agree that it is in the best interests of children and the Nation as a whole to encourage more two-parent families where the father is actively involved with his children;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas children with fathers at home tend to do better in school, to be less prone to emotional and behavioral problems, and to have more successful relationships;

Whereas boys and girls alike demonstrate greater self-control and ability to take initiative when fathers are actively involved in their upbringing;

Whereas children who are apart from their biological fathers are, in comparison to other children, 5 times more likely to live in poverty, and more likely to bring weapons and drugs into the classroom, commit other crimes, drop out of school, commit suicide, abuse alcohol or drugs, or become pregnant as teenagers;

Whereas the promotion of responsible fatherhood should not denigrate the standing or parenting efforts of single mothers, whose efforts are heroic, lessen the protection of children from abusive parents, cause women to remain in, or enter into, abusive relationships, or compromise the health or safety of a custodial parent; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the millions of fathers who serve as wonderful, caring parents for their children;

(2) calls on fathers across the Nation to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children;

(3) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the moral, academic, and spiritual development of children; and

(4) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 318.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Res. 318, and I would like to congratulate Representative SULLIVAN on this resolution. The upcoming celebration of Father's Day is time to reflect on the role that fathers play in the development of our children and the stability of our families, and an ever-increasing amount of research supports what common sense has told us all along, that fathers are essential for children's development.

Unfortunately, far too many children today are growing up without the presence of their father, with 24 million children in our country, approximately one-third of all American children, living apart from their biological fathers. Even more alarming, 40 percent of those children, with absent fathers, have not even seen their fathers in the last year. Given what we know about the importance of fathers for children, this statistic is truly alarming.

In my previous profession, I saw firsthand the increase in fatherlessness and witnessed this devastating effect on the young men I worked with. I was excited to receive a call one day from one of my player's fathers who wanted to reestablish contact with his son after many years' absence.

I was really excited and went and found the player, told him his dad had called. I knew that he hadn't seen him for 15 or 20 years. So I told him about this call. I remember the player saying this: he said, you know he really didn't care about me when I was little, and now he only wants to see me because I am doing well in football. The player didn't even call his father back after 20 years. So fatherlessness has become very real to me because of those experiences.

Research performed by the National Fatherhood Initiative has indicated that children, both boys and girls with involved loving fathers, are more likely to do well in school, have healthy self-esteem and avoid high-risk behaviors. But just as the presence of a loving father has positive overwhelming effects on a child, the lack of a father carries extremely negative effects.

Children who live absent their fathers are two to three times more likely to use drugs, experience behavioral problems, be victims of abuse, and engage in criminal behavior.

□ 1400

A few years ago, a greeting card company offered free cards to inmates from a prison to send to mothers on Mother's Day. Nearly all the prisoners took the offer and sent cards to their mothers. So the greeting card company was somewhat encouraged by the success and they decided that they would then make the same offer when Father's Day came around. They offered free cards to send to fathers on Father's Day, and they had zero takers. There was no one in that prison who wanted to send a card to his father on Father's Day, which is a real indictment, I think, of the situation in regard to fatherlessness of those who end up in prison.

It is also important for fathers to foster close, caring relationships with their children. Additional research from the National Fatherhood Initiative suggests that adolescents are less likely to smoke, drink or use drugs if they have a close relationship with their father, and adolescents in intact families are also less likely to be negatively influenced by their peers or engage in delinquent behavior.

So what can be done to improve the state of fatherhood? Perhaps the simplest answer can be found in a sound marriage. It is the basic social contract between parents that provides the optimal environment for raising children.

Research by the Fatherhood Initiative says that the concept of marriage is well-supported in America. In fact, nearly 90 percent of survey respondents disagreed with the statement that marriage is old-fashioned and outmoded. Clearly, there is support for the idea of marriage among Americans, yet at the same time half of all first marriages in our country end in divorce. This is linked to the stability of our families, indicating that we must work harder to make sure that marriage and fatherhood is encourage and supported in our society.

I would just say, Mr. Speaker, in concluding my opening remarks, that from my perspective, working with young people for over 36 years, the greatest crisis, the greatest threat facing our country today is not problems with the economy, is not al Qaeda, but it is simply father absence. If we could undo that extreme difficulty with our society, we would solve probably 80, 90 percent of our social problems in our country.

So I strongly support H. Res. 318 and urge its passage.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, marriage rates are down, divorce is up, unemployment is

high, and there are many other social and economic factors which have led to a reduction in the leadership of families by two adults. There are more single family homes and more and more absence of fathers from the lives of children.

I have observed these trends for a number of years and, therefore, rise in strong support of H. Res. 318, a bill supporting responsible fatherhood, promoting marriage and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

As we express our support for responsible fatherhood, we should not forget one key aspect of being a responsible father, regular financial contributions. Many low-income, noncustodial parents are barely able to support themselves, let alone their children. For example, as many as one-quarter of noncustodial fathers have incomes below the poverty line. Moreover, they generally experience multiple barriers to employment, including limited work experience, no high school diplomas, no college degrees, criminal histories, transportation restrictions and substance abuse, which really means that they have problems and need help with those problems.

The multiple barriers to employment coupled with child support enforcement rules that are ill-matched to meet the needs of low-income, noncustodial parents often present major disincentives to work or incentives to work in the informal or underground economy, making this population incredibly difficult to recruit and serve within existing fatherhood programs.

Given the widely understood and acknowledged benefits of an actively involved father in the lives of children, we would see that more children have self-control and are less likely to be found within the penal system. From research, we have observed that 63 percent of suicides, 71 percent of pregnant teens, and 90 percent of homeless runaway children are from homes without a father.

Children who develop relationships with their fathers are more likely to develop healthy adult relationships and to feel secure regarding who they are. A father's presence in a child's life is a powerful deterrent to delinquency.

We should work together to remove barriers from employment that affect noncustodial parents and in many instances prevent them from assuming a supportive role in the lives of their children, and we have to find ways to facilitate their involvement.

I have been pleased to work for the last several years with a noted attorney, Jeffrey Levin, who has written a book about father's rights and responsibilities, and every year before Father's Day we convene a full day of activities, seminars, discussions, programs that are designed to help fathers find the way to come back into or reconnect with their children.

I also want to commend the Governor of the State of Illinois, a former Mem-

ber of this body, Governor Rod Blagojevich, for establishing a fatherhood council for the State and appointing Attorney Levin to be the chairman of that.

So we know that in addition to encouraging fathers to be involved that we need to do more than that. We need to facilitate involvement by promoting male involvement in Head Start and other early childhood education programs, by supporting Little League and other programs and encouraging fathers to be an integral part of those.

So I commend the gentleman for introducing this legislation, express strong support for it.

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

Mr. OSBORNE. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. SULLIVAN), the author of this resolution.

Mr. SULLIVAN. Mr. Speaker, I would like to thank my colleague and friend from Nebraska (Mr. OSBORNE) for his work on this. It has been great, and as we anticipate the celebration of Father's Day this weekend, I am proud to have introduced H. Res. 318, which supports responsible fatherhood, promotes marriage and encourages greater involvement of fathers in the lives of their children.

Three of my four children are in Washington with me this week, and I find it very fitting that they are here to share in the passage of this resolution. Being a father is one of the greatest blessings in my life. I love my job, but I look forward to the end of the week when I can head back home to Tulsa and to be with my family.

My children Tommy, Meredith, Sydney and Daniel are my number one priority, and I strive every day to show them they are important. I would like to take this opportunity to remind all fathers, including myself, to spend extra quality time with their children on Father's Day and to continue to do so throughout the year.

I introduced this resolution not only to honor fathers but to call attention to the importance of the job. The role that fathers play in the development of our youth cannot be understated.

According to findings by the National Fatherhood Initiative, which have been reiterated already, the closer adolescents feel to their fathers regardless of the type of family structure in which they live, the less likely it is that they will engage in the use of drugs or delinquent behavior. Involved and proactive fathers help to shape confident and productive future citizens.

So as we honor fathers on Father's Day we should also encourage men to evaluate their own participation in their children's lives, because you can never be too involved.

It is also important to note that this bill includes language recognizing the outstanding efforts of single mothers, grandparents and other caretakers. Their efforts are heroic and should be applauded.

As a cochair of the Fatherhood Caucus, as a father and as a concerned citizen, I ask my colleagues to promote responsible fatherhood and support H. Res. 318.

Mr. DAVIS of Illinois. Mr. Speaker, I don't believe that I have any other requests for time.

Again, I simply want to commend Mr. SULLIVAN for his introduction of this legislation, and I believe that was probably one of his sons on the floor with him, and I can imagine how he feels, and that ought to be an example for other fathers throughout America and throughout the world to recognize the tremendous value of providing the kind of love, affection and involvement in the lives of children that they receive from responsible fathers.

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

Mr. OSBORNE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise today in strong support of this resolution.

We often hear about deadbeat and delinquent dads. So it is easy to forget the millions of dads across America who are striving to be good husbands and positive role models for their kids.

Today, we recognize those dads and the tremendous importance of promoting fatherhood in America. There is no denying the invaluable role that a father plays in a child's life.

According to research from the National Fatherhood Initiative, children with involved and loving fathers have a significant advantage in life. They tend to perform better in school, have a healthy self-esteem, exhibit positive social behavior, and avoid drug use and other criminal activity.

But this kind of statistical research really just affirms what we already know to be true: Fatherhood is important. A loving father plays an integral role in the family, and healthy families are the foundation for a healthy society.

This resolution acknowledges that fact, Mr. Speaker, and it is worthy of our consideration and adoption today. I commend the gentleman, Mr. SULLIVAN, for his leadership on the issue and urge support for the resolution.

Mr. OSBORNE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. McNULTY).

Mr. McNULTY. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the resolution. I want to echo what others have said about the importance of family.

When we talk about priorities, we have a long list and wide range of them. I think it is critically important to keep family first.

I enthusiastically support the resolution, and I want to say how much our children, Nancy's and mine, Michele, Angela, Nancy and Maria, mean to us; and how much our five grandchildren mean to us, Teigin, Elijah, Lola, Morgyn and Daniel. They are the light of our lives.

I thank the gentleman for bringing this resolution to the floor. I urge all members to support it.

Mr. McKEON. Mr. Speaker, today I rise in strong support of H. Res. 318 to encourage responsible fatherhood. As we recognize fathers across the country and in celebration of Father's Day, we honor caring, involved fathers and hearten other men to also hold their children and the family unit in the highest regard.

Numerous studies conducted throughout the years have continued to underscore the fundamental role fathers play in a family and highlight the positive effects they have on children. I want to encourage men who are not already doing so to take the responsibility of fatherhood seriously and to understand that there are considerable consequences to broken-families where there is no male role model for the children.

Children in father-absent homes have a tendency to live in poverty, use drugs, commit crimes, drop out of school, and in the case of young women—become pregnant as teenagers. Conversely, children in homes with fathers who are dependable and active tend to do better in school, are less prone to depression and demonstrate the ability to form more successful relationships.

The role of a father is one to be celebrated. A father provides safety, security, love, and support. Children inherently covet and require these qualities as they mature into young adults, and they deserve the opportunity to prosper and learn in a stable home.

Fathers who dedicate their time, energy, and resources to their children harvest the rewards of their efforts as they watch their children become productive citizens. A father or male-guardian who is committed and dependable acts also as a mentor—leading by example and demonstrating the standards by which we expect young people to live.

Mr. Speaker, as we approach Father's Day, I would like to commend the millions of fathers who already serve as wonderful parents for their children, and I ask my colleagues to also support this resolution for the improvement and encouragement of other men nationwide.

Mr. OSBORNE. Mr. Speaker, I would like to thank Mr. DAVIS for his participation. It seems like we often are involved in these kinds of issues together.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 318, as amended. The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. OSBORNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of H. Res. 862, by the yeas and nays;

Suspending the rules and passing H.R. 4894, by the yeas and nays;

Suspending the rules and agreeing to H. Res. 318, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 862, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 17, as follows:

[Roll No. 258]

YEAS—221

Aderholt	Dent	Hostettler
Akin	Diaz-Balart, L.	Hulshof
Alexander	Diaz-Balart, M.	Hunter
Bachus	Doolittle	Hyde
Baker	Drake	Inglis (SC)
Barrett (SC)	Dreier	Issa
Bartlett (MD)	Duncan	Istook
Bass	Ehlers	Jenkins
Beauprez	Emerson	Jindal
Biggert	English (PA)	Johnson (CT)
Bilbray	Everett	Johnson (IL)
Bilirakis	Feeney	Johnson, Sam
Bishop (UT)	Ferguson	Keller
Blackburn	Fitzpatrick (PA)	Kelly
Blunt	Flake	Kennedy (MN)
Boehlert	Foley	King (IA)
Boehner	Forbes	King (NY)
Bonilla	Fortenberry	Kingston
Bonner	Fossella	Kirk
Bono	Fox	Kline
Boozman	Franks (AZ)	Knollenberg
Boustany	Frelinghuysen	Kolbe
Bradley (NH)	Galleghy	Kuhl (NY)
Brady (TX)	Garrett (NJ)	LaHood
Brown (SC)	Gerlach	Latham
Brown-Waite,	Gibbons	LaTourette
Ginny	Gilchrest	Leach
Burgess	Gillmor	Lewis (CA)
Burton (IN)	Gingrey	Lewis (KY)
Buyer	Gohmert	Linder
Calvert	Goode	LoBiondo
Camp (MI)	Goodlatte	Lucas
Campbell (CA)	Granger	Lungren, Daniel
Cannon	Graves	E.
Cantor	Green (WI)	Mack
Capito	Gutierrez	Marchant
Carter	Gutknecht	McCaul (TX)
Castle	Hall	McCotter
Chocola	Harris	McCrery
Coble	Hart	McHenry
Cole (OK)	Hastings (WA)	McHugh
Conaway	Hayes	McKeon
Crenshaw	Hayworth	McMorris
Cubin	Hefley	Mica
Culberson	Hensarling	Miller (FL)
Davis (KY)	Herger	Miller, Gary
Davis, Jo Ann	Hobson	Moran (KS)
Davis, Tom	Hoekstra	Murphy

Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg

Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
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)

Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)

Nussle
Owens
Payne
Ramstad

Reichert
Sessions
Strickland

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
Hersteth
Higgins
Hinchee
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
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 (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack

Maloney
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 (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Solis
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
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
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancred
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
Petri
Pickering
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)

□ 1441

Messrs. GONZALEZ, AL GREEN of Texas, MCGOVERN, HIGGINS, and Mrs. JONES of Ohio changed their vote from “yea” to “nay.”

Mr. WAMP changed his vote from “nay” to “yea.”

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.

PROVIDING FOR CERTAIN ACCESS TO NATIONAL CRIME INFORMATION DATABASES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4894, as amended.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4894, as amended, 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 415, nays 1, not voting 16, as follows:

[Roll No. 259]

YEAS—415

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Clay
Cleave
Clyburn
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon

Green, Al
Green, Gene
Grijalva
Harman
Hastings (FL)
Hersteth
Higgins
Hinchee
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)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
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
Pallone
Pascrell
Paul
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
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
Wu
Wynn

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Coble
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Cueellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Brown (OH)
Brown (SC)
Brown, Corrine

Brown-Waite,
Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez

DeFazio
DeGette
Delahunt
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
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez

Johnson (CT)
Johnson (IL)
Johnson, E. B.
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 (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack

Maloney
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 (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Solis
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
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
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancred
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
Petri
Pickering
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)

NOT VOTING—17

Barton (TX)
Berkley

Conyers
Deal (GA)

DeLauro
Evans

NAYS—1

Paul

NOT VOTING—16

Barton (TX)	Kennedy (RI)	Ramstad
Berkley	Lewis (GA)	Reichert
Conyers	Manzullo	Sessions
Deal (GA)	Miller (MI)	Strickland
DeLauro	Nussle	
Evans	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1450

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING RESPONSIBLE FATHERHOOD, PROMOTING MARRIAGE, AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN, ESPECIALLY ON FATHER'S DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 318, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 318, as amended, 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 407, nays 0, answered “present” 8, not voting 17, as follows:

[Roll No. 260]

YEAS—407

Abercrombie	Bono	Chandler
Ackerman	Boozman	Chocola
Aderholt	Boren	Clay
Akin	Boswell	Cleaver
Alexander	Boucher	Clyburn
Allen	Boustany	Coble
Andrews	Boyd	Cole (OK)
Baca	Bradley (NH)	Conaway
Bachus	Brady (PA)	Cooper
Baird	Brady (TX)	Costa
Baker	Brown (OH)	Costello
Baldwin	Brown (SC)	Cramer
Barrett (SC)	Brown, Corrine	Crenshaw
Barrow	Brown-Waite,	Crowley
Bartlett (MD)	Ginny	Cubin
Bass	Burgess	Cuellar
Bean	Burton (IN)	Culberson
Beauprez	Butterfield	Cummings
Becerra	Buyer	Davis (AL)
Berman	Calvert	Davis (CA)
Berry	Camp (MI)	Davis (FL)
Biggert	Campbell (CA)	Davis (IL)
Billbray	Cannon	Davis (KY)
Bilirakis	Cantor	Davis (TN)
Bishop (GA)	Capito	Davis, Jo Ann
Bishop (NY)	Capps	Davis, Tom
Bishop (UT)	Cardin	DeFazio
Blackburn	Cardoza	DeGette
Blumenauer	Carmahan	Delahunt
Blunt	Carson	Dent
Boehlert	Carter	Diaz-Balart, L.
Boehner	Case	Diaz-Balart, M.
Bonilla	Castle	Dicks
Bonner	Chabot	Dingell

Doggett	Kilpatrick (MI)	Poe
Doolittle	Kind	Pombo
Doyle	King (IA)	Pomeroy
Drake	King (NY)	Porter
Dreier	Kingston	Price (GA)
Duncan	Kirk	Price (NC)
Edwards	Kline	Pryce (OH)
Ehlers	Knollenberg	Putnam
Emanuel	Kolbe	Radanovich
Emerson	Kucinich	Rahall
Engel	Kuhl (NY)	Ramstad
English (PA)	LaHood	Rangel
Eshoo	Langevin	Regula
Etheridge	Lantos	Rehberg
Everett	Larsen (WA)	Renzi
Farr	Larson (CT)	Reyes
Fattah	Latham	Reynolds
Feeney	LaTourette	Rogers (AL)
Ferguson	Leach	Rogers (KY)
Filner	Levin	Rogers (MI)
Fitzpatrick (PA)	Lewis (CA)	Rohrabacher
Flake	Lewis (KY)	Ros-Lehtinen
Foley	Linder	Ross
Forbes	Lipinski	Rothman
Ford	LoBiondo	Roybal-Allard
Fortenberry	Lowey	Royce
Fossella	Lucas	Ruppersberger
Fox	Lungren, Daniel	Rush
Frank (MA)	E.	Ryan (OH)
Franks (AZ)	Lynch	Ryan (WI)
Frelinghuysen	Mack	Ryun (KS)
Gallegly	Maloney	Sabo
Garrett (NJ)	Marchant	Salazar
Gerlach	Markey	Sanchez, Linda
Gibbons	Marshall	T.
Gilchrest	Matheson	Sanchez, Loretta
Gillmor	Matsui	Sanders
Gingrey	McCarthy	Saxton
Gohmert	McCaul (TX)	Schakowsky
Gonzalez	McCollum (MN)	Schiff
Goode	McCotter	Schmidt
Goodlatte	McCrery	Schwartz (PA)
Gordon	McGovern	Schwartz (MI)
Granger	McHenry	Scott (GA)
Graves	McHugh	Scott (VA)
Green (WI)	McIntyre	Sensenbrenner
Green, Al	McKeon	Serrano
Green, Gene	McKinney	Shadegg
Grijalva	McMorris	Shaw
Gutierrez	McNulty	Shays
Gutknecht	Meehan	Sherman
Hall	Meek (FL)	Sherwood
Harman	Meeke (NY)	Shimkus
Harris	Melancon	Shuster
Hart	Mica	Simmons
Hastings (FL)	Michaud	Simpson
Hastings (WA)	Millender-	Skelton
Hayes	McDonald	Smith (NJ)
Hayworth	Miller (FL)	Smith (TX)
Hefley	Miller (NC)	Smith (WA)
Hensarling	Miller, Gary	Snyder
Hergert	Mollohan	Sodrel
Herseth	Moore (KS)	Solis
Higgins	Moore (WI)	Souder
Hinchee	Moran (KS)	Spratt
Hinojosa	Moran (VA)	Stearns
Hobson	Murphy	Stupak
Hoekstra	Murtha	Sullivan
Holden	Musgrave	Sweeney
Holt	Myrick	Tancredo
Hooley	Nadler	Tanner
Hottel	Napolitano	Tauscher
Hoyer	Neal (MA)	Taylor (MS)
Hulshof	Neugebauer	Taylor (NC)
Hunter	Ney	Terry
Hyde	Northup	Thomas
Inglis (SC)	Norwood	Thompson (CA)
Inslee	Nunes	Thompson (MS)
Israel	Oberstar	Thornberry
Issa	Obey	Tiahrt
Istook	Oliver	Tiberi
Jackson (IL)	Ortiz	Towns
Jackson-Lee	Osborne	Turner
(TX)	Otter	Udall (CO)
Jefferson	Owens	Udall (NM)
Jenkins	Oxley	Upton
Jindal	Pallone	Van Hollen
Johnson (CT)	Pascrell	Velazquez
Johnson (IL)	Pastor	Visclosky
Johnson, E. B.	Paul	Walden (OR)
Johnson, Sam	Pearce	Walsh
Jones (NC)	Pelosi	Wamp
Jones (OH)	Pence	Wasserman
Kanjorski	Peterson (MN)	Schultz
Kapton	Peterson (PA)	Watson
Keller	Petri	Watt
Kelly	Pickering	Waxman
Kennedy (MN)	Pitts	Weiner
Kildee	Platts	Weldon (FL)

Weldon (PA)	Wicker	Wu
Weller	Wilson (NM)	Wynn
Westmoreland	Wilson (SC)	Young (AK)
Wexler	Wolf	Young (FL)
Whitfield	Woolsey	

ANSWERED “PRESENT”—8

Capuano	Lofgren, Zoe	Stark
Honda	McDermott	Tierney
Lee	Miller, George	

NOT VOTING—17

Barton (TX)	Kennedy (RI)	Reichert
Berkley	Lewis (GA)	Sessions
Conyers	Manzullo	Slaughter
Deal (GA)	Miller (MI)	Strickland
DeLauro	Nussle	Waters
Evans	Payne	

□ 1502

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Speaker, on June 13, 2006, I missed the following rollcall votes:

1. Rollcall vote No. 259, H.R. 4894: To provide for certain access to national crime information databases by schools and educational agencies for employment purposes.

2. Rollcall vote No. 260, H. Res. 318: Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

Had I been present, I would have voted “yea” to rollcall vote No. 259, and “yea” to rollcall vote No. 260.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Ms. SOLIS. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2048, the Motor Vehicles Owners' Right to Repair Act.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109-501) on the resolution (H. Res. 865) providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, which was

referred to the House Calendar and ordered to be printed.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 5576 pursuant to House Resolution 865, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 865 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 865

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 consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "to" on age 5, line 23 through the comma on line 24; beginning with the colon on page 6, line 22 through "year" on line 26; beginning with "for" on page 13, line 1 through "Code" on line 6; beginning with the colon on page 13, line 17 through "expended" on line 25; and sections 120, 127, 129, 206, 530, 707, and 931. Where points of order are waived against part of a paragraph, points of order against language in another part of such paragraph may be made only against such other part and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment

has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, 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 Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, the rule provides 1 hour of general debate evenly divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. It also provides one motion to recommit, with or without instructions.

I would like to take a moment to reiterate that we bring this rule forward under an open rule. Historically, appropriations legislation has come to the House governed by open rules, and we continue to do so in order to allow each and every Member of the House the opportunity to submit amendments for consideration as long as they comply with the rules of the House.

The legislation that we bring to the floor today appropriates over \$67 billion for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, the District of Columbia, and independent agencies, an increase of 6 percent over last year. And yet the bill is fiscally sound. It also represents our commitment to provide the necessary resources for programs and projects across the Nation ranging from transportation to housing, the judiciary, the executive office of the President, and the District of Columbia.

The Nation's transportation infrastructure is the backbone of the economy. Its continued strength is essential to foster economic growth, and the bill that we bring to the floor today ensures that we have a reliable and stable transportation infrastructure, that we continue to do so, so that the economy can continue to grow.

The bill includes \$39.1 billion in funds for our highway system, representing an increase of \$3.5 billion. Included in the bill is \$900 million for Amtrak. It includes significant financial and management reforms. In addition, the DOT Inspector General is required to report back regularly to Congress on Amtrak's progress on financial reforms.

The bill that we bring to the floor also includes over \$15 billion for the

Federal Aviation Administration, an increase of \$1.4 billion. Included in that amount is \$16 million to hire and train 132 new air traffic controllers. That is vitally important as air traffic controllers begin to retire and yet air traffic continues to grow. This is essential, for example, in my district, which is the home of Miami National Airport, the third largest international airport in the country. Without an increase in the number of air traffic controllers, Miami International would not be able to continue its projected growth and continue to serve as the Hub of the Americas.

The Department of Housing and Urban Development is funded at \$35 billion, an increase of \$1.7 billion. These funds will permit the Department to administer programs and assist the public with their housing needs, economic and community development and fair housing opportunities. Under HUD the bill includes funding for such important programs as Tenant Based Rental Assistance, also known as section 8, and project-based rental assistance. These two programs serve almost 3.5 million households with vouchers and project-based housing. The bill includes over \$21 billion in funds for the program, an increase of over \$800 million.

H.R. 5576 provides \$6.1 billion for the Federal Judiciary, an increase, Mr. Speaker, of almost 6 percent. This funding will enable the courts to effectively process priority criminal, civil, and bankruptcy cases.

This legislation was introduced by Chairman JOE KNOLLENBERG and reported out of the Appropriations Committee on June 6 by a voice vote. It is good legislation, essential to our continued commitment to the security and safety of all citizens and residents of the United States; and we bring it forth, as I stated before, under a fair and open rule.

I would like to thank Chairman KNOLLENBERG and Ranking Member OLVER for their leadership on this important issue. I urge my colleagues to support both the rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida, my good friend, Representative DIAZ-BALART, for yielding me time. And I rise today in opposition to this rule and with great concern and reservation about the Transportation, Treasury, Housing and Urban Development Appropriations bill for fiscal year 2007.

While the underlying legislation is a significant improvement over President Bush's proposed budget, I am deeply troubled that Republicans continue to use their inability to manage the fiscal needs of our country as a convenient scapegoat for underfunding or completely eliminating programs of

critical importance to the neediest of Americans.

Let me say from the outset I do believe that the subcommittee, led by Chairman KNOLLENBERG and Ranking Member OLVER, did all that it could do with the unreasonable fiscal constraints that the majority of this body gave them to work with. At the same time, this is the eighth appropriations bill for fiscal year 2007 that the House has considered; and in almost every single bill, the wants of the well-to-do are trumping the needs of the less fortunate. The underlying legislation is following this very unfortunate trend, and its priorities are short-sighted.

While no one single area was completely spared from funding cuts, the Department of Housing and Urban Development and the critical public housing assistance programs funded in this important Department are, without doubt, the worst off in this bill.

Fair housing activities, the Community Development Financial Institutions fund, rental assistance, the Public Housing Capital fund, Community Development Block Grants, and elderly housing, let me go back to that, elderly housing programs, all that I just identified are just some of the many programs whose budgets have been placed on the chopping block in this bill.

I find it incomprehensible as to why the majority in this body continues to cut funding for public housing assistance at a time when people need it most. Do my colleagues realize that it costs much less to keep someone in a home or apartment than it does to put a roof over their head once they have become homeless?

I ask: Where is Congress's commitment to keeping people in their homes? Where is our commitment to helping those most in need? If we are committed to them, then we certainly have a weird way of showing it around here.

Later today, Representative AL GREEN and I are going to offer an amendment to restore funding for fair housing activities at HUD. I am hopeful that the House will approve our amendment along with others who would seek to restore funding for section 8 vouchers, rural housing programs, and the HOPE VI program, which is completely eliminated in this bill.

□ 1515

Additionally, the underlying legislation cuts Amtrak's funding next year by more than one-third to a level that is barely half of what Amtrak has identified to continue operating at its current level.

Yesterday in the Rules Committee, the subcommittee's ranking Democrat, my good friend, Representative OLVER, asked that his amendment restoring \$400 million in Amtrak funding cuts be made in order under the rule.

Why did he need a waiver? Because unlike other amendments that will be offered today, Mr. OLVER's amendment would have paid for itself by rolling

back a small portion of the tax cuts to those making \$1 million or more. The rule, however, blocks Mr. OLVER from offering his amendment. As a result, the House will never have the opportunity to vote on restoring funding cuts to Amtrak.

I find it so difficult to believe that we think that it is okay to have a second-hand rail system in this country. That is foolish. And somehow or another we must preserve the integrity of the last remaining rail system of consequence for people in a corridor to be transported.

Finally, I intend to offer an amendment which prohibits the Federal Aviation Administration from consolidating or eliminating Terminal Radar Control Centers, or TRACONS, at airports in federally designated high threat urban areas.

In some places, FAA's TRACON consolidation program is leaving entire States without an approach radar system to coordinate and oversee approaching air traffic in that State. In other instances, consolidation runs the risk of placing undue stress on nearby TRACONS already having to deal with larger air spaces and staffing shortfalls.

The consolidation of these centers in high risk urban areas which are already considered to be at greater risk for terrorist attack or for natural disasters is not good policy. Do we really want to limit the capacity of our air traffic radar systems during national emergencies, especially if Congress can do something about it?

I hope that my colleagues will support my amendment later today. Case in point. In West Palm Beach, Florida, what we find is that one is being consolidated into Miami. And if that whole radar system goes down, when we have a natural hurricane disaster, as is always the potential, then we do not have, if the Miami system goes down, the backup of the West Palm Beach radar system. Mr. Speaker, I find it very difficult to believe that FAA does not understand that.

Mr. Speaker, in my 14 years in the House, I have been fond of saying that the budget and appropriations bills present Congress with the opportunity to outline its priorities. The underlying transportation appropriations bill provides the American people with the grim reality that the majority in this body would rather cut the taxes of those of us in our society who are better off financially, they would rather cut our taxes than pay for housing assistance programs which benefit the less fortunate in our country.

This is not political rhetoric, as some on the other side of the aisle may suggest today. On the contrary, it is the obvious and very real fiscal mess which we have all brought upon ourselves. How we get out of this mess will be up to the American people in just a few short months. I urge my colleagues to oppose this rule.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply would reiterate that the legislation we bring to the floor today by this rule appropriates 6 percent more for the Departments of Transportation and Treasury and Housing and Urban Development, and the Judiciary and District of Columbia and other agencies, 6 percent more than last year.

And we are proud of the legislation we bring forth. I know that Chairman KNOLLENBERG has worked long and hard, as well as many of our members of the Appropriations Committee on this legislation, to prioritize needs and to bring forth as fair a piece of legislation as possible.

With regard to the area of housing, the bill, as I stated before, includes funding for important programs such as the tenant-based rental assistance, also known as Section 8, and as a matter of fact, the bill includes over \$21 billion for the program, an increase of over \$800 million from last year.

I think Chairman KNOLLENBERG has done a very good job, and he deserves our commendation, as do the other members of the committee.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before yielding to Mr. OLVER, I would just respond to my friend who brags about a 6 percent increase. He and I have districts that are very close to each other, we adjoin each other, but we evidently live in different sections of south Florida where fair housing programs are being cut in this program, with a 2.2 percent reduction.

Community development financial assistance, a cut of \$15½ million; tenant-based rental assistance program that you just talked about, my good friend from Florida, is funded at \$14.3 billion. You say that is a great increase. Guess what the administration requested? \$100 million more that they did not get.

Project-based rental assistance is cut \$200 million. Cost-share requirement for HUD earmark, the bill requires that HUD earmarks in the bill is subject to a 40 percent cost sharing. Rural housing received a cut. Public housing capital fund, \$261 million, 10 percent below for fiscal year 2006.

How in the world can you all make increases out of cuts, when in fact people are hurting and need adequate housing?

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, once again, I am going to dwell upon what my Member from the Rules Committee has already spoken about. The majority of the House shows its true priorities.

The rule that we have before us today does not make in order my amendment that reflects some very important national priorities. My amendment would have added a badly needed \$1.7 billion to the bill. Specifically it would have provided increases for the following programs: First, \$400 million for Amtrak, which would bring total funding to \$1.3 billion, just barely above last year's \$1.294 billion, and allow Amtrak to continue to provide national intercity passenger rail service.

Remember that the Transportation, Treasury, HUD bill proposes a \$900 million amount for Amtrak, which is below, \$394 million below the 2006 enacted, which would at least require substantial cuts in service provided, and probably in routes, the termination of routes in order to manage to get through the year. And without that money, they would have no chance of dealing with the huge backlog of infrastructure improvements that affect reliability and safety of the system.

Second, the amendment would have provided a \$636 million increase for public housing operating fund. That is the level of funding of \$3.56 billion that is already there, but that account funds the operating costs that exceed the rents that the public housing authorities may legally collect, and provides for major operating costs, including building maintenance, utilities and services for residents.

Remember that public housing authorities operate in every single congressional district in the country and serve the lowest income elderly people, for the most part, in that process. And the President's request, according to HUD's figures, only provide 85 percent of the authorities' operating requirement.

Third, the amendment would have provided a \$261 million increase for the public housing capital fund, which is funded in the bill at 10 percent below fiscal year 2006. Funding for this has declined steadily since 2001 when \$3 billion was provided, and there is a \$20 billion backlog in public housing capital repair needs, which really goes to the backlog of modernization, rehabilitation and replacement of housing units.

Fourth, \$144 million was provided in my amendment for tenant-based voucher programs, which just would restore funding levels to the President's request in the President's budget for this year.

Fifth, \$100 million was provided in my amendment for the HOPE VI program for revitalization of public housing. The bill before us provides no funding for HOPE VI. This is the fourth year in a row that the administration has proposed eliminating the program, and it is zeroed out in the committee bill before us as the program for revitalizing severely distressed public housing.

Sixth, there was a total of \$89 million provided for increases in construction

for housing for the elderly and housing for the disabled, which with what is provided in the bill would bring the total for that pair of accounts to less than 1 percent above the enacted level of 3 years ago, and this at a time when all of the demographic studies show that the average age of our population is rising steadily, and our over-80 elder population represents the fastest growing cohort.

Seventh, \$30 million increase for the CDFI program, which has been enormously successful in leveraging, by at least 20-1, additional private investment in underserved communities. \$40 million is appropriated for the CDFI fund, and while the subcommittee bill is an improvement over the President's request, it is still a 25 percent cut from the 2006 enacted number.

Eighth, there was a \$30 million amount for the rural housing and economic development program that is zeroed out in the bill before us. My amendment was fully offset by a 4.11 percent reduction to the tax cuts for individuals making over \$1 million annually. That represents a \$4,700 on average cut from the \$114,000-plus tax cut for those millionaire individuals.

The chairman of the subcommittee had faced difficult choices in this bill. The President's budget was inadequate in many respects, and left holes that had to be filled. The chairman did his best to provide a fair allocation of money within the amount assigned to the subcommittee, and in spite of the chairman's creativity, many problems still remain because of the majority party's decision to make tax cuts to the wealthiest 1 percent their number one priority. The majority party would rather help those that do not need help than those that do. My amendment would have corrected some of this imbalance.

I urge all of my colleagues to put our national priorities first and oppose this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply reiterate that we bring this legislation forth with an open rule, which means that any Member of the House who has an idea for more funding for one program, less funding for another, they can bring forth any amendment as long as they obviously follow the rules of the House.

So we are bringing forth this appropriations bill with an open rule, we look forward to debate. We think it is good legislation.

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

□ 1530

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), my good friend and classmate.

Mr. BLUMENAUER. Mr. Speaker, I will be brief. I appreciate the gentleman's courtesy; and I agree, this is a

difficult challenge that the committee has faced. I look forward to full and vigorous debate.

I would just call attention to one element here on page 77, where the committee expresses its reservations about using land use and economic development as measures for new starts in terms of transit projects; and I would respectfully suggest that we need to have a serious conversation with the committee and staff, because they are sort of missing the boat in terms of what we did laboriously in the transportation and infrastructure committee for the last 2 years. There are 84 communities around the country that are interested in streetcars under the Small Starts Program to be able to move forward in something that isn't as expensive as light rail or heavy rail.

The whole reason communities are interested is because it has very powerful economic development impact, and it can prevent congestion in the first place because it encourages development along that streetcar line. The streetcar line can be built quickly, cheaply; and it prevents people from having to move out to vast stretches of the countryside and then come in.

I would hope that we would be able to work with the subcommittee to be able to give them examples of what is happening around the country and why people in Chicago and Charlotte are interested in what has already happened in my community in Portland, Oregon.

The subcommittee's suggestion that somehow this money come from HUD community block grant funding is a little off base because my understanding is those monies aren't supposed to be for transportation. The streetcar program, the Small Starts Program, is very definitely transportation, very definitely transit; and it enables us to avoid some of that congestion in the first place.

I look forward to a conversation with the committee at a later date.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we have no further speakers on this side of the aisle, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise today to ask my colleagues to oppose the previous question. I do not think it is appropriate to let this bill go through without an up-or-down vote on whether or not Congress should have an increase in its own pay.

The effect of this legislation is that is exactly what is going to happen. Here we are in a circumstance where we continue to swim in a lake of red ink, \$8 trillion now. Our debt is above that now.

We just voted on a \$94 billion supplemental earlier today. I don't think it is appropriate to have this cost increase, this increase in salary for Members of Congress go through without an up-or-down vote. That is why I encourage my

colleagues to oppose the previous question, because a “no” vote on the previous question will give Members the opportunity to vote up or down on the automatic cost-of-living pay raise for Members of Congress.

If the previous question is defeated, I will offer an amendment to this rule. My amendment will block the fiscal year 2007 cost-of-living pay raise for Members of Congress. I urge my colleagues to vote “no” on the previous question so that we can have a debate and vote on this issue in the light of day.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I have no further speakers at this time, and I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, again I am very proud of the work of Chairman KNOLLENBERG and the rest of the Members who have worked hard on this appropriation bill. We think it is a good bill. It is fair. We bring it forward to an open rule, which permits any germane amendment to be introduced, discussed, debated by this House.

I look forward to the debate. We are proud of the underlying legislation as well as the rule that we bring it forth with.

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.

Mr. MATHESON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 249, nays 167, not voting 16, as follows:

[Roll No. 261]

YEAS—249

Abercrombie	Bonner	Cooper
Ackerman	Bono	Costa
Akin	Boucher	Costello
Alexander	Boyd	Cramer
Andrews	Brady (PA)	Crenshaw
Baca	Brady (TX)	Crowley
Bachus	Brown (SC)	Cubin
Baker	Brown, Corrine	Culberson
Baldwin	Burton (IN)	Cummings
Barton (TX)	Butterfield	Davis (AL)
Bass	Buyer	Davis (FL)
Beauprez	Calvert	Davis (IL)
Berman	Camp (MI)	Davis, Tom
Biggart	Campbell (CA)	DeGette
Bilbray	Cannon	Diaz-Balart, L.
Bilirakis	Cantor	Diaz-Balart, M.
Bishop (GA)	Capuano	Dicks
Bishop (UT)	Cardin	Dingell
Blackburn	Clay	Doollittle
Blumenauer	Cleaver	Doyle
Blunt	Clyburn	Dreier
Boehrlert	Cole (OK)	Ehlers
Bonilla	Conaway	Engel

English (PA)	Larsen (WA)
Eshoo	Larson (CT)
Everett	LaTourette
Farr	Lee
Fattah	Levin
Feeney	Lewis (CA)
Ferguson	Linder
Foley	Lipinski
Fortenberry	Lowey
Frank (MA)	Lucas
Franks (AZ)	Lungren, Daniel E.
Frelinghuysen	Mack
Gallegly	Marchant
Garrett (NJ)	Markey
Gilchrest	Matsui
Gillmor	McCarthy
Gohmert	McCotter
Gonzalez	McCrery
Goodlatte	McDermott
Granger	McGovern
Graves	McHugh
Green, Al	McKeon
Green, Gene	McNulty
Grijalva	Meehan
Gutierrez	Meeke (FL)
Gutknecht	Meeks (NY)
Harman	Millender-Hastings (FL)
Harris	Miller, Gary
Hastings (WA)	Miller, George
Hefley	Mollohan
Herger	Moore (WI)
Hinchey	Moran (VA)
Hinojosa	Murtha
Hobson	Musgrave
Hoekstra	Myrick
Honda	Nadler
Hostettler	Neal (MA)
Hoyer	Ney
Hunter	Nunes
Hyde	Oberstar
Inglis (SC)	Olver
Israel	Ortiz
Issa	Owens
Istook	Oxley
Jackson (IL)	Pallone
Jackson-Lee (TX)	Pascarell
Jefferson	Pastor
Johnson, E. B.	Pelosi
Johnson, Sam	Pence
Jones (OH)	Pombo
Kanjorski	Price (GA)
Kilpatrick (MI)	Pryce (OH)
King (IA)	Putnam
King (NY)	Radanovich
Kingston	Rangel
Kirk	Regula
Kline	Rehberg
Knollenberg	Reyes
Kolbe	Reynolds
Lantos	Rogers (AL)

NAYS—167

Aderholt	Davis, Jo Ann
Allen	DeFazio
Baird	Delahunt
Barrett (SC)	Dent
Barrow	Doggett
Bartlett (MD)	Drake
Bean	Duncan
Becerra	Edwards
Berry	Emanuel
Bishop (NY)	Emerson
Boozman	Etheridge
Boren	Filner
Boswell	Fitzpatrick (PA)
Boustany	Flake
Bradley (NH)	Forbes
Brown (OH)	Ford
Brown-Waite, Ginny	Fossella
Burgess	Foxx
Capito	Gibbons
Capps	Gingrey
Cardoza	Goode
Carnahan	Gordon
Carson	Green (WI)
Carter	Hall
Case	Hart
Castle	Hayes
Chabot	Hayworth
Chandler	Hensarling
Choccola	Herseth
Coble	Higgins
Cuellar	Holden
Davis (CA)	Holt
Davis (KY)	Hooley
Davis (TN)	Hulshof

Rohrabacher	Miller (NC)
Ros-Lehtinen	Moore (KS)
Rothman	Moran (KS)
Roybal-Allard	Murphy
Ruppersberger	Napolitano
Rush	Neugebauer
Sabo	Northup
Sanchez, Linda T.	Norwood
Sanchez, Loretta	Obey
Saxton	Osborne
Schakowsky	Otter
Schmidt	Paul
Scott (VA)	Pearce
Serrano	Peterson (MN)
Shadegg	Peterson (PA)
Shaw	Petri
Sherman	Pickering
Simpson	Pitts
Skelton	Platts
Slaughter	Poe
Smith (NJ)	Pomeroy
Smith (TX)	
Smith (WA)	
Solis	
Souder	
Stark	
Sullivan	
Sweeney	
Tancredo	
Tauscher	
Terry	
Thomas	
Thompson (CA)	
Thompson (MS)	
Thornberry	
Tiahrt	
Tiberi	
Turner	
Upton	
Velazquez	
Visclosky	
Walsh	
Wasserman	
Schultz	
Waters	
Watson	
Watt	
Waxman	
Weiner	
Weldon (FL)	
Weller	
Wexler	
Wicker	
Wilson (NM)	
Wilson (SC)	
Wolf	
Woolsey	
Wynn	
Young (AK)	
Young (FL)	

Porter	Shimkus
Price (NC)	Shuster
Rahall	Simmons
Ramstad	Snyder
Renzi	Sodrel
Rogers (KY)	Spratt
Rogers (MI)	Stearns
Ross	Stupak
Royce	Tanner
Ryan (OH)	Taylor (MS)
Ryan (WI)	Taylor (NC)
Ryun (KS)	Tierney
Salazar	Towns
Sanders	Udall (CO)
Schiff	Udall (NM)
Schwartz (PA)	Van Hollen
Schwarz (MI)	Walden (OR)
Scott (GA)	Wamp
Sensenbrenner	Westmoreland
Shays	Whitfield
Sherwood	Wu

NOT VOTING—16

Berkley	Kennedy (RI)	Reichert
Boehner	Lewis (GA)	Sessions
Conyers	Manzullo	Strickland
Deal (GA)	Miller (MI)	Weldon (PA)
DeLauro	Nussle	
Evans	Payne	

□ 1605

Mr. MURPHY, Mr. DUNCAN, Mrs. DRAKE, Mr. JENKINS, Mr. FLAKE, Mrs. MALONEY, Messrs. KIND, COBLE, SHIMKUS, NORWOOD, RYAN of Wisconsin, MILLER of Florida, PAUL, PICKERING, FOSSELLA, HAYES, PETERSON of Minnesota, HENSARLING, Mrs. CAPITO, Messrs. ROGERS of Kentucky, RENZI, BURGESS, GERLACH, CARTER, DAVIS of Kentucky, SCHWARZ of Michigan, WESTMORELAND, LATHAM, and HALL changed their vote from “yea” to “nay.”

Mr. FATTAH, Ms. SLAUGHTER, Messrs. GENE GREEN of Texas, RANGEL, STARK, WAXMAN, NADLER, OWENS, and PASTOR changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). 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

Mr. HASTINGS of Florida. 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 221, noes 194, not voting 17, as follows:

[Roll No. 262]

AYES—221

Aderholt	Boehrlert	Cannon
Akin	Boehner	Cantor
Alexander	Bonilla	Capito
Bachus	Bonner	Carter
Baker	Bono	Chocola
Barrett (SC)	Boozman	Coble
Bartlett (MD)	Boustany	Cole (OK)
Barton (TX)	Bradley (NH)	Conaway
Bass	Brown (SC)	Crenshaw
Beauprez	Brown-Waite,	Cubin
Berman	Ginny	Culberson
Biggart	Burgess	Davis (KY)
Bilbray	Burton (IN)	Davis, Jo Ann
Bilirakis	Buyer	Davis, Tom
Bishop (UT)	Calvert	Dent
Blackburn	Camp (MI)	Diaz-Balart, L.
Blunt	Campbell (CA)	Diaz-Balart, M.

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

NOES—194

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

Meehan	Rahall	Snyder
Meek (FL)	Ramstad	Solis
Meeks (NY)	Rangel	Spratt
Melancon	Reyes	Stark
Michaud	Ross	Stupak
Millender-	Rothman	Tanner
McDonald	Royal-Allard	Tauscher
Miller (NC)	Ruppersberger	Taylor (MS)
Miller, George	Rush	Thompson (CA)
Moore (KS)	Ryan (OH)	Thompson (MS)
Moore (WI)	Sabo	Tierney
Moran (VA)	Salazar	Towns
Nadler	Sánchez, Linda	Udall (CO)
Napolitano	T.	Udall (NM)
Neal (MA)	Sanchez, Loretta	Van Hollen
Obey	Sanders	Velázquez
Oliver	Schakowsky	Visclosky
Ortiz	Schiff	Wasserman
Owens	Schwartz (PA)	Schultz
Pallone	Scott (GA)	Waters
Pascarell	Scott (VA)	Watson
Pastor	Serrano	Watt
Paul	Sherman	Waxman
McPelosi	Simmons	Weiner
Peterson (MN)	Skelton	Wexler
Platts	Slaughter	Woolsey
Price (NC)	Smith (WA)	Wynn

NOT VOTING—17

Berkley	Kennedy (RI)	Reichert
Brady (TX)	Lewis (GA)	Sessions
Conyers	Manzullo	Strickland
Deal (GA)	Miller (MI)	Weldon (PA)
DeLauro	Nussle	Wu
Evans	Payne	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1614

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.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Speaker, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall No. 261, Previous Question on H. Res. 865.

(2) Rollcall Vote No. 262, Adoption of H. Res. 865, the Rule for H.R. 5576—Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act for FY07.

Had I been present, I would have voted “nay” to rollcall vote 261, and “aye” to rollcall vote 262.

PERSONAL EXPLANATION

Mr. WELDON of Pennsylvania. Mr. Speaker, on rollcall No. 261 and 262, I was unavoidably detained giving a speech to a policy conference sponsored by Brookings Institute.

Had I been present, I would have voted “no” on 261 and “aye” on 262.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5576, and that I may include tabular material on the same.

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

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5576.

□ 1616

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

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

The gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

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

I am pleased to present the House H.R. 5576, the fiscal year 2007 Transportation-Treasury-HUD appropriations bill, which was passed out of committee by a voice vote on June 6.

As you know, this is only the subcommittee's second year with its current jurisdiction, and I believe the product before the House is worthy of strong support. It is a fiscally responsible bill funding high priority programs and eliminating Federal funds for other programs that are duplicative or ineffective.

I am aware of a number of amendments that would seek to undo these decisions, but I want people to know we made these decisions by looking at program performance, effectiveness and a balance of other priorities in the bill.

The bill before us is at our 302(b) allocation of \$67.8 billion in BA, and provides total budgetary resources, including transportation obligation limitations and mandatory spending of \$139.7 billion, an increase of \$8.5 billion over last year and \$1 billion over the request.

Many of the increases over the budget request are due to House rule mandating certain funding levels for highways, transit and aviation programs; restoring CDBG funding in the bill; and some scoring differences between CBO and OMB.

Mr. Chairman, I would like to salute the hard work of the subcommittee

members, both on the majority and minority side of the aisle. The bill before us is the product of numerous budget hearings and thoughtful input of each member of the subcommittee, and they deserve to be saluted.

Mr. Chairman, I also want to acknowledge the role the subcommittee's ranking member, the gentleman from Massachusetts, played in assembling this bill. I consider Mr. OLVER a partner in creating the product before you because his input has been invaluable. I believe this bill is stronger because of the input that Mr. OLVER has provided.

And without much fanfare, I would like to give a quick overview of what we have been able to accomplish under our allocation.

In transportation, we have met all of the guarantees for surface transportation and safety and aviation infrastructure as included in SAFETEA-LU and Vision-100. For FAA operations, we have provided funds for 132 net new controllers, plus an additional \$16 million over the request for safety inspectors.

I realize there will be a lot of attention paid to Amtrak today, tonight, and perhaps even tomorrow. The bill provides \$900 million, the same as the budget request, and \$394 million below last year's enacted level. The bill continues our tough stance requiring Amtrak to reduce losses and achieve operational efficiencies with close supervision by the Inspector General.

I would emphasize this is not the "Amtrak" bill. There are a number of priorities in this bill and any amendment seeking to just slash other accounts, accounts that everyone will agree cannot sustain the cuts proposed by these amendments, is just plainly irresponsible.

The subcommittee had two priorities to meet for HUD in 2007. First and foremost was the full funding of Section 8 renewals. Failure to fully meet these commitments would have resulted in thousands of families losing their assistance and becoming homeless. We have met those needs.

Our second priority is to restore, to the maximum extent possible, the formula funding for cities and towns across America through the Community Development Block Grant. As you know, the administration proposed to cut this program by \$1 billion which was funded at \$4.2 billion last year. I am pleased to say we were able to fully restore funding for CDBG for fiscal year 2007.

To achieve this, however, the committee had to do a broad sweep of duplicative and lower priority programs throughout the Department, including boutique programs that have typically been funded by reducing the amounts in the formula CDBG program. It is never easy to stop funding a program once it starts getting Federal funds, but we have to make these decisions in order to meet our main funding objectives.

For the IRS, the bill provides \$10.5 billion, \$110 million below the budget

request and \$63 million below last year's enacted level. This level of funding will allow the IRS to maintain current services with some hard choices. I should warn everyone that further cuts to the IRS would severely impact their ability to meet their mission. I also note we took the first step to restructure the IRS accounts to more closely align with their core missions, taxpayer services and enforcement.

For the Judiciary, the bill provides sufficient funding to maintain the current services of the Federal Judiciary, including rent and personnel increases.

For the District of Columbia, we provided the budget request for Federal payments to the District for tuition assistance, court costs and school improvement. We were able to fund the Navy Yard Metro Station through FTA's New Starts program, and provide \$1 million for the Central Library improvements. As for the District of Columbia's local budget, the bill appropriates the budget and financial plan by reference, carries many of the same general provisions of the past, and includes no new riders.

We restored funding for the High Intensity Drug Trafficking Areas Program to \$227 million, slightly more than last year. Executive Office of the President programs are funded at the requested levels.

All in all, after much hard work and discussion, I believe we have a balanced bill before us. No, we didn't fund every program, but we did fund the higher priorities under our jurisdiction that will deliver the best results to the most people, and that I believe is our responsibility. Also, we have included Member priorities in this bill.

I would especially like to note that Member projects in this bill are less than one-third of what they were in last year's bill. I will repeat that: Less than one-third of what they were in last year's bill, demonstrating yet again the committee's commitment to earmark reform and the fact that it is real. Each project was a part of the budget request or authorized under an existing program in law, and requested by a Member of Congress as being important to the district and the people they represent.

This is a fiscally sound bill, scored repeatedly by CBO. There are no gimmicks, no date changes, no unreal savings.

Again, Mr. Chairman, this is a balanced bill and I urge the Committee's support for it.

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

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

Mr. Chairman, at the outset I want to thank the gentleman from Michigan and his staff for the constructive relationship we continue to build. As Chairman KNOLLENBERG put this bill together, he and his staff considered concerns raised by the majority and the minority coming from subcommittee members, full committee

members, and the general membership of the House. Where he could help, he resolved many of those concerns, and I thank him for that.

I also want to thank the excellent staff on both sides of the aisle for their hard work on this legislation. On the majority side, Dena Baron, the majority clerk, Cheryle Tucker, Jason Woolwine, Tom McLemore, Tammy Hughes, David Napolielo, Alice Hogans and Peter Lee.

And on the minority side, Kate Hallahan and Bob Bonner, and from my staff Matt Washington and David Pughach.

This is only the second time this complex bill has come to the House floor, and I appreciate the work and the long hours that each and every one of those staff members have put in.

I am grateful for the increase in the subcommittee's outlay allocation adopted in the full Appropriations Committee, but I said in the subcommittee markup and full committee markup as well that the allocation to this subcommittee is inadequate to meet the needs, and that is still true. The allocation, even as revised, forced Chairman KNOLLENBERG and staff into a struggle to plug as many holes as they could as creatively as they could. In that process, several serious omissions and cuts proposed in the President's budget have been restored, notably CDBG funding, essential air services, additionally safety inspectors under FAA, and for construction of elderly and disabled housing, and for funding the important Navy Yard Metro Station in our capital city. That was no small feat.

I particularly want to commend Chairman KNOLLENBERG for his thoughtful approach to our capital city's budget which is part of this bill. While the District of Columbia makes up only a small portion of our combined bill, the value of the initiatives funded through this bill cannot be understated, and I thank Chairman KNOLLENBERG for his commitment to ensuring no new policy riders were placed on the District of Columbia. I sincerely hope that we can continue to work on striking a balance between the congressional responsibilities for the District of Columbia with the desire of Washingtonians to have a direct say with how the District is governed.

Mr. Chairman, I will support this bill on final passage, but if this were a conference report I would have to oppose its passage, and I want to take a few minutes to examine what I believe drives this bill this year and in the future.

Mr. Chairman, I am very concerned about the impact that meeting SAFETEA-LU guarantees is having on other agencies and accounts in the bill. I believe that the transportation guarantees placed on this subcommittee by the authorizers ties the hands of this committee from properly funding other domestic programs included in this bill that are just as important.

As this bill was drafted, authorized guarantees had to be met or this bill is subject to a point of order. For example, in FHWA the President's budget met all of the SAFETEA-LU guarantees. However, in FAA and FTA, the President's budget was well below the authorized level. The President's request was \$607 million below the authorized level in the facilities and equipment account and \$950 million below in airport improvement. In FTA, the Capital Investment Grants Program was \$100 million below the authorized level. These shortfalls come to a total of over \$1.6 billion. The monies being added to the subcommittee's allocation allowed the chairman to bring these items to the guaranteed level.

I believe that the transportation guarantees are strangling other agencies in our bill. Without honoring the SAFETEA guarantees, the gentleman from Michigan could have increased funding for several key programs in this bill. For example, in HUD we could have used these funds for brownfields, HOPE VI and rural housing, which were all zeroed out. The additional funds could have been used to shore up the underfunded public housing operating fund and the public housing capital fund, or to add to section 8 tenant and project-based voucher programs which were cut below the President's request. The items that I have listed are only the tip of the iceberg, and the process I have described can only get worse as the years go by.

Most of these shortfalls that I believe must be improved are within HUD, but also includes the lone transportation item that does not have the protection of an authorization; namely, Amtrak. I had planned to offer an amendment to increase funding for these programs; but, unfortunately, the majority of this House has once again shown that tax cuts for the wealthiest few in our society are more important than housing programs for our most needy citizens.

Mr. Chairman, I am troubled by the cuts that we have been forced to bring forward. I hope that we will be able to continue to improve the bill as it moves forward in the process. We are early in the process. There is much work to be accomplished on this bill between now and a final conference report.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. JACKSON) for a colloquy with the chairman.

□ 1630

Mr. JACKSON of Illinois. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. Chairman, I was disappointed to learn that this bill did not contain funding for the SouthEast Service Line of Metra, the Chicago area's commuter rail service. I have provided the chairman with a letter from Phil Pagano, the executive director of Metra, which I will include in the RECORD.

In the letter, Mr. Chairman, Metra states that it has a package of New Start projects called Metra Connects that were authorized by SAFETEA-LU. The SouthEast Service and the Star Line are two projects in that package that are new rail projects. Both are significant commuter rail projects for the northeastern Illinois region, and both projects currently are progressing on the same time schedule and are at similar stages of development. During the deliberation SAFETEA-LU bill, the Transportation and Infrastructure Committee agreed that both lines would move forward and be funded equitably. Without funding for the SouthEast Service, this agreement is in jeopardy.

I, along with the rest of the Illinois delegation, appreciate and would like to thank the chairman for the money already included for Metra's other new Star projects, and I understand that money overall is tight.

Will the chairman work with me to try to fund this funding in conference?

Mr. KNOLLENBERG. Yes, I most certainly will work with the gentleman from Illinois on this project.

Mr. JACKSON of Illinois. I thank the chairman, and I look forward to working with him to make sure that the transportation needs of northeastern Illinois are met.

NORTHEAST ILLINOIS REGIONAL,
COMMUTER RAILROAD CORPORATION,
Chicago, IL, June 13, 2006.

Chairman JOE KNOLLENBERG,
*Appropriation Subcommittee on Transportation,
Treasury, Housing and Urban Development,
the Judiciary, and District of Columbia,
House Committee on Appropriations, House
of Representatives, Washington, DC.*

DEAR CHAIRMAN KNOLLENBERG: I am writing to express Metra's concern that funds were provided for the STAR Line but not for the SouthEast Service (SES) New Start project as part of the FY '07 Transportation Appropriations Bill.

As you know, Metra has a package of New Start projects called Metra Connects that were authorized in SAFETEA-LU. The SouthEast Service and the STAR Line are two projects in that package that are new rail projects. Both are significant commuter rail projects for the northeast Illinois region. Currently, both projects are progressing on the same time schedule and are at similar stages of development. During the deliberation of the SAFETEA-LU bill, the Transportation and Infrastructure Committee agreed that both lines would move forward and be funded equitably. Without funding for the SouthEast Service, this agreement is in jeopardy.

We urge the chairman to correct this in conference. Thank you again for your support for Metra and our New Start programs.

Sincerely,

PHILIP A. PAGANO,
Executive Director.

Mr. OLVER. And I can assure the gentleman that I too will work to try to correct this inequity.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Chairman, I rise to engage the chairman in a colloquy.

Mr. Chairman, it is my understanding that included in the Transpor-

tation, Treasury, Housing and Urban Development Appropriations Act for fiscal year 2007 is \$227 million for the Office of National Drug Control Policy's High Impact Drug Trafficking Areas Program, an increase of \$2.27 million over last year's enacted level; is that correct?

Mr. KNOLLENBERG. The gentleman is correct.

Mr. PORTER. Mr. Chairman, the Nevada HIDTA office has done an outstanding job making my State's communities safer. Last year alone, they were successful in removing \$12 million worth of narcotic from the streets of Nevada. While the HIDTA office is currently funded at a baseline of 1.4 million, rather than the 2.5 million or more that the other 26 HIDTA offices are funded at, in my district in southern Nevada, which sees thousands of new people a month moving into the area and tens of millions of visitors a year, coupled with the epidemic of methamphetamine and other drug abuses, would the chairman agree that the Nevada HIDTA office funding should be increased to a level more reflective of the challenges the district faces?

Mr. KNOLLENBERG. Mr. Chairman, I am happy to respond.

I share your concerns. And I thank my colleague for raising this very important issue today. He correctly points out that the bill includes \$227 million for HIDTA, the High Intensity Drug Trafficking Areas program. The subcommittee has funded this important program again this year, even though the President requested that the program be transferred to the Department of Justice at a reduced level of funding.

I would be happy to work with the gentleman from Nevada as this bill moves forward. We can work together to make sure that the issue of methamphetamine and other drug trafficking as it relates to Nevada is forthrightly addressed in the final budget for this account.

Mr. PORTER. Mr. Chairman, I thank the chairman for his offer and look forward to working with him.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ) to engage in a colloquy.

Ms. VELÁZQUEZ. Mr. Chairman and ranking member, some public housing authorities nationwide are feeling the crunch from several years worth of budget constraints and the New York City Housing Authority, the largest PHA in the country, is not different. NYCHA is facing a \$168 million shortfall in part because of lack of flexibility in how they can use the three main funding streams: section 8, public housing operating and capital funds. Limited fungibility of funding streams will go a long way in helping PHAs to creatively address funding constraints.

Mr. Chairman, I am hopeful that as the appropriations process moves forward we can continue to discuss a solution to alleviate these funding constraints by providing limited flexibility in the use of funding streams.

Mr. KNOLLENBERG. I recognize the difficult situation that some PHAs across the country are facing. Providing flexibility to housing agencies while at the same time ensuring that HUD can effectively manage its programs is a no-cost solution that, if administered properly, will ensure continued service to low-income families. However, at the same time, NYCHA and other PHAs need to make sure that they are taking full advantage of the current flexibility that exists between the public housing operating and capital funds. As this process continues, I look forward to working with the gentleman from New York.

Ms. VELÁZQUEZ. I appreciate the Chairman's willingness to work on this issue.

Mr. OLVER. I appreciate the gentleman for bringing forward this issue. Public housing authorities and the families they serve are struggling. And I thank the chairman for his willingness to continue to engage in these discussions as we have already had part of that discussion at an earlier stage in the process.

Mr. KNOLLENBERG. Mr. Chairman, it is my pleasure now to yield to the chairman of the Appropriations Committee, the gentleman from California (Mr. LEWIS), for whatever time he may wish to consume.

Mr. LEWIS of California. I appreciate very much the chairman. I must say I have come to the floor simply to express my deep appreciation for the work that the chairman is doing on this very important measure, a bill that drives much of the infrastructure of the country, as well as providing housing programs. He and Mr. OLVER have done a great job on this bill under circumstances where they are under great pressure. There is never quite enough money available to do all that we might like, so it takes very, very positive bipartisan effort to make sure that we provide balance as we restrain spending at the same time.

It is a very fine bill. And I might mention further that these gentlemen, together, are now today producing the eighth bill out of 11 FY 07 Appropriations bills off the floor. It is our intention to complete all those bills by the 4th of July break. You are giving us a fantastic demonstration today that anything is possible if people are willing to work together. So it is great to be with you. And thank you very much for your effort.

Mr. OLVER. Mr. Chairman, I yield 1 minute to the ranking member of the committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I just want to explain to the House that at this point it appears that there are more than 70 amendments pending, and that

if each and every one of them only takes 10 minutes, 5 minutes a side, we will be here through all of today, through all of Wednesday, through all of Friday and perhaps into next week. So I would ask Members to keep that in mind and, if possible, to relinquish their ability to offer conflicting or duplicative amendments. I think points can be made without beating a dead horse five times over.

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

Mr. OLVER. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan (Ms. KILPATRICK), who is a member of the subcommittee.

Ms. KILPATRICK of Michigan. Mr. Chairman, I thank Chairman KNOLLENBERG for your leadership, sir, Michigander, appreciate working with you. And to our ranking member, Mr. OLVER, thank you very much for working together. As I always say, when the chairman and ranking members work together, it certainly makes our subcommittee work better.

I rise in support of our TTHUD bill, that is Transportation, Treasury, HUD, IRS and several other agencies put together in an acronym we call TTHUD, the TTHUD bill, some \$67 billion bill for transit agencies, for our roads and bridges, for our housing needs, and Treasury and the like.

I think the bill is a good bill for what we had to work with, but it is far short of the needs that America has to fund its highway system, to fund its transit system, also for community development. I think housing in this bill takes a major hit, and it is so unfortunate. HOPE VI, which is a program for distressed housing in mainly urban America, has been zeroed out. I think that is unfortunate. And I know you can't fund a war at over \$350 billion and think we can, at the same time, invest in America. That is why I think we must bring our troops home in the most practical time, and redeploy our troops around the theater area so that America is safe, and that we protect our interests at the same time.

But working with the dollars that we have, the HUD part of this bill has been devastated. The brownfield area has been zeroed out. Together, the EPA, which has money in it for remediation of land that will be developed, there is a small amount of money there. It is only there for remediation. The HOPE VI monies are for building, the actual building of houses, and together with the Community Development Block Grant money will help distressed areas and mainly urban areas of our country be able to put people in affordable housing, to have people live in safe housing, to offer their children hope for the future because a house is the most basic thing they need, one of the most basic things. This bill does not do a good job with that. And I know as we go on, you will hear more amendments trying to put back brownfield money, trying to put back HOPE VI money, and I support that.

I also want to bring up in this bill the section 8 housing choice voucher program. The way that the money is distributed in that program needs to be fixed. They take a snapshot of 3 months of the expenses, rather than a 12-month snapshot of the expenses in those section 8 housing use. Thereby, States like mine, we lose millions of dollars that could be helpful in families needing housing, adequate, safe clean housing. So I would hope that as we go on, we take a look at that. And as I asked the chairman last year to take a look at our State's, not just our State's, but our choice house voucher program, where we are being penalized and losing money that we ought to have because of a flawed formula. This does not look at the 12-month expenses, but only the 3-month expenses. And I might add not the 3 months expenses that have the higher home heating costs.

But overall, the TTHUD bill is one that can be supported. There will be amendments offered. Some of them are some that I will support. Housing development and providing assistance to urban America has to be strengthened.

I look forward to working with the chairman and our ranking member to make sure that we can build back some of these real programs that America needs. This administration has no urban program for development, for our schools, for our health centers; and I contend as we move forward in this process, we must pay attention to adequate, safe, clean housing. This bill falls far short.

Mr. KNOLLENBERG. Mr. Chairman, I continue to reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), also a member of the subcommittee.

Mr. ROTHMAN. Mr. Chairman, I thank my distinguished ranking member for the time. Mr. Chairman, I rise to commend our subcommittee Chair, Mr. KNOLLENBERG, and my ranking member, Mr. OLVER. We have a very interesting subcommittee. We cover a lot of ground, a lot of very interesting subject matters. And I must tell you that our chairman not only permits a wide range of debate and discussion and questioning, perhaps he even encourages it, because he certainly hasn't stopped me and he has been very, very generous in the way he has treated the members of the minority, and I thank him.

My ranking member shows great leadership on all of our issues, and his work is reflected in this bill which, while we all wish there were a lot more money because more money is deserving for this bill, I believe he has managed to reach the kind of compromises that were possible, given this shortage in money. Of course, I am disappointed in the amount of money for Amtrak. I am disappointed in some other matters; but as a former mayor, for example, I am delighted at the Community

Development Block Grant money because that money is so critical.

□ 1645

And, of course, I would be remiss if I did not thank the majority staff and the minority staff for tolerating my obsession with various items, including Teterboro Airport, and once again the subcommittee has chosen to protect this airport from abuse. It is not a partisan matter, as the majority and minority have acknowledged. It is a matter that appeals to all the people in my district, and, again, I am just so grateful.

I want to again thank the chairman and the ranking member for their kindness and cooperation throughout this year in the consideration of this bill.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR) for a colloquy.

Mr. CUELLAR. Mr. Chairman, I rise to engage in a colloquy with Chairman KNOLLENBERG on this particular issue.

First of all, I want to thank the chairman and I want to thank the ranking member, Mr. OLVER, for their hard work on this particular bill. I also appreciate this opportunity to speak to Chairman KNOLLENBERG on this issue that is very important to my congressional district.

My congressional district abuts the U.S.-Mexico border, which is very dependent on trade. Interstate Highway 35, the "NAFTA Corridor," runs from Laredo in my district, throughout the San Antonio area, all the way up to San Marcos, all three areas which are large population centers.

Zapata County, which is in my district, is sandwiched between Webb County and Starr County, both Border Commercial Zones. Zapata is not currently designated a Border Commercial Zone, and consequently it loses out on economic development opportunities since Mexican trucks cannot conduct business in Zapata County. The Zapata business community has been asking for this designation. This area of the country is economically challenged, and the opportunity to engage in trade with Mexico will make a big difference in local business community development.

For example, the Zapata County master plan initiative includes an airport expansion project that includes a cargo facility and will offer shorter, direct flights into Zapata from Monterrey, Mexico. Freight companies in Mexico have expressed a desire to build warehouses and open a facility. In order to get a commercial zone, it takes an application process, but it is a long, burdensome process for a goal that is quite simple.

I am asking for your help, Mr. Chairman, to expedite Zapata County's application to be designated a Border Commercial Zone. Getting this locality on the fast track will be good for the local residents and businesses in this area for economic development.

Mr. Chairman, I appreciate your support to help Zapata County apply for

and expedite the process to become a Border Commercial Zone, and I thank you for the opportunity.

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

Mr. CUELLAR. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. I would just say that I agree to work with you on this. I appreciate your bringing it forward. And we will also work with the FMCSA on this issue. So thank you.

Mr. CUELLAR. I thank the chairman.

Mr. OLVER. Mr. Chairman, I would just like to say I would be happy, especially after that trip through his district, to work with the gentleman from Texas on the issue that he has raised.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in permitting me to speak on this bill, and I too understand that there are tremendous challenges that are faced by the subcommittee with its interesting and broad jurisdiction.

I rise to speak on one particular element that actually should help the subcommittee, and that is dealing with the Small Starts provision. The Small Starts provision was carefully crafted in last year's reauthorization after 3 years of work with people around the country to provide a simple, cost-effective way to reduce congestion, to promote economic development, and to streamline the bureaucracy, instead of the massive effort that is undertaken for the New Starts, the elaborate cost-effectiveness, the massive amount of money that is involved, and I know and appreciate that. I appreciate what the committee has done in approving the administration's recommendation for a project in my community. These are difficult, expensive, hard projects. That is why I have been working on the Small Starts. The Small Starts projects are ones that do not need massive Federal outlay. Small Starts do not mean that you have to rip up communities for weeks, months, in some cases years to construct them. The technology is available now to build a streetcar, a trolley, 3 weeks per block face. That's three weeks per block. They do not need to be massive projects with huge amounts of money.

The program of Small Starts was designed to be smaller amounts that will deal with relieving congestion and relieving the necessity of other more elaborate efforts for economic development.

We have 84 communities around the country with people that are looking at the streetcar technology and using the Small Starts program. If the committee will work with us and the Transportation and Infrastructure Committee with what we have authorized in SAFETEA-LU, we have the potential of providing the same sort of economic jolt and the relief of congestion without the costs, without the

elaborate procedure, without the delay, and without the community disruption that are attendant with light rail and heavy rail.

I was disappointed that the subcommittee decided not to be funding it, but I am more concerned about the language in the subcommittee report that betrays a lack of understanding about why we developed this program to begin with. It is something that can help large cities like Chicago, where there is great interest in it; small cities like Kenosha, Wisconsin; and cities in between like Little Rock and Charlotte. And I would hope that as this legislation works its way through Congress that we will be able to work with the subcommittee and people in the other body to be able to harness the potential savings, economic development, congestion mitigation that can be a part of the Small Starts program.

I would think given the very difficult task that this subcommittee faces, with which I sympathize, that we ought to embrace this approach because in the long run it will give you more bang for the buck, more satisfied communities, more reduction in congestion, and more economic opportunities.

I appreciate the opportunity to talk about this for a moment and look forward to working with the subcommittee.

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

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

I would just like to point out to the gentleman from Oregon that in fact the guarantee, and it is a guarantee under the TEA-LU bill, is included in what is called the Capital Investments Fund. So there is money available there. But I need also to point out that we have been told at the subcommittee level that the Department of Transportation, the FTA, will not have rules and regulations until at least a year from now, maybe 15 months from now, which is the very end of the next fiscal year.

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

Mr. OLVER. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, we are having some interesting ongoing conversations with the Department of Transportation. I went across the street to visit with him at FTA immediately after the enactment of the legislation. There is no need for us to delay this process for months and years.

Mr. OLVER. Mr. Chairman, reclaiming my time, I agree with that point. I think that if people from the authorizing committee will make that point strongly to the Department of Transportation, that would be very helpful because I agree with virtually everything the gentleman has said. This is a process that ought to get moving, but the money is there. We can deal with this later on in this process. We are at

an early stage in the process. They need to get the rules and regulations out faster than 15 months from now.

Mr. VAN HOLLEN. Mr. Chairman, for the first time in 4 years, I will not offer an amendment to this bill to block the implementation of the May 2003 Office of Management and Budget Circular A-76 regulations for contracting out work that is performed by Federal employees around the country.

The difference this year, Mr. Chairman, is that Chairman KNOLLENBERG and Ranking Member OLVER agreed to my request to include satisfactory language in the bill that is before us. I want to thank them for addressing this issue this year.

Both Federal Government employees and private contractors had serious legitimate concerns and complaints about the A-76 competitive sourcing process. The amendment I offered in past years essentially required OMB to go back to the drawing board and develop a uniform competitive sourcing process that addresses everybody's concerns. Despite strong objections and veto threats from the White House, we had spirited debates in the three previous appropriations cycles on the Van Hollen amendment, and each year the House approved the amendment with bipartisan majorities.

We passed the Van Hollen amendment for the last 3 years because we recognized that the contracting out process was unfair. That was evidenced by the fact that we passed a number of bills to change the contracting out process on an ad hoc basis in numerous Federal agencies, including Defense, Homeland Security, Interior and Agriculture. But the result was a patchwork of inconsistent regulations. The Van Hollen amendment was intended to replace that patchwork of inconsistent regulations with a uniform set of rules fair to all. It did not get rid of the competitive sourcing rules. In essence, it required OMB to go back to the rules that were in place before May 2003 until it fashioned a new set of rules that make sense for everybody.

In fiscal year 2005 the Senate approved language similar to the Van Hollen amendment, but even though both Houses approved similar language it did not survive a closed-door TTHUD conference. Last year, in fiscal year 2006, the Senate approved language that was widely viewed as acceptable to the White House, however begrudgingly, and that language survived the conference and was signed into law. That language provided funding for A-76 competitions that allowed Federal workers to present their own most efficient organization, MEO, bid in a competitive sourcing competition, and required private contractor bids to provide for a minimum cost differential, MCD, savings of at least 10 percent or \$10 million over the MEO bid. While these public-private competition requirements did not address all of the concerns of Federal employees pertaining to appeal rights, these requirements were considerable improvements in the competitive sourcing process.

But now, Mr. Chairman, we are in a brand new fiscal year cycle and once again we need to address critical matters related to the contracting out process. We should not have to do this every year in the appropriations process, Mr. Speaker, but we will repeat this debate year after year until Congress takes definitive action and authorizes competitive sourcing regulations that are fair to Federal employees and private contractors.

This year is somewhat different, however. This year, Chairman KNOLLENBERG and Ranking Member OLVER have had the foresight to include competitive sourcing language in the base fiscal year 2007 appropriations bill that mirrors the MEO/MCD language that was signed into law last year. Therefore, there is no need to offer the amendment I have offered in the past.

In conclusion, Mr. Chairman, the TTHUD appropriations bill on the floor today includes forward-looking language pertaining to A-76 competitive sourcing that precludes the need to offer my amendment again this year. I look forward to working with the leadership of the Appropriations Committee and with the authorizers on the House Committee on Government Reform in the future to devise a permanent fix to the A-76 process that is fair to Federal workers and private contractors and that provides American taxpayers with the efficient, cost-effective and quality services they demand and deserve.

Mr. HOLT. Mr. Chairman, I rise today to express my disappointment that the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies appropriations bill for fiscal year 2007 does not fully fund the Help America Vote Act, HAVA.

HAVA was passed in the wake of the 2000 election, and authorized almost \$4 billion to improve the administration of elections in this country. The 2004 election was a strong indication that there is much work yet to be done in the area of election reform in this country. And yet here we are, fast approaching Federal elections which are to be the first ones that take place under virtually all of HAVA's requirements, and hundreds of millions of dollars in funds authorized under the bill remain unappropriated.

Although the appropriations bill before us includes almost \$17 million in funding for the Election Assistance Commission, EAC, which is nearly \$3 million more than was appropriated to the EAC for fiscal year 2006, it still provides no funding whatsoever to help States meet their voting system requirements—especially the disability and language access requirements—under title III of the act. HAVA authorized \$3 billion in so-called “requirements payments,” and has to date appropriated only \$2.328 billion. States across the Nation are struggling to meet HAVA's voting system requirements, and \$672 million in authorized funds remain unappropriated. And not one dime of that amount has been requested in the President's fiscal year 2007 budget nor provided for in this appropriations measure.

HAVA also authorized \$100 million to promote access to the polls for disabled voters, of which only \$44 million has been appropriated to date, and \$40 million for protection and advocacy systems, of which just under \$17 million has been appropriated to date. I understand that the Labor and Health and Human Services appropriations bill to be reported out of committee today will include approximately \$11 million in funding for the former accessibility grants, and approximately \$5 million in additional funding for the latter protection and advocacy systems. However, these new appropriations still leave a total of approximately \$63 million in authorized disability access payments unappropriated.

There are certainly many important demands upon us, but I ask you, Mr. Chairman,

what is more important in a democracy than the fairness and integrity of the electoral system. I rise today to register my disappointment that the measure before us provides no funding to help States meet their title III requirements under HAVA, and to urge my colleagues to work with me when the Departments and Labor and Health and Human Services appropriations bill comes to the floor next week to fully fund HAVA's disability access payments.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of H.R. 5576, the appropriations act for the Departments of Transportation, Treasury, and Housing and Urban Development.

I want to note two important Houston-area projects that received funding in this legislation: METRO Solutions and the Harrisburg grade separation.

The \$2.5 million for METRO is a very small amount compared to our need for transit investment in Houston, particularly for light rail.

However, we are very grateful for this amount, because in previous years members of our Houston delegation blocked any funding in this bill for Houston light rail.

We will never know how many millions went to other projects around the country because our delegation was not united behind a plan.

Thankfully, this situation has now changed, and we have a commitment from our delegation to pursue \$1 billion over 10 years for Houston light rail.

Unfortunately, it does not look like we will be able to meet that commitment. As a result, the process at the FTA is taking on much greater importance.

METRO must cut through the red-tape at FTA and get approval for their project and a full funding grant agreement if the Northside Line and East End Line are going to be a reality.

We are going to need all the funding we can get if we want to upgrade the BRT to light rail as quickly as possible to meet the expectations of the voters in the referendum.

The other important project for Houston is the Harrisburg Grade Separation. The bill contains \$300,000 to get this project started in the design phase.

East End Houston has entirely too many inconvenient and unsafe grade crossings, and a grade separation at Harrisburg will provide easy access and prevent rail/auto/truck accidents for area residents.

We have just started construction on our Manchester grade separation, so it is fitting that we are starting at the beginning of the process for another very important intersection.

This project will fit in well with the effort to reorganize the freight rail system for Harris County and surrounding counties, because the most relief from freight rail traffic needs to be in the areas with the most impact.

Mr. Chairman, I want to thank the chairman and ranking member of the subcommittee and the full committee for their work on this bill and also thank our Houston area appropriator, JOHN CULBERSON for his help, particularly with the METRO funding.

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

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

The CHAIRMAN. All time for general debate has expired.

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

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

The Clerk will read.

The Clerk read as follows:

H.R. 5576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of the Secretary, \$92,558,000, of which not to exceed \$2,255,000 shall be available for the immediate Office of the Secretary; not to exceed \$717,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$15,681,000 shall be available for the Office of the General Counsel; not to exceed \$11,684,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$10,002,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,319,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$25,108,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$1,932,000 shall be available for the Office of Public Affairs; not to exceed \$1,478,000 shall be available for the Office of the Executive Secretariat; not to exceed \$707,000 shall be available for the Board of Contract Appeals; not to exceed \$1,286,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$2,722,000 for the Office of Intelligence and Security; not to exceed \$12,281,000 shall be available for the Office of the Chief Information Officer; and not to exceed \$4,386,000 shall be available for the Office of Emergency Transportation: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees.

AMENDMENT OFFERED BY MR. KNOLLENBERG

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

The Clerk read as follows:

Amendment offered by Mr. KNOLLENBERG:

Page 2, line 11, after the first dollar amount, insert the following: “(reduced by \$1,000)”.

Page 72, line 18, after the dollar amount, insert the following: “(increased by \$20,748,000)”.

The CHAIRMAN. Is there objection to reaching ahead in the amendment process to get to this point?

Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, following the full committee amendment process, CBO’s scoring of our bill resulted in slightly more than \$20.7 million in savings.

This amendment will place this funding in the IRS operations support account, which was reduced by \$50 million below the President’s request.

I understand that this has been cleared with the minority, and therefore I ask for the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LATOURETTE

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

The Clerk read as follows:

Amendment offered by Mr. LATOURETTE:

Page 2, line 11, after the first dollar amount, insert the following: “(reduced by \$23,814,000)”.

Page 2, line 11, after the second dollar amount, insert the following: “(reduced by \$79,000)”.

Page 2, line 13, after the dollar amount, insert the following: “(reduced by \$26,000)”.

Page 2, line 14, after the dollar amount, insert the following: “(reduced by \$650,000)”.

Page 2, line 16, after the dollar amount, insert the following: “(reduced by \$150,000)”.

Page 2, line 18, after the dollar amount, insert the following: “(reduced by \$1,602,000)”.

Page 2, line 20, after the dollar amount, insert the following: “(reduced by \$2,319,000)”.

Page 2, line 22, after the dollar amount, insert the following: “(reduced by \$3,297,000)”.

Page 2, line 24, after the dollar amount, insert the following: “(reduced by \$1,932,000)”.

Page 2, line 25, after the dollar amount, insert the following: “(reduced by \$1,478,000)”.

Page 3, line 5, after the dollar amount, insert the following: “(reduced by \$12,281,000)”.

Page 4, line 6, after the dollar amount, insert the following: “(reduced by \$4,090,000)”.

Page 37, line 8, after the dollar amount, insert the following: “(reduced by \$34,650,000)”.

Page 38, line 8, after the dollar amount, insert the following: “(increased by \$129,000,000)”.

Page 39, line 6, after the dollar amount, insert the following: “(increased by \$85,000,000)”.

Page 58, line 11, after the dollar amount, insert the following: “(reduced by \$2,693,000)”.

Page 58, line 21, after the dollar amount, insert the following: “(reduced by \$2,693,000)”.

Page 192, line 14, after the dollar amount, insert the following: “(reduced by \$1,179,990)”.

Page 194, line 1, after “2007” insert the following: “(reduced by \$559,641,000)”.

Mr. LATOURETTE (during the reading). Mr. Chairman, I ask unanimous

consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. LATOURETTE. Mr. Chairman, I ask unanimous consent that the debate on my amendment and all amendments thereto be limited to 20 minutes, 10 minutes by the proponent and 10 minutes by the opponent, equally divided and controlled by each.

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

There was no objection.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

□ 1700

Mr. LATOURETTE. Mr. Chairman, I rise today offering this amendment with my good friend, Mr. OBERSTAR from Minnesota, the ranking member of the full Transportation Committee. I will yield him half of my time when he arrives on the floor.

Unlike aviation, highways and transit, there is no dedicated funding for investing in our Nation’s passenger rail service. This is a pretty simple amendment. All it does is restore \$214 million to the Amtrak account, taking it to \$1.114 billion, which is still about \$300 million less than we had during the course of last year’s discussion.

As the chairman of the Railroad Subcommittee, we have had exhaustive hearings, oversight hearings, dealing with the Amtrak situation, and we have done a number of things. The CEO has been fired by the board. We have looked at their food service. They have entered into a new food service contract. If you look at this bill, and I want to commend Mr. KNOLLENBERG, because last year he had an impossible task. The President sent up a budget of zero for Amtrak. We had an amendment process that we went through this time.

This time we are up to \$900 million in the bill, which I give him great credit for. But if you look at that \$900 million, there is only \$500 million for capital expenditures, out of which has to come a debt service of \$280 million, which only leaves \$220 million for the capital needs of this country for Amtrak, for passenger rail.

There is nothing for operation, and I know that the response to that is going to be that there are some incentive grants in the bill. But that really does not get the thing done.

Mr. Chairman, we have tried to be judicious with this amendment and looked for pots of money located within the bill solely within the jurisdiction of the Transportation and Infrastructure Committee. I think we have achieved that.

I believe it is a good amendment and I urge adoption by my colleagues.

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

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment. The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. KNOLLENBERG. Mr. Chairman, this amendment would increase funding for Amtrak by gutting and eliminating critical programs, including safety programs, resulting in reductions in force at several agencies.

This bill was put together by making some very difficult decisions to balance a wide variety of critical needs from some very diverse programs. The amendment would undermine the difficult work done by the subcommittee by haphazardly making unrealistic and undisciplined cuts throughout the bill.

It would cut the Office of the Secretary of Transportation by 25 percent. That is well below the fiscal year for 2006. This will result in reductions in force for OST and will impact mission critical operations, including security planning as well as coordination and response efforts.

These areas proved critical during last year's hurricanes, and we have now entered the hurricane season again. It would eliminate the critical rail safety research programs under the Federal Railroad Administration. This is a little confusing, because several years ago it is this research program that pinpointed the problem associated with Amtrak's brakes on the Acela and found the solution and allowed Acela to get up and running again.

The amendment would severely reduce funds for the Federal Maritime Commission and the Surface Transportation Board, resulting in RIFs for both of these agencies, and cutting the Federal Buildings Fund by \$560 million will leave the fund without the resources it needs to build critical, secure crossings on our Southern border with Mexico.

Mr. Chairman, it would not strengthen the Federal buildings against threatening terrorism attacks. Let me repeat this. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure the Federal buildings against terrorism.

Let me go a little further and explain that these cuts would completely eliminate GSA's new construction of six border stations at the crossing at McAllen, Texas, at El Paso, Texas, Santa Teresa, New Mexico, Columbus, New Mexico, Calexico, California, and Nogales, Arizona.

In addition, the amendment would eliminate the Food and Drug Administration Montgomery County, Maryland Project, as well as remove the delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed, and with the threat of anthrax and other deadly substances in government mail.

Repairs and alterations to Federal buildings will be stopped or slowed, repairs and alterations that are needed to secure government workers and the

general public from possible terrorist attacks.

Mr. Chairman, cutting border security and funds to protect Federal workers against terrorism is irresponsible. I ask my colleagues to oppose this amendment.

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

Mr. LATOURETTE. Mr. Chairman, can I ask how much time I used, please?

The CHAIRMAN. The gentleman has 8½ minutes remaining.

Mr. LATOURETTE. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SCHWARZ).

Mr. SCHWARZ of Michigan. Mr. Chairman, while I credit my colleague from Michigan for doing a great deal of work on this bill, and I know it is a tremendously difficult bill, rail passenger service in the United States is the worst in all of the industrialized world.

It does not have to be that way. Germany, France, the United Kingdom, Italy, the Scandinavian countries, Spain and Portugal have better rail service, more rapid rail service, more frequent rail service, more efficient rail service than the United States. It does not have to be this way.

The degradation of the Amtrak system goes on apace, whether it is the right-of-way or equipment. Equipment needs to be replaced. Right-of-way needs to be maintained. The Canton area, the electric, the Canton area in the Northeast Corridor needs to be maintained as well. Witness the blackout just 2 weeks ago.

We need to have a modern, efficient, dependable rail passenger service in the United States. The only way we can do it is to fund it. It is the most efficient way to carry people. And I must say that no system in any industrialized country in the world is profitable. They are all subsidized. It is part of the cost of doing business. It is part of the cost of running an efficient government. It is part of the cost of keeping our economy going.

Please support the LaTourette amendment.

Mr. KNOLLENBERG. Mr. Chairman, could I inquire about how much time is left on our side?

The CHAIRMAN. The gentleman has 7 minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2½ minutes to a member of the subcommittee, TODD TIAHRT from Kansas.

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

Mr. Chairman, the chairman of the Appropriations Subcommittee on Transportation, Treasury, Housing and Urban Development has done a fine job. We are a nation of priorities. Each year we must decide where the resources that have been given to us by the taxpayers will be spent.

This bill is a good example. The chairman from Michigan (Mr. KNOLLENBERG) made good decisions on

the allocations within this bill. The subcommittee worked its will, making sure that the allocations were filled to the best of our ability.

Then the bill went to the full committee appropriations process, and the amendments were conducted. And again the will of the committee was worked. Not all of the requests were funded. It is the same with Amtrak. Their request was not funded, and it is because Amtrak is undergoing some financial stress that they have asked for more funding.

But this is not new to our economy. Other portions of our economy have also been under financial stress. For example, the airlines have been faced with similar shortfalls in revenue. And yet when they were faced with these shortfalls, they undertook a search of every cost. They went to their workers. They went to their pilots. They went to their flight attendants. They went to the mechanics. And they asked them, could you help out under this current period of financial stress? And the unions and the workers all weighed in to help with the cost structure.

The same thing happened in our auto manufacturing industry, where the United Auto Workers weighed in and helped bear some of the reductions in costs so that they could keep their companies afloat.

They came to the table, they did the right thing for their jobs, for their families, and they made themselves more competitive in times of financial stress. Now we come to Amtrak. Amtrak has looked at some of their costs, but their workers have never weighed in.

Mr. Chairman, I think when you look at the costs that Amtrak is asking for, we need to look across the spectrum, at the union agreements, at the wages that are being paid, at the benefits, as well as the cost of the infrastructure, the cost to operate, the energy costs, so that each and every facet of Amtrak weighs into these costs. We have done that. The reforms are in place. We hope to see the reforms completed.

Mr. Chairman, I think it is time that we have these reforms that we have put in the bill become enacted, so that we can take each facet of the cost in Amtrak into the formula to come up with a plan to make sure that Amtrak is solvent in the future.

I thank the gentleman from Michigan for spending the time on these allocations within this bill. I think he has done a fine job. I would oppose the gentleman from Ohio's amendment, let the reforms take place and make sure that Amtrak is solvent in the future.

Mr. LATOURETTE. Mr. Chairman, it is my understanding that we still have 7 minutes remaining on our side of the amendment.

The CHAIRMAN. The gentleman has 7 minutes remaining.

Mr. LATOURETTE. Mr. Chairman, I yield 5 minutes to Mr. OBERSTAR from Minnesota, the co-author of the amendment, and ask unanimous consent that

he be permitted to yield time from that 5 minutes.

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

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

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

Mr. Chairman, I think that this amendment shows quite clearly how difficult the job was for the chairman in the first place, and that it is very difficult to find offsets for the kind of money that was necessary to put together this amendment.

But all of the offsets come out of the jurisdiction of the Transportation and Infrastructure Committee, the full Committee on Transportation and Infrastructure. And I think that it makes it clear that if the offsets are used in this way to fund Amtrak, which is needed, that then we will go to the later stages in the process and try to make corrections in the later stages of the process.

Mr. Chairman, it will be no more difficult to re-fund the items that have been taken out of their own jurisdiction, out of the Transportation and Infrastructure Committee's jurisdiction, it will be no more difficult to fund them later than it is to fund Amtrak now.

Clearly with this amendment, we will still be \$180 million below the enacted number for 2006, and the Amtrak board has asked this year for \$1.598 billion. That is the most recently appointed board of members from the President.

So we are still very far short of what they believe is necessary to run the national rail passenger system. So I am, with some trepidation, supporting the amendment that has been put forward. I certainly intend to vote for the amendment.

Mr. KNOLLENBERG. Mr. Chairman, again I would like to inquire about the time remaining for our side.

The CHAIRMAN. The gentleman from Michigan has 4½ minutes remaining. The gentleman from Ohio has 2 minutes remaining. The gentleman from Minnesota has 3 minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, by the way, let me thank Mr. LATOURETTE for suggesting the 20-minute situation divided by two. I appreciate that very much.

Mr. Chairman, I yield 2½ minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, my colleagues, giving Amtrak more money would be like giving at this point an alcoholic another drink and asking him to sober up.

I sort of feel like I am repeating, Mr. Chairman, the Ground Hog Day. We have been through this debate over and

over, and we keep putting more and more taxpayer dollars into Amtrak. And I have no problem with subsidizing mass transit or any type of long distance service or high speed service. We will need to subsidize it. But, folks, Amtrak has been and remains out of control. I served on the Rail Subcommittee for most of my time in Congress. Let us just review, if we give them a little bit more money, where that is going to go.

Right now we subsidize every ticket for \$47. That is absolutely outrageous, ladies and gentlemen. In fact, some tickets are subsidized—I have the report right here, the latest information—\$627. Could you imagine that type of subsidy? They will tell you, oh, we give it to airlines. That is not true. No one is subsidized like Amtrak is.

Food service. For every dollar that we take in in food service on Amtrak, it costs the taxpayers \$2. That is it, just give them a little bit more money and things work out. Legal services. They spend more money on legal services than they do on equipment.

The debt has risen to some \$6 or \$7 billion. The maintenance backlog is between \$5 and \$6 billion. So even if you add additional money, whoever is in this well 1 year from now will be back here trying to feed the Amtrak monster.

We must have the reforms. Some of them are in the bill. The committee has done a great job in trying to get their attention, to try to get their finances in order. Their finances and accounting is worse than Enron's.

□ 1715

It is time that we demand accountability, that we demand a better operating mass transit and public long distance service; and I have no problem with underwriting that. But we should look at what the private sector can do. They have 26 million, I believe, passengers.

In England, they have a new route, north-south. They have 34 million. They actually have made a profit and turned a dividend and returned it back to the taxpayers.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I find no small irony to what we just heard. This bill contains billions of dollars of subsidies to the airline industry on top of hundreds of billions of dollars that was spent in the past for an industry that has produced a net profit of zero in its 75-year history.

Why does Amtrak have problems? We have consistently underinvested in their capital needs. Any objective analysis suggests that they need to be adequately funded for capital, but this Congress consistently underfunds it. We cut it by another \$200 million, and we will not even pass the authorizing legislation.

We are not going to kill Amtrak, because the public won't allow Amtrak to

be killed; but it is time for us to stop this charade, give a modest amount of money to meet its capital needs, be able to reverse the outrageous act where they fired David Gunn, an operational genius who was dealing with the management problems of Amtrak, and they fired him. It is time to stop the criminal mismanagement of Amtrak by the political process.

Mr. KNOLLENBERG. Mr. Chairman, I would yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, regardless of your opinion about Amtrak, if you are concerned about border security and want to do a better job of protecting our border, you need to vote against this amendment. Because according to the CBO's scoring, this \$560 million cut from the Federal Building Fund would come primarily out of the repairs, alterations, and construction account.

The President has asked for six new border stations on the border between Texas, California, New Mexico, and Arizona. These cuts would leave the building fund without the money they need to build secure, critical border crossings with Mexico.

This is not just about Amtrak. This is taking critically needed money to build these border crossings and maintain not just Federal structures across the country but, more importantly, the secure, critical border crossings with Mexico.

I urge Members to vote against this amendment. Whether you oppose Amtrak, you should vote against the amendment, as I would, because I am concerned about Amtrak's accounting, but because I am concerned about border security as the highest priority of this Congress, you need to vote "no" on this amendment so we can build these secure, critical border crossings.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. REHBERG).

PARLIAMENTARY INQUIRY

Mr. REHBERG. Mr. Chairman, before I begin, may I have a parliamentary inquiry to have unanimous consent to interject a letter into the RECORD? Do I do that during this debate?

The CHAIRMAN. That will have to be done in the full House as opposed to in the Committee of the Whole.

Mr. REHBERG. Mr. Chairman, I rise in support of Mr. LATOURETTE's amendment. One of the things you heard talked about was the fact that Amtrak was making changes. That is absolutely incorrect.

I have an article I am going to interject into the RECORD: "Passenger Railroad Improves Service on Long-Haul Trains to Lure Travelers." The Empire Builder, which is in Montana, is the rolling laboratory for some of these changes.

I represent a district that spans the distance of Washington, D.C. to Chicago. Think about it: Washington, D.C. to Chicago. In many areas, this is the only form of transportation we have.

Many of you have airlines. We do not in northern Montana. Many of you have bus service. We do not in northern Montana. We use this service for essential service to get our people to hospitals, to doctors, to school, to visit relatives.

This is not just something we are wasting money on. This is an essential service, an essential product for the people of America. If you are going to build a more secure future for the people of Montana, then you have to be realistic.

You don't gut and undermine the effort that they are attempting to make at this time to improve the service of the Empire Builder in Amtrak. I ask you, please support Mr. LATOURETTE.

[From Business Focus, Mar. 17, 2006]

PASSENGER RAILROAD IMPROVES SERVICE ON LONG-HAUL TRAINS TO LURE TRAVELERS

(By Daniel Machalaba)

SHELBY, MONTANA.—Karyn Hamilton, like many Amtrak riders, had a dim view of the nation's passenger railroad as low-class, uncomfortable and not much better than a bus. But the marketing director of a financial-management firm in Portland, Ore., changed her mind during a trip last August on the Empire Builder, an Amtrak long-distance train undergoing a dramatic makeover that includes new carpeting and colors, pleasant staff, and upgraded food service.

After years of financial and political crisis, Amtrak is making a calculated gamble: To boost revenue on its longer-haul trains, the railroad is altering its longstanding one-size-fits-all approach to passengers.

The changes began with a major makeover of the Empire Builder last summer. Now, Amtrak plans to extend the changes to some other long-haul trains, while also attacking bloated food-service expenses. Amtrak's board also is considering cuts to its headquarters overhead by streamlining repair shops, maintenance operations, reservation call centers and train stations.

The shakeup is an acknowledgment by Amtrak officials that they are running out of chances to stave off pressure from the Bush administration to break up or even liquidate the federally subsidized—and unprofitable—railroad. "We're living on borrowed time," says David Laney, Amtrak's chairman. "We have to demonstrate what we can do on our own before it is taken out of our hands."

Last year the Bush administration proposed eliminating subsidies to Amtrak, which has been kept afloat with \$30 billion in federal aid since 1971, according to the Department of Transportation. While Congress approved \$1.3 billion in funding for the current fiscal year, the Bush administration latest budget request includes \$900 million—a 31 percent cut—for fiscal 2007. And the DOT would hold back nearly half of the money until Amtrak demonstrated continued progress on reform. Yesterday, Amtrak said it would ask Congress for \$1.598 billion for fiscal 2007, almost all the increase for capital spending.

As part of the do-or-die overhaul, Mr. Laney fired Amtrak President David Gunn last November. Mr. Gunn had been widely praised for stabilizing Amtrak's finances.

Jump starting repairs to the Northeast Corridor and restoring credibility with Congress. But Mr. Laney, a Dallas lawyer and Republican loyalist appointed to the Amtrak board in 2002, concluded that Mr. Gunn was standing in the way of more-dramatic reforms. Mr. Gunn says he was fired because he opposed the Bush Administration's Amtrak strategy.

Mr. Laney says the next crucial step for Amtrak is to fix some notorious customer-service problems, ranging from dirty cars to unhelpful and rude onboard employees. About 30 percent of all Amtrak trains are late. Rep. John Mica, a Republican from Florida and longtime Amtrak critic, complains Amtrak can "rival some of the Third World and former Soviet Union rail experiences." Mr. Laney acknowledges that passenger service by Amtrak is "in some cases superb and in some cases miserable."

The restructuring likely puts Amtrak on a collision course with its 17,000 unionized workers, two-thirds of whom haven't had a new contract for about five years. Amtrak officials estimate union restrictions cost the railroad about \$100 million a year. Edward Wytkind, president of the AFL-CIO union's Transportation Trades Department, said in a statement that the Bush administration's reform effort is an attempt to "scapegoat workers for the failures of the federal government and the current Amtrak board."

Some of Amtrak's worst problems are beyond its control. Formed to relieve freight railroads of money-losing passenger trains, Amtrak shares nearly 22,000 miles of track with the freight trains, and congestion is worsening. Still, Amtrak believes better service will lure riders and shrink losses on long-distance lines. On long-distance routes that are primarily used by passengers for basic transportation, starting with the Texas Eagle and the City of New Orleans, the railroad is rolling out a new type of dining service that makes greater use of precooked meals and introduces disposable plastic plates. Those changes are designed to cut the number of dining-car employees to three per train from five or six.

Meanwhile, Amtrak is replacing mandatory meal-serving periods with more flexible hours. Over the next few years, it plans to rebuild dining cars to replace traditional table seating and allow passengers to sit at the bar or watch passing scenery from crescent-shaped booths that face the windows. Meal service will then be available as much as 18 hours a day, up from about eight hours now, allowing Amtrak to serve more people and boost revenue. Amtrak hopes to cut \$32 million from its annual food-service loss of \$123 million.

The Empire Builder is the rolling laboratory for some of the changes. Its on-time record is about 68 percent, and it posted an average loss of \$78.57 per passenger in the fiscal year ended Sept. 30.

While the Empire Builder is so far sticking with the traditional dining-car format, staffing level and made-to-order food, its added amenities and upgraded service are noticeable. Amtrak put a small fleet of rebuilt passenger cars with hip blue-and-white interiors on the line—a big improvement over the drab orange and brown that dominated older cars. Employees now must introduce themselves to passengers. Conductors must stay up all night in the dining car in case they are needed.

So far, the Empire Builder makeover appears to be enticing more passengers, particularly during the off-season when ridership typically declines. But David Hughes, Amtrak's acting president, says it is impossible to ever make long-distance trains like the Empire Builder profitable. Those trains are expected to generate \$382 million in fiscal 2006, or about one-fourth of overall Amtrak revenue, but post losses of more than \$493 million, or about \$125 for every passenger.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the chairman of the Foreign Operations Subcommittee.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to the amendment, not to speak against Amtrak, but really where these funds would come from.

As the previous speaker under Mr. KNOLLENBERG's time, Mr. CULBERSON said it comes out of our border security infrastructure. Much of that is right in the heart of Arizona. The Nogales/Mariposa Port of Entry and the San Luis Port of Entry are located on the Arizona-Mexico border, not in my district, but in the area and will enhance security while promoting economic development and improving the quality of life in the border region.

The first project is the reconfiguration of the Nogales/Mariposa Port of Entry. It is the principal commercial crossing on the southern border during much of the year. It processes half of all the winter fruits and vegetables entering the United States. It was built in the 1970s, and it was never built to handle the volume of traffic it now receives.

During the peak season, it is absolutely overwhelmed. Trucks line up for hours and miles and miles and miles into Mexico waiting to cross. In addition the post-9/11 requirements of the Bioterrorism Act and other security measures have added to the congestion of the port. This is a project that would be cut under this amendment.

The second project is the construction of the new port of entry at San Luis, and that is the highest priority on the southern border and President's requested \$42 million.

I urge that we defeat this amendment because of where the funds are being taken from.

Mr. Chairman, I rise in opposition to this amendment because the funding it would remove from the bill would be terribly detrimental to our border security infrastructure, at precisely the time when we are finally turning our attention towards fixing our border and stopping illegal immigration.

The Nogales/Mariposa Port of Entry and San Luis Port of Entry are located on the Arizona-Mexico border and will enhance security while promoting economic development and improving the quality of life in the border region and across the country.

The first project is the reconfiguration of the Nogales/Mariposa Port of Entry to expand the port and enhance border security. Mariposa is one of the principal commercial crossings on the southern border; it processes half of the winter fruits and vegetables entering the United States. Built in the 1970's, Mariposa was never intended to handle the volume of traffic it now receives. During the peak season, it is overwhelmed, as trucks line up for miles and wait many hours to cross. In addition, the new post 9/11 requirements under the Bioterrorism Act and other security measures have added to the congestion at the port. U.S. Customs and Border Protection therefore placed this project high on its list of priorities and the President requested \$9 million for design funds in his budget. That funding is in this bill and would be cut by this amendment.

The second project is the construction of a new Port of Entry at San Luis. U.S. Customs

and Border Protection has also listed this project as its highest priority on the southern border and the President requested \$42 million for design funds in the Fiscal Year 2007 budget.

Clearly, these vital projects must not be cut precisely when we are trying to fix our broken borders. In light of our heightened security needs, particularly at our southern border, I urge a "no" vote on this amendment.

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

First of all, the gentleman from Texas and the gentleman from Arizona are dead wrong. Our offset does not touch the border stations. In fact, the Nogales is registered in the bill at \$9.8 million; San Luis has \$42 million. We do not touch any of the border stations.

In fact, the offsets are minor repair and alteration, \$375 million. Minor construction, \$10 million. Building operations, that is cleaning, \$119 million; and the DC Old Executive Office Building at \$56 million to cover the offsets for Amtrak. None of this is border stations, none of it.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Once again, we are up here fighting for the life of Amtrak, 35 years of service to the public. It just amazes me that constantly people, the Chair of aviation, billions of dollars that we have put in aviation, billions of dollars, and yet it doesn't pay for itself, and we do not want zero funding for Amtrak.

This administration constantly, constantly cut down the funds for Amtrak. This administration has come up with a lot of wacky ideas, but let me tell you something. When gasoline will go up to \$4 a gallon, you are going to see a lot of people lining up to take Amtrak.

With the passage of the latest emergency funding, President Bush will have spent over \$439 billion on the war in Iraq, but we don't want to spend money for Amtrak. During Hurricane Katrina, the way the victims and first responders were able to leave the gulf region and the New Orleans area was through Amtrak, Amtrak.

Mr. Chairman, this year, Amtrak is celebrating 35 years of public service to this nation through its commitment to passenger rail.

I travel all over the country and the people I talk to love Amtrak. It is a great way to commute to work, it takes cars off our already congested highways, and in many areas of the country is the only mode of transportation available. In fact, ridership has increased in 8 of the last 9 years reaching a record level of over 25 million passengers last year. It is also important to note that Amtrak's long distance trains are the only inner city passenger trains in half the states in America.

Amtrak was also a First Responder during hurricane Katrina, and helped evacuate thousands of Gulf region residents while President Bush and his Administration were nowhere to be found. Now they are becoming a key part in each states future evacuation plans.

Now what I can't understand is why the Bush Administration is trying to destroy pas-

senger rail in this country. Every Industrialized country in the world is investing heavily in rail infrastructure because they realize that this is the future of transportation. But sadly, as there systems get bigger and better, our system gets less and less money.

President Bush has a lot of wacky ideas for dealing with the high gas prices he created, but I can assure him that as prices climb to \$4 per gallon, you are going to see American's lining up to use a passenger rail system that has been neglected by this very Administration. But what more do you expect when you put J.R. Ewing in the White House.

Once again we see the Bush Administration paying for its failed policies by cutting funds to vital public services and jeopardizing more American jobs. This Administration sees nothing wrong with taking money from the hard working Amtrak employees who work day and night to provide top quality service to their passengers. These folks are trying to make a living for their families, and they don't deserve this shabby treatment from the President.

With the passage of the latest emergency funding for the war, President Bush will have spent over \$439 Billion on the war in Iraq, but

* * * * *
million, major infrastructure projects have been completed. All with a workforce that has been reduced by over 4,000 employees.

We still have a lot of work ahead of us when it comes to Amtrak. But we're starting \$900 million dollars closer to our goal, and I know with the help of the American public, we can fully fund Amtrak at \$1.6 Billion and keep Amtrak running long into the future.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. SWEENEY), who offered a similar amendment during the full committee markup to try to save Amtrak.

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

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

Mr. Chairman, in the brief time I have, I want to just say that I want to echo the words of my friend, Mr. REHBERG, that Amtrak is an essential service in my part of the country. But we have had this debate every year, and we go through this process in each of those years.

Last year, in particular, we had a very strong and vigorous debate in which we were threatened with a veto at one point and demanded reforms. This \$900 million allocation is a shut-down number for Amtrak, and it would come at the worst possible time to shut down Amtrak.

This is because it is part of those reforms. Amtrak was required to institute new acting procedures. It was required to institute new service contracts and plans. It was required to put in place a new business plan. The Department of Transportation Inspector General just issued a report from September 2005 to March 2006.

Amtrak has saved in excess of \$19 million with the institution of these new reform plans that we demanded of them. To now shut them down would

go back on our word. Let me also say that Amtrak promotes fuel conservation. At this time, when we are all sensitive about that, it is something that we ought to consider.

A recent study by the Oak Ridge National Laboratory shows Amtrak consumes 17 percent less energy per passenger than automobiles and 18 percent less than planes. Amtrak is an essential service. Support this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

The Inspector General at the DOT has said to maintain the currently configured system in a steady state of repair, Amtrak would need \$1.4 billion. They can't function at a lesser number. But despite chronic underfunding, Amtrak has made significant performance improvements, reducing costs, increasing revenues, implementing reasonable operational reforms, building key infrastructure over its 730 route miles. Even with a starvation budget, this service has performed remarkably.

Support the amendment.

Mr. CASTLE. Mr. Chairman, I rise in support of the amendment to restore funding for Amtrak. I appreciate Mr. LATOURETTE's work on this effort and I thank the chairman for his willingness to work with Members on this extremely important issue.

While I strongly agree that reforming our rail system is essential, and I am supportive of efforts to ensure the Inspector General plays a key role in the rail system's oversight, the level of funding included in this bill is simply unrealistic.

Unlike aviation and highways, there is no dedicated fund for investing in passenger rail development. Although these other modes rely on user fees for a great deal of their funding, they still receive a large amount from the general fund. In addition, these other modes all operate on predominantly federally owned or federally assisted infrastructure, and rely largely on Government-supported security, research, and traffic controllers.

Rather than constantly looking for ways to shortchange passenger rail, we should be working on a comprehensive strategy to make Amtrak the best high-speed rail system in the world.

When you consider the fact that 20 percent of all Americans live in the North-East and approximately 1,700 commuter trains travel the Northeast Corridor everyday, we need to seriously consider the amount of congestion and overcrowding that would occur if these trains stopped running.

Passenger rail can be extremely effective in relieving congestion, cutting pollution, and lowering our demand for oil while creating jobs and increasing security. We have barely scratched the surface of passenger rail's potential, and a commitment from Congress to improving the viability of this system could lead to greatly expanded possibilities.

In addition, it is my firm belief that improving passenger rail service in this country depends on strong and experienced leadership at Amtrak. Unfortunately, over the past year, the Amtrak Board has made several important decisions, despite the fact that close to half of its seats remain empty.

Frankly, I believe the failure to appoint a fully functioning Amtrak Board is disgraceful,

and it stands as an enormous disadvantage for this rail system. Members of Congress can stress the need for accountability and reform until we turn blue in the face—but in the end, what Amtrak really needs is leaders with vision, who attend and participate in board meetings and who are genuinely committed to improving passenger rail.

Everything starts with the leadership provided by this board, and as we work to ensure adequate funding for passenger rail, it is crucial that Congress continue to advocate for a fully functioning Amtrak Board of Directors.

The facts are clear; Amtrak needs Federal support to survive, just like highways, ports, and airlines. America is a world leader in all other modes of transportation. When it comes to rail, we are quickly falling behind.

Mr. Chairman, many Americans, including thousands in my state, depend on Amtrak for both business and pleasure. Instead of short-changing the organization, we should work together to improve passenger rail.

Mr. HOLT. Mr. Chairman, I rise today to support the amendment offered by Representative LATOURETTE to fully fund Amtrak.

In fiscal year 2006, the Bush administration attempted to only provide \$360 million to maintain commuter and freight service operated by Amtrak. With a great deal of support from many parts of America, Amtrak funding was restored to \$1.3 billion.

Once again we are considering a bill that underfunds Amtrak needs to maintain its current operations. Amtrak is funded at a mere 900 million to continue its operations and make capital improvements. This is 33 percent less than current funding levels for Amtrak. This is \$698 million less than Amtrak requested to continue operations and invest in capital. The Oberstar/LaTourette amendment increases funding for Amtrak to \$1.114 billion.

The Northeast Corridor relies heavily on Amtrak's infrastructure and skilled workers. New Jersey Transit estimates that over 77 percent of its daily passengers would be affected if—New Jersey Transit could no longer operate its trains over tracks owned by Amtrak.

Many of my colleagues contend that the Northeast Corridor is the only area that depends on Amtrak. This is simply not true. According to a report recently published by the Government Accountability Office, across the country 18 different commuter agencies depend on the infrastructure and services that Amtrak provides, including commuter rail agencies in Dallas and Seattle. There are currently seven new agencies being planned across the country as well. If we do not continue to fund Amtrak at the levels they need to function, a shutdown is imminent. This would be detrimental to commuter rail agencies that depend on Amtrak-owned tracks and infrastructure and skilled Amtrak employees.

The GAO confirms the effect a shutdown of Amtrak would cause: "Given the dependence of more commuter rail agencies on Amtrak for services and infrastructure, an abrupt Amtrak cessation would likely result in major disruption or shutdowns of commuter rail service throughout the country."

We have a responsibility to promote mass transit and provide adequate funding for States and local transit authorities to move passengers effectively. Rail transportation is essential for easing traffic congestion in our most densely populated areas, reducing wear

and tear on roads, protecting our environment, and preserving open space across the country.

On May 1, Amtrak celebrated 35 years of service to our Nation. We celebrated Amtrak for its ability to integrate small communities with large cities by providing economic expansion, increased mobility, and environmentally sound transit.

That is why I support the amendment offered by Representative LATOURETTE that would increase Amtrak funding. Now is not the time for us to cut funding for mass transportation. I urge my colleagues to support Amtrak and vote for the Oberstar/LaTourette amendment.

Mr. FITZPATRICK of Pennsylvania. Mr. Chairman, as cochair of the Passenger Rail Caucus, I urge you to support the LaTourette-Oberstar amendment to the FY07 Transportation, Treasury and HUD Appropriations bill. The amendment will increase funding for Amtrak to a total of \$1.114 billion, an increase of \$214 million.

The FY 2007 TTHUD appropriations bill provides only \$900 million for Amtrak, \$412 million less than the FY 2006 enacted level and \$698 million less than Amtrak requested in order to continue operation and invest in capital. I am concerned that the current funding level in the bill would leave the rail system incapable of providing sufficient service to Amtrak's 25 million customers—many of whom are my constituents of the 8th Congressional District of Pennsylvania on the Northeast Corridor.

The Department of Transportation's Inspector General has stated that the status quo funding option for Amtrak is unsustainable. The Inspector General also stated that postponement of maintenance—especially on heavily traveled Northeast Corridor increases the risk of accident.

Today, as Americans are facing skyrocketing energy prices and increasingly overcrowded roads, it is crucial that we invest in our national passenger rail system.

I urge you to join us in preserving transportation options for our constituents and support the LaTourette-Oberstar amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. KUCINICH

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

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 2, line 11, after the dollar amount, insert "(reduced by \$70,000)".

Page 37, line 4, after the dollar amount insert "(increased by \$70,000)".

Mr. KUCINICH. Mr. Chairman, I rise today out of deep concern for the safety of children who ride school buses over railroad tracks in Ohio and across the country. My amendment will ensure that there is a person working full time in the Federal Railroad Adminis-

tration who can help us resolve the inadequate reporting.

That reporting is necessary to ensure that railroad crossings frequently used by school buses are in compliance with Federal safety requirements. Title 23, section 646.214 of the Code of Federal Regulations requires that crossings be equipped with "automatic gates with flashing light signals" when a "substantial number of school buses cross."

Setting aside the issue that any school bus with children in it is substantial, when it comes to children's safety, it is impossible for school districts, public utility commissions, and the Department of Transportation to know whether any school buses are crossing gated or ungated tracks if this information is not reported.

Mr. KNOLLENBERG. Would the gentleman yield?

Mr. KUCINICH. I certainly would.

Mr. KNOLLENBERG. I would be happy to accept the amendment. Your amendment, I think, is a good one.

Mr. KUCINICH. I want to thank the chairman for his assistance, and I know that the parents of school children all over this country will be grateful to you for your concern. Thank you very much.

The CHAIRMAN. The question is the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

□ 1730

AMENDMENT OFFERED BY MS. BEAN

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

The Clerk read as follows:

Amendment offered by Ms. BEAN:

Page 2, line 11, after the first dollar amount, insert the following "(reduced by \$2,700,000)".

Page 2, line 22, after the dollar amount, insert the following: "(reduced by \$2,700,000)".

Page 4, line 6, after the dollar amount, insert the following: "(reduced by \$4,000,000)".

Page 32, line 22, after the dollar amount, insert the following: "(increased by \$6,700,000)".

Page 32, line 23, after the dollar amount insert "(increased by \$6,700,000)".

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

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

There was no objection.

Ms. BEAN. Mr. Chairman, I rise today to offer an amendment that would increase funding for the National Highway Traffic Safety Administration's Operations and Research account by \$6.7 million. The amendment offsets this increase by decreasing \$2.7 million in funding from the Office of the Assistant Secretary for Administration and \$4 million from transportation planning and research account.

The intent of my amendment is to direct the Office of Fuel Economy to use these funds to assess how to best incentivize the auto industry to increase corporate average fuel economy,

CAFE, standards by the year 2015. It is my hope that this will accelerate adoption of increased fuel efficiency standards by having the office considering options like tax credits to retooling their manufacturing processes for production of more fuel efficient vehicles. This would provide manufacturers with an economically viable way to increase fuel economy for passenger cars and light trucks.

Particularly in suburban districts like mine, families are plagued by heavy traffic and congestion and are burdened by the price of gasoline. The high gas prices we are facing today can only be addressed by a serious, long-term effort to reduce our dependence on foreign oil.

By voting for my amendment, we can give the Office of Fuel Economy the resources necessary to start providing solutions on the demand side of the energy equation.

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

I appreciate the intent of the gentleman's amendment. We all want better fuel economy. However, I must oppose the gentleman's amendment for a number of reasons.

There are times when throwing additional money at a problem is not going to solve it, and this is one of those times. All that is needed here is time.

Giving the National Highway Traffic Safety Administration more money will not speed up the process whereby fuel economy standards would be raised. Even if Congress passed a bill tomorrow ordering NHTSA to raise fuel economy standards, it would take a minimum of 9 months for a rule to be proposed and finalized. This is because NHTSA would need the detailed product plans from every major auto manufacturer on every model they make before they could draft such a rule, and assembling these documents takes time.

Moreover, under law, there would have to be a reasonable comment period of 90 days so the public could weigh in on any proposed rule.

Finally, any proposed rule would have to be cleared by the Office of the Secretary of Transportation and the Office of Management and Budget, and that is just the beginning.

Auto makers also need time, which they are provided under the law, to retool their product lines to comply with the new regulations. For instance, the auto makers are already developing their product lines for the 2010 model year.

As I said at the beginning, this just takes time, roughly 27 months worth of time. NHTSA has already been tasked with studying the feasibility and effects of reducing the use of fuel for automobiles. This report, required by section 773 of the energy bill, is due to Congress later this year.

I would also like to point out to Members that this committee has already significantly increased funding for NHTSA's CAFE office over the past

several years. The office, which was funded at \$60,000 in fiscal year 2001, was funded at almost \$1.3 million last year. Giving NHTSA's CAFE office an extra \$6.7 million would likely result in the money simply being unspent.

I am unsure what benefit will be gained by the public if the CAFE office were to be given \$6.5 million that they realistically cannot spend. Certainly, it would not result in fuel economy standards being raised faster, which I assume is the gentleman's ultimate intent.

So I strongly urge opposition to this amendment.

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

Mr. Chairman, I am going to support this amendment. It seems to me that if we are to move toward energy independence, and particularly, if we are ever going to get away from our dependence on Middle Eastern oil, with all the uncertainty and all of the problems that go along with that, which we have seen much of, then our largest and fastest gains that can possibly be made are in increasing the efficiency of the use of our motor vehicles.

At least a third of all of the oil that we use in this country goes into our transportation sector and to the use of our motor vehicles, and we desperately need to increase the efficiency of those. That is the fastest thing that we can put into place, much faster than the work on a hydrogen economy or an ethanol economy or fuel cells or any one of those. The efficiency of the present fleet and vehicles to be sold in the near future becomes important.

So I think it is very important that when the Energy and Commerce Committee bill, H.R. 5359, which provides the authority for the Secretary of Transportation to set economy standards for passenger cars, when that which is pending on the House calendar, it has been reported out of the Energy and Commerce Committee and it is pending on the House calendar, that when that is passed that there be the resources available at NHTSA to be able to evaluate the technologies and capability of the automobile industry to improve fuel economy as fast as it can reasonably be done.

When NHTSA was first created 30 years ago, and I guess it was when they were first given the job at looking at CAFE standards, they were given \$10 million at the first instance 30 years ago to set fuel economy standards, and now \$10 million today would probably be something like \$40 million.

All the gentleman from Illinois is asking for here is an increase from \$1.3 million to which the NHTSA account for fuel economy has been reduced to bring that up to \$8 million, and the offsets in this instance are \$2.7 million, which still leaves the account for the Office of the Secretary at 7 percent, almost \$6 million above what it was in fiscal year 2006, even after that \$2.7 million is taken out. The other part of the offset is \$4 million taken from the

transportation planning research and development which with \$9 million left in the account still has more than the President requested in his budget submission by almost \$100,000.

So I think this is a worthwhile place to put some money and make certain that NHTSA can deal with that as quickly as possible.

Ms. BEAN. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Illinois.

Ms. BEAN. Mr. Chairman, the American people are looking to Congress for leadership in addressing rising energy costs. In the last few weeks, different proposals for increasing our energy supply have come before us. However, few proposals have been offered to address the demand side of the energy equation.

For too long, Congress has allowed a stalemate on innovation and fuel efficiency. This amendment does not mandate increases but, instead, funds research into options.

My amendment gives this Congress an opportunity to strike a balance between keeping auto makers competitive, by addressing the economic impact on them, with the pressing needs of American drivers, because both manufacturers and consumers are looking for an economically viable solution toward the advancement in the fuel efficiency of the cars and trucks we drive.

Let us help the Office of Fuel Economy facilitate public/private partnership solutions to meet the energy demand challenges our Nation is facing.

I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Ms. BEAN).

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

Ms. BEAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. ISRAEL

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

The Clerk read as follows:

Amendment offered by Mr. ISRAEL:

Page 2, line 11, after the first dollar amount, insert the following: "(reduced by \$4,724,000)".

Page 49, line 8, after the dollar amount, insert the following: "(increased by \$9,448,000)".

Page 63, line 20, after the dollar amount, insert the following: "(reduced by \$4,724,000)".

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

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

There was no objection.

Mr. ISRAEL. Mr. Chairman, my amendment restores funding for certain advanced energy research programs to last year's levels. That research is absolutely critical to reducing our dependence on foreign oil.

The funding in this bill for research and university resource centers is \$9,448,000 below last year's levels, and those are the very centers that are researching and developing hydrogen and hybrid and other advanced transportation technologies.

Now, we all understand how vital that research and development is. The President of the United States on this floor during the State of the Union proclaimed that we must reduce our addiction to foreign oil. Anyone in their cars at a gas station today, as we are on the floor, paying over \$3 a gallon for gas understands how important it is that we reduce that addiction to foreign oil.

I am a member of the Armed Services Committee. Our military understands how critical that is. Last year, the Department of Defense spent \$10 billion on basic energy costs. Of that, \$4.7 billion was spent to buy one thing, fuel for Air Force planes.

I was in Iraq last month and was on a wonderful Stryker combat vehicle. It gets about 10 miles to the gallon.

It is dangerous, Mr. Chairman, when we have to borrow money from China to fund defense budgets to buy oil from unstable Persian Gulf countries to fuel our military to protect us from China and unstable Persian Gulf countries.

We have all talked about having men on the Moon, research and development programs to end that dangerous dependence on foreign oil. We have talked about having new Apollo programs to research and develop new vehicles, not lunar landing modules that will put people on the Moon, but hydrogen and hybrid vehicles that will make it easier and safer and less expensive for people to drive on our roads here on Earth. And yet, this bill cuts \$9.5 million from the very research centers that are engaged in deploying those vehicles.

This is not a giant leap for mankind. This is not even one small step for mankind. It is a step backwards, and so my amendment does not go above last year's level. It does not take a giant leap that I think we need. All it does is it keeps us steady so we do not continue to lose ground to the very adversaries we have around the world who are willing to use oil as a weapon against us and use oil to blackmail us and compromise our capabilities.

This amendment simply offsets salaries in the Treasury and Transportation accounts and restores \$9,448,000 for basic research at the research and university research centers to continue our vital work, and I hope that the House will agree to it and support it.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

The account he seeks to increase is transit research, not fuel research, and

I appreciate his sentiment, but we already gave more than the guarantees, and the guarantees are killing other programs, both transportation and everything else. Repeatedly I see already that the Treasury continues to get hit over and over.

We provide a greater level of funding in 2007 to address two problems. We needed to fix a problem with SAFETEA-LU since the authorizing committee identified more projects and activities than were provided for under the guarantees. We covered that problem and found the money for the fix in order to keep the program going. We added these funds to cover some initiatives important to other Members.

The gentleman proposes to add money for alternative fuels research. However, most of that research is funded out of DOE and NHTSA. This account is for research into transit, as I repeated, and I urge a "no" vote on this amendment.

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

This amendment that is offered by my good friend from New York, this amendment does exactly what I had spoken about in my opening remarks in relation to this bill and which the chairman of the subcommittee has pointed out as well, that this amendment starts by adding money, assuring money to already what is one of the guaranteed items under the TEA-LU guarantees, which those guarantees had to be provided in order to bring the bill to the floor at all.

This is not a rearrangement of moneys as the previous case was where I had supported the Amtrak amendment because, in that instance, the Transportation and Infrastructure Committee was moving money around totally within its jurisdiction, and I thought that was something that was worth supporting.

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In this instance, what we are doing is taking money from one of the places in the bill which has no guarantees for minima along the way, namely the Treasury, a totally different unit of the bill, a totally different title of the bill, and simply grabs those and moves them over to an area which is already under the guarantees of the TEA-LU bill.

Under those circumstances, I must, regretfully for the gentleman from New York, oppose the amendment; and I hope that it will not be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ISRAEL).

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gen-

tleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$8,821,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$13,000,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$120,000,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans for short-term working capital, \$495,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, \$396,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$2,970,000, to remain available until September 30, 2008: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS (AIRPORT AND AIRWAY TRUST FUND) (INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 4171 through 41742, \$67,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That, if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year: *Provided further*, That of the funds made available under this heading, \$1,000,000 shall be used to carry out the three marketing incentive programs authorized by section 41748 of title 49, United States Code.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph beginning at the words "to be derived from the Airport and Airway Trust Fund," beginning on page 5, line 23, and ending on line 24.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The provision would provide that funding for payments to air carriers be derived from the Airport and Airway Trust Fund. Authorization in law may exist for this funding from general revenues, but no specific authorization in law exists for this funding to be derived from the trust fund.

The Chair finds that in this latter respect the provision is not supported by an authorization in law. This is consistent with the ruling of the Chair of June 29, 2005. The point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

COMPENSATION FOR AIR CARRIERS
(RESCISSION)

Of the funds made available under section 101(a)(2) of Public Law 107-42, \$50,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE
SECRETARY OF TRANSPORTATION

SEC. 101. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided*, That during fiscal year 2007, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 101.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against page 6, line 22, beginning with "provided, that" through line 26.

This proviso violates clause 2 of rule XXI. It changes existing law, which constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this proviso changes the application of existing law. The proviso therefore constitutes legislating in violation of clause 2 of rule XXI. The point of order is sustained and the proviso is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 102. The Secretary of Transportation is authorized to transfer the unexpended bal-

ances available for the bonding assistance program from "Office of the Secretary, Salaries and expenses" to "Minority Business Outreach".

SEC. 103. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 104. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

FEDERAL AVIATION ADMINISTRATION
OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108-176, \$8,360,000,000, of which \$4,843,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$6,698,728,000 shall be available for air traffic organization activities; not to exceed \$997,718,000 shall be available for aviation regulation and certification activities; not to exceed \$11,985,000 shall be available for commercial space transportation activities; not to exceed \$92,227,000 shall be available for financial services activities; not to exceed \$87,850,000 shall be available for human resources program activities; not to exceed \$272,821,000 shall be available for region and center operations and regional coordination activities; not to exceed \$175,392,000 shall be available for staff offices; and not to exceed \$36,799,000 shall be available for information services: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation regulation and certification budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing

major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than \$8,000,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, \$3,110,000,000, of which \$2,662,100,000 shall remain available until September 30, 2009, and of which \$447,900,000 shall remain available until September 30, 2007: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2008 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2008 through 2012, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$134,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2009: *Provided*, That there may be credited to this

appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(AIRPORT AND AIRWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$4,171,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,700,000,000 in fiscal year 2007, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, up to \$74,971,000 shall be obligated for administration, up to \$10,000,000 shall be available for the airport cooperative research program, up to \$12,000,000 shall be available to carry out the Small Community Air Service Development Program, and up to \$17,870,000 shall be for airport technology research, to remain available until expended.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against page 13, line 1, beginning with “; for grants” through page 13, line 6, ending with the word “Code.”

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes, again, legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

The provision proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests in this instance with the committee or other proponent of the provision.

Finding that this burden has not been carried, the point of order is sustained and the provision is stricken from the bill.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against another provision of the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. I raise a point of order against page 13, line 17, beginning with the words “Provided further” through line 25.

This provision also violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this proviso explicitly supercedes existing law. The proviso, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the proviso is stricken from the bill.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment, and I ask unanimous consent to have it considered out of order.

The CHAIRMAN. Without objection, the amendment may be considered at this time.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. WATERS:

Page 11, line 8, after each of the dollar amounts, insert the following: “(reduced by \$261,000,000)”.

Page 85, line 11, after the dollar amount, insert the following: “(increased by \$261,000,000)”.

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

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

There was no objection.

Ms. WATERS. Mr. Chairman, I believe that before this bill is enacted into law we must reverse an unwise pattern of disinvestment in the Nation's public housing. Therefore, I am introducing an amendment to restore the \$261 million reduction in the Public Housing Capital Fund.

America's public housing inventory is a \$100 billion public asset providing affordable housing to 1.1 million families. Just over half of these families are headed by the elderly or persons with disabilities, and children make up approximately 40 percent of all those we help. Public housing helps families and the elderly in large and small communities across the country in every congressional district.

In addition to safe, decent, affordable housing, public housing agencies con-

nect people to the services they need, services that help adults become economically self-sufficient, provide children safe places to grow and learn, and allow the elderly and persons with disabilities to live independently.

Public housing funding has been declining since 2001. Despite the estimated \$100 billion value of public housing assets to our communities, this bill does not provide funding necessary to maintain them for the long run. Total Federal funding for public housing has dropped precipitously over this decade. The bill before us provides \$1.4 billion less than provided for funding year 2001, that is, the President's budget for funding year 2007 requests nearly \$1.5 billion less for public housing than Congress provided for funding year 2001.

This drop in resources has constrained local agencies' ability to address safety and security needs, provide valuable services to those seeking economic self-sufficiency and independent living, and undermines agencies' ability to meet the recent surge in utility costs. This decline in funding is most egregious in the area of capital repair funding.

Public housing faces an estimated \$18 billion backlog of capital repairs. According to a HUD-funded study, an additional \$2 billion in capital repair needs accrues each year as buildings age. The President's budget and this bill cuts funding for the public housing capital funds for major repairs by \$261 million, that is 11 percent compared with last year's funding. In fact, the capital fund has been cut each year since 2001, declining a total of 27 percent over 6 years if this budget is enacted.

The capital funds provided in this bill are barely sufficient to cover annually accruing needs, let alone address the backlog of need. The National Association of Housing and Redevelopment Officials estimates that \$3.5 billion is necessary to begin to address the backlog of need in funding year 2007.

At the same time we are cutting basic capital repair funds, this bill also zeros out funding for the HOPE VI program for comprehensive revitalization of the most distressed public housing communities as requested by the administration. My colleague, JOHN OLVER, categorized this approach of cutting annual capital repair funding as, and I quote, “penny-wise and pound foolish,” and that is exactly what this is.

Mr. Chairman, I would ask my colleagues to embrace the intent of my capital fund amendment in order to secure the ongoing viability of this valuable affordable housing asset. Unless greater measures are taken by HUD to preserve this affordable asset called public housing, this unique asset and the larger continuum of a sound Federal affordable housing policy will be degraded and eventually lost. And that is a plan that our communities, our seniors, and our families with children cannot afford.

Mr. Chairman, in closing, let me just say that these are our most vulnerable citizens, and they need a safety net. While we want them to improve their lives, we want them to become independent. We are trying to have programs that will transition them to work and out of public housing. It is not going to happen unless we have reasonable and sensible investment to make these safe, sound, and secure places for our citizens to live.

Again, we need this in all of our congressional districts. As a matter of fact, the poor have nowhere else to turn. They are depending on us. I would ask us not to be penny-wise and pound-foolish, but rather to make what I think is one of the most prudent investments we can make.

The CHAIRMAN. The time of the gentlewoman from California has expired.

Ms. WATERS. Mr. Chairman, I ask unanimous consent to proceed for 30 additional seconds to close this out.

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

The CHAIRMAN. The gentlewoman has asked unanimous consent to proceed for 30 additional seconds.

Is there objection to the gentlewoman's unanimous consent request? If not, the gentlewoman is recognized for an additional 30 seconds.

Mr. OLVER. Mr. Chairman, I moved to strike the last word.

The CHAIRMAN. The Chair recognizes the gentlewoman for an additional 30 seconds.

Ms. WATERS. Mr. Chairman, I appreciate the time that has been allotted and I move to withdraw the amendment. I have not been able to find the funds to replace that which has been cut. I appreciate the time to at least explain it.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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

If I had been allowed to move to strike the last word, I would have been happy to yield 30 seconds to the gentlewoman after I made a comment which relates to the amendment she offered.

The CHAIRMAN. The gentlewoman asked unanimous consent to proceed for an additional 30 seconds, and the Chair responded to her unanimous consent request and granted her the 30 seconds that she requested.

Mr. OLVER. Mr. Chairman, I just want to point out that this is one of those cutting-the-baby-in-two kinds of situations that has been forced upon the TTHUD committee by the allocation and the relationship, the juxtaposition of guarantees under the transportation accounts and no such guarantees under some of the others.

The \$261 million that the gentlewoman asked to be provided by an offset which would have placed the bill under point of order and is under point

of order if she had not withdrawn the amendment. That \$261 million would have protected a very important infrastructure investment that we have.

We have \$100 billion worth of housing under the public housing capital fund, and it is that capital fund which does the renovations, the rehabilitations, the replacements of those facilities, and it is a very important piece which I have spoken about at each stage of this process, every one of the stages, even before, Mr. Chairman, your committee just last night about the need for additional funding in the public housing capital fund.

I am very much hopeful that we will be able to find before this process runs its course to the final conference report, that we will be able to find some additional money for the public housing capital fund so we can, in fact, do something about the huge backlog which has been listed by the gentlewoman as close to \$20 billion of backlog in needs for capital repair and improvements in our \$100 billion of housing stock.

So that is one of the dilemmas that the subcommittee, the chairman and the staff and the committee as a whole has been laboring under, and I hope to find a way to provide some relief for the problem.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

GRANTS-IN-AID FOR AIRPORTS
(AIRPORT AND AIRWAY TRUST FUND)
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the amounts authorized for the fiscal year ending September 30, 2007 and prior years under sections 48103 and 48112 of title 49, United States Code, \$25,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL
AVIATION ADMINISTRATION

SEC. 110. Notwithstanding any other provision of law, airports may transfer without consideration to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: *Provided*, That the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 111. None of the funds in this Act may be used to compensate in excess of 380 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2006.

SEC. 112. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or

to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

SEC. 115. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking "2006," each place it appears and inserting "2007,".

(b) Section 44303(b) of such title is amended by striking "2006," and inserting "2007,".

SEC. 116. None of the funds made available in this Act shall be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed \$372,504,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of \$39,086,464,683 for Federal-aid highways and highway safety construction programs for fiscal year 2007: *Provided*, That within this obligation limitation on Federal-aid highways and highway safety construction programs, not more than \$429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109-59) for fiscal year 2007: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further*, That the funds authorized pursuant to 23 U.S.C. 110 for the motor carrier safety grant program, and the obligation limitation associated with such funds provided under this heading, shall be transferred to the Federal Motor Carrier Safety Administration: *Provided further*, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to

Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, \$39,086,464,683 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(HIGHWAY TRUST FUND)
(RESCISSION)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, \$2,000,000,000 are rescinded: *Provided*, That such rescission shall not apply to the funds distributed in accordance with 23 U.S.C. 130(f), 23 U.S.C. 133(d)(1) as in effect prior to the date of enactment of Public Law 109-59, the first sentence of 23 U.S.C. 133(d)(3)(A), 23 U.S.C. 104(b)(5), or 23 U.S.C. 163 as in effect prior to the enactment of Public Law 109-59.

ADMINISTRATIVE PROVISIONS—FEDERAL
HIGHWAY ADMINISTRATION
(INCLUDING RESCISSIONS)

SEC. 120. (a) For fiscal year 2007, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; the highway use tax evasion program; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute \$2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under

the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than \$2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to \$639,000,000 for each of fiscal years 2005, 2006 and 2007; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall

apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 120.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, this provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

The Chair finds that this section imparts direction to the executive. The

section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 122. Notwithstanding any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2007 shall be apportioned to the States in accordance with section 1105(f) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59; 119 Stat. 1144, 1166), except that before allocations in accordance with section 1105(f)(3) of such Act are made, \$300,000,000 shall be set aside for the Transportation, Community, and System Preservation Program under section 1117 of such Act (119 Stat. at 1177-1179) and administered in accordance with section 1117(g)(2) of such Act.

SEC. 123. Notwithstanding any other provision of law, funds provided in Public Law 102-143 in the item relating to "Highway Bypass Demonstration Project" shall be available for the improvement of Route 101 in the vicinity of Prunedale, Monterey County, California.

SEC. 124. Of the unobligated balances made available under Public Law 101-516, Public Law 102-143, Public Law 102-240, Public Law 103-331, Public Law 105-178, Public Law 106-346, Public Law 107-87, and Public Law 108-7, \$12,177,193.53 are rescinded.

SEC. 125. Of the unobligated balances made available under section 188(a)(1) of title 23, United States Code, as in effect prior to the date of enactment of Public Law 109-59, and under section 608(a)(1) of such title, \$100,000,000 are rescinded.

SEC. 126. Of the amounts made available under section 104(a) of title 23, United States Code, \$14,460,721 is rescinded.

SEC. 127. Of the unobligated balances made available for fiscal year 2005, under title 5 of Public Law 109-59, for the implementation or execution of programs for transportation research, \$37,815,112 is rescinded.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 127.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, this provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

Under clause 2(b) of rule XXI, the Committee on Appropriations may recommend rescissions only of appropriations that were contained in prior appropriations Acts, but not rescissions of contract authority that is contained in other laws.

Therefore, the point of order is sustained. The section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 128. Notwithstanding any other provision of law, funds provided under section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106-346, 114 Stat. 1356, 1356A-41), for the reconstruction of School Road East in Marlboro Township, New Jersey, shall be available for the Spring Valley Road Project in Marlboro Township, New Jersey.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available or limited by this Act shall be used for (1) the development, planning, design, or construction of a bridge joining the Island of Gravina to the Community of Ketchikan, Alaska; (2) the development, planning, design, or construction of the Knik Arm Bridge, Alaska; or (3) any administrative expense of the Federal Highway Administration to provide payment or reimbursement for any expense incurred by the State of Alaska in carrying out an activity described in paragraph (1) or (2).

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109-59, \$294,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of \$294,000,000, for "Motor Carrier Safety Grants"; of which \$197,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; \$25,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; \$32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; \$5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; \$25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109-59; \$3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109-59; and \$7,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution, and administration of the motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109-59, \$223,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended:

Provided, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of \$223,000,000, for "Motor Carrier Safety Operations and Programs", of which \$10,296,000, to remain available for obligation until September 30, 2009, is for the research and technology program and \$1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109-59: *Provided further*, That none of the funds under this heading for outreach and education shall be available for transfer.

MOTOR CARRIER SAFETY
(HIGHWAY TRUST FUND)
(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, \$27,122,669 in unobligated balances are rescinded.

NATIONAL MOTOR CARRIER SAFETY PROGRAM
(HIGHWAY TRUST FUND)
(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, \$3,419,816 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107-87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 105-59, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, \$122,000,000, of which \$48,405,000 shall remain available until September 30, 2009: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, \$107,750,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2007, are in excess of \$107,750,000 for programs authorized under 23 U.S.C. 403.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, \$6,772,751 in unobligated balances are rescinded.

NATIONAL DRIVER REGISTER
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, \$4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$4,000,000 for the National Driver Register authorized under chapter 303 of title 49, United States Code.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, \$8,553 in unobligated balances are rescinded.

HIGHWAY TRAFFIC SAFETY GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109-59, to remain available until expended, \$587,750,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2007, are in excess of \$587,750,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109-59, of which \$220,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; \$25,000,000 shall be for "Occupant Protection Incentive Grants" under 23 U.S.C. 405; \$124,500,000 shall be for "Safety Belt Performance Grants" under 23 U.S.C. 406; \$34,500,000 shall be for "State Traffic Safety Information System Improvements" under 23 U.S.C. 408; \$125,000,000 shall be for "Alcohol-Impaired Driving Countermeasures Incentive Grant Program" under 23 U.S.C. 410; \$17,750,000 shall be for "Administrative Expenses" under section 2001(a)(11) of Public Law 109-59; \$29,000,000 shall be for "High Visibility Enforcement Program" under section 2009 of Public Law 109-59; \$6,000,000 shall be for "Motorcyclist Safety" under section 2010 of Public Law 109-59; and \$6,000,000 shall be for "Child Safety and Child Booster Seat Safety Incentive Grants" under section 2011 of Public Law 109-59: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-Impaired Driving Countermeasures Grants" shall be available for technical assistance to the States: *Provided further*, That not to exceed \$750,000 of the funds made available for the "High Visibility Enforcement Program" shall be available for the evaluation required under section 2009(f) of Public Law 109-59.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, \$5,646,863 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—NATIONAL
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional \$130,000

shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

FEDERAL RAILROAD ADMINISTRATION
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$150,083,000, of which \$13,870,890 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$34,650,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT
PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2007.

CAPITAL AND DEBT SERVICE GRANTS TO THE
NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure owned by the National Railroad Passenger Corporation, including railroad equipment, rolling stock, legal mandates and other services, \$500,000,000, to remain available until expended, of which not to exceed \$280,000,000 shall be for debt service obligations: *Provided*, That the Secretary of Transportation shall approve funding for capital expenditures, including advance purchase orders, for the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific capital grant justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the National Railroad Passenger Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation and on the National Railroad Passenger Corporation's fiscal year 2007 business plan.

EFFICIENCY INCENTIVE GRANTS TO THE
NATIONAL RAILROAD PASSENGER CORPORATION
(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be made available to the Secretary for efficiency incentive grants to the National Railroad Passenger Corporation, \$400,000,000, to remain available until expended: *Provided*, That the Secretary may make grants to the National Railroad Passenger Corporation for an additional sum for operating subsidies at any time during the fiscal year for the purpose of maintaining the operation of existing or new Amtrak routes: *Provided further*, That nothing in the previous proviso should be interpreted either to encourage or discourage the Corporation with respect to adjusting existing routes or frequencies: *Provided further*, That the Secretary of Transportation shall

reserve \$60,000,000 of the funds provided under this heading and is authorized to transfer such sums to the Surface Transportation Board, upon request from said Board, to carry out directed service orders issued pursuant to section 11123 of title 49, United States Code, to respond to the cessation of commuter rail operations by the National Railroad Passenger Corporation: *Provided further*, That the Secretary of Transportation shall make the reserved funds available to the National Railroad Passenger Corporation through an appropriate grant instrument not earlier than September 1, 2007 to the extent that no directed service orders have been issued by the Surface Transportation Board as of the date of transfer or there is a balance of reserved funds not needed by the Board to pay for any directed service order issued through September 30, 2007: *Provided further*, That upon the receipt and approval of Amtrak's fiscal year 2007 business plan and if the Secretary deems it in the best interests of the transportation system, in his sole discretion, the Secretary may make grants to the Corporation at such times and in such amounts for intercity passenger rail, including coverage of operating losses of the Corporation: *Provided further*, That the Secretary shall approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That the Corporation is directed to achieve savings through the operating efficiencies including, but not limited to, modifications to food and beverage service and first class service and efficiencies in overhead: *Provided further*, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning three months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That if the Inspector General cannot certify that the Corporation has achieved operational savings by July 1, 2007, none of the funds in this Act may be used after July 1, 2007, to subsidize the net losses of food and beverage service and sleeper car service on any Amtrak route: *Provided further*, That not later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a detailed plan to improve the financial performance of food and beverage service and a detailed plan to improve the financial performance of first class service (including sleeping car service) so that these services are revenue neutral or better on a fully allocated cost basis no later than October 1, 2008: *Provided further*, That these plans shall include milestones and target dates for implementation and projected cost savings in fiscal years 2007 and 2008 and that Amtrak shall report quarterly to the House and Senate Committees on Appropriations on its progress in implementing these plans, quantify savings realized to date on a monthly basis compared to those projected in the plans, identify any changes in the plans or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: *Provided further*, That not later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a report on its overhead expenses as of October 1, 2006, identifying those that are directly associated with a specific route or group of routes or lines of

business and those system overhead expenses not directly charged to specific trains, routes or other lines of business, and a plan to reduce system overhead expenses by 10 percent annually through strategic investments, transfer of responsibilities to entities that request Amtrak provide specific services, and other measures: *Provided further*, That as part of its report and plan to reduce overhead expenses, Amtrak shall include a report on the expenses associated with intercity passenger rail reservations and ticketing, including a comparison of such expenses to those associated with domestic airlines and intercity bus service, and a plan, including milestones and target dates, for reducing the expenses associated with its reservations and ticketing including technology enhancements, the use of electronic ticketing, and such other measures that will result in expense savings, enhanced revenue, and assure accurate manifests of passengers on specific trains at all times: *Provided further*, That not later than October 1, 2008, Amtrak shall reduce its system overhead expenses by 10 percent from the level identified as existing on October 1, 2006, and in each subsequent fiscal year, reduce system overhead expenses by 10 percent of the level existing on October 1 of the immediate preceding year: *Provided further*, That if the Inspector General deems it necessary for the continued development and implementation, not less than \$5,000,000 of the funds provided under this section shall be expended for the managerial cost accounting system, which includes average and marginal unit cost capability: *Provided further*, That within 30 days of the development of the managerial cost accounting system, the Department of Transportation's Inspector General shall review and comment to the Secretary and the House and Senate Committees on Appropriations upon the strengths and weaknesses of the system and how it best can be implemented to improve decision making by the Board of Directors and management of the Corporation: *Provided further*, That no later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a detailed plan, including milestones, target dates and cost estimates, to improve its management cost accounting system and integrate such system with the Corporation's other processes including budgeting, financial forecasting and modeling, and accounting, to permit more informed decisions by management and the Board of Directors as to the financial ramifications of proposed changes to routes and services: *Provided further*, That, as part of the plan to improve its management cost accounting system, Amtrak shall include a plan to improve or replace the Corporation's Route Profitability System (RPS) to provide more current, accurate, and clear information on revenues and expenses on all of the Corporation's routes and services, including the allocation of expenses not directly charged to specific trains, routes, or other business lines: *Provided further*, That not later than 60 days after the enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2007 under 49 U.S.C. 24104(a): *Provided further*, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: *Provided further*, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak

service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by the business plan: *Provided further*, That the Corporation shall continue to provide monthly reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That none of the funds in this Act may be used for operating expenses, including advance purchase orders, not approved by the Secretary and in the Corporation's fiscal year 2007 business plan: *Provided further*, That the Corporation shall display the business plan and all subsequent supplemental plans on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue to abide by the provisions of paragraphs 1, 2, 3, 5, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That the Secretary may, at his discretion, condition the award of efficiency incentive grant funds on reform requirements for the Corporation and his assessment of progress towards such reform requirements: *Provided further*, That none of the funds provided in this Act may be used after March 1, 2006, to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal, peak fare.

ADMINISTRATIVE PROVISIONS—FEDERAL
RAILROAD ADMINISTRATION

SEC. 150. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

FEDERAL TRANSIT ADMINISTRATION
ADMINISTRATIVE EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$85,000,000: *Provided*, That of the funds available under this heading, not to exceed \$1,063,000 shall be available for the Office of the Administrator; not to exceed \$7,654,000 shall be available for the Office of Administration; not to exceed \$4,273,000 shall be available for the Office of the Chief Counsel; not to exceed \$1,394,000 shall be available for the Office of Communication and Congressional Affairs; not to exceed \$8,403,000 shall be available for the Office of Program Management; not to exceed \$9,259,000 shall be available for the Office of Budget and Policy; not to exceed \$4,876,000 shall be available for the Office of Demonstration and Innovation; not to exceed \$3,272,000 shall be available for the Office of Civil Rights; not to exceed \$4,718,000 shall be available for the Office of Planning; not to exceed \$22,420,000 shall be available for regional offices; and not to exceed \$17,668,000 shall be available for the central account: *Provided further*, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: *Provided further*, That no appropriation

for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: *Provided further*, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, \$2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: *Provided further*, That upon submission to the Congress of the fiscal year 2008 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2008.

FORMULA AND BUS GRANTS
(LIQUIDATION OF CONTRACT AUTHORITY)
(LIMITATION ON OBLIGATIONS)
(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105-178, as amended, \$3,925,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105-178, as amended, shall not exceed total obligations of \$7,262,775,000 in fiscal year 2007: *Provided further*, That \$28,660,920 in unobligated balances are cancelled.

RESEARCH AND UNIVERSITY RESEARCH
CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312-5315, 5322, and 5506, \$65,000,000, to remain available until expended: *Provided*, That \$9,300,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, \$4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, \$7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That \$49,400,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS
(INCLUDING RESCISSION)

For necessary expenses to carry out section 5309 of title 49, United States Code, \$1,566,000,000, to remain available until expended: *Provided*, That \$17,760,000 in unobligated balances are cancelled.

ADMINISTRATIVE PROVISIONS—FEDERAL
TRANSIT ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds made available by this Act under "Federal Transit Administration, Capital investment grants" and bus and bus facilities under "Federal Transit Administration, Formula and Bus Grants" for projects

specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2009, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2006, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. During fiscal years 2007 and 2008, each Federal Transit Administration grant for a project that involves the acquisition of rehabilitation of a bus to be used in public transportation shall be for 100 percent of the net capital costs of a factory-installed or retrofitted hybrid electric propulsion system and any equipment related to such a system: Provided, That the Secretary shall have the discretion to determine, through practicable administrative procedures, the costs attributable to the system and related equipment.

SEC. 164. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading "Federal Transit Administration, Capital Investment Grants" in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects for activities eligible in the year the funds were appropriated.

SEC. 165. Hereinafter, the non-Federal share of the net project cost of the San Gabriel Valley Metro Gold Line connecting Los Angeles, South Pasadena and Pasadena shall be counted toward satisfying the Federal matching requirements under 49 U.S.C. 5309 on any phase of the San Gabriel Valley Gold Line Foothill Extension continuing from Pasadena to Montclair.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, \$17,425,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

MARITIME ADMINISTRATION MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$154,440,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$116,442,000, of which \$24,009,000 shall remain available until September 30, 2007, for salaries and benefits of employees of the United States Merchant Marine Academy; of which \$14,850,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which \$7,920,000 shall remain available

until expended for the State Maritime Schools Schoolship Maintenance and Repair.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$25,740,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS AND RESCISSION)

For administrative expenses to carry out the guaranteed loan program, not to exceed \$3,317,000, which shall be transferred to and merged with the appropriation for Operations and Training: Provided, That of the unobligated balances available under this heading, \$2,000,000 are cancelled.

NATIONAL DEFENSE TANK VESSEL CONSTRUCTION PROGRAM (RESCISSION)

All unobligated balances under this heading are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.), or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, \$17,721,000, of which \$639,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$27,225,000, of which \$2,111,000 shall remain available until September 30, 2009: Provided, That up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY (PIPELINE SAFETY FUND) (OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990,

\$75,735,000, of which \$18,810,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2009; of which \$56,925,000 shall be derived from the Pipeline Safety Fund, of which \$24,000,000 shall remain available until September 30, 2009: Provided, That not less than \$1,000,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS (EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), \$198,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2008: Provided, That not more than \$28,328,000 shall be made available for obligation in fiscal year 2007 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)-(c): Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, \$6,367,000, of which \$1,120,000 shall remain available until September 30, 2009: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$64,143,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: Provided further, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$25,618,000: Provided, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2007, to result in a final appropriation from the general fund estimated at no more than \$24,368,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION (INCLUDING TRANSFER OF FUNDS)

SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase

of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Research and University Research Centers" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 187. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling \$1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 188. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 189. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided*, That the Secretary shall report annually to the House and Senate Committees on Appropriations the amount and reasons for these transfers: *Provided further*, That for purposes of this section, the term "improper payments", has the same meaning as that provided in section 2(d)(2) of Public Law 107-300.

This title may be cited as the "Department of Transportation Appropriations Act, 2007".

TITLE II

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, \$223,786,000, of which not to exceed \$8,760,000 is for executive direction program activities; not to exceed \$8,741,000 is for general counsel program activities; not to exceed \$41,947,000 is for economic policies and programs activities; not to exceed \$27,086,000 is for financial policies and programs activities; not to exceed \$45,401,000 is for terrorism and financial intelligence activities; not to exceed \$18,534,000 is for Treasury-wide management policies and programs activities; and not to exceed \$73,317,000 is for administration programs activities: *Provided*, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any program activity shall be increased or decreased by more than three percent by all such transfers: *Provided further*, That any change in funding greater than three percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That of the amount appropriated under this heading, not to exceed \$3,000,000, to remain available until September 30, 2008, for information technology modernization requirements; not to exceed \$100,000 for official reception and representation expenses; and not to exceed \$258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: *Provided further*, That of the amount appropriated under this heading, \$5,114,000, to remain available until Sep-

tember 30, 2008, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other provided in this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, \$34,032,000, to remain available until September 30, 2009: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, not to exceed \$2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed \$100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, \$17,352,000, of which not to exceed \$2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed \$6,000,000 for official travel expenses; and not to exceed \$500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, \$136,469,000; and of which not to exceed \$1,500 shall be available for official reception and representation expenses.

AIR TRANSPORTATION STABILIZATION PROGRAM ACCOUNT

In fiscal year 2007, the Air Transportation Stabilization Board may charge fees to a borrower for the costs to the Air Transportation Stabilization Board associated with bankruptcy proceedings of the borrower. Such fees shall be collected and deposited in the Air Transportation Stabilization Program Account, to be available for such costs.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed \$14,000 for official reception and representation expenses; and for assistance to

Federal law enforcement agencies, with or without reimbursement, \$84,066,000, of which not to exceed \$14,012,000 shall remain available until September 30, 2009; and of which \$8,651,000 shall remain available until September 30, 2008: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

FINANCIAL MANAGEMENT SERVICE
SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, \$233,654,000, of which not to exceed \$9,220,000 shall remain available until September 30, 2009, for information systems modernization initiatives; and of which not to exceed \$2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE
BUREAU
SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, \$92,604,000; of which not to exceed \$6,000 for official reception and representation expenses; not to exceed \$50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2007 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed \$30,200,000.

BUREAU OF THE PUBLIC DEBT
ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, \$180,789,000, of which not to exceed \$2,500 shall be available for official reception and representation expenses, and of which not to exceed \$2,000,000 shall remain available until September 30, 2009, for systems modernization: *Provided*, That the sum appropriated herein from the general fund for fiscal year 2007 shall be reduced by not more than \$3,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2007 appropriation from the general fund estimated at \$177,789,000. In addition, \$70,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101-380.

COMMUNITY DEVELOPMENT FINANCIAL
INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103-325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3, \$40,000,000, to remain available until September 30, 2008, of which up to \$12,800,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to \$6,000,000 may be used for the cost of direct loans, and up to \$250,000 may be used for ad-

ministrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$11,000,000.

INTERNAL REVENUE SERVICE
TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$2,059,151,000, of which up to \$4,100,000 shall be for the Tax Counseling for the Elderly Program, and of which \$8,000,000 shall be available for low-income taxpayer clinic grants.

ENFORCEMENT
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$4,757,126,000, of which not less than \$55,584,000 shall be for the Interagency Crime and Drug Enforcement program: *Provided*, That up to \$10,000,000 may be transferred as necessary from this account to the Internal Revenue Service Operations Support appropriation solely for the purposes of the Interagency Crime and Drug Enforcement program: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to operate and support taxpayer services and tax law enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$3,438,404,000, of which \$1,447,451,000 shall be for information systems and telecommunications support; of which not to exceed \$1,000,000 shall remain available until September 30, 2009, for research; of which not to exceed \$1,500,000 shall be for the Internal Revenue Service Oversight Board; and of which not to exceed \$25,000 shall be for official reception and representation: *Provided*, That of the amount made available for information systems and telecommunication support, \$75,000,000 shall remain available until September 30, 2008, for information technology support.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service for the business systems modernization program, \$212,310,000, of which not less than \$167,310,000 shall remain available until September 30, 2009, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, in-

cluding contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That none of the funds for capital asset acquisition of information technology systems may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

□ 1815

AMENDMENT OFFERED BY MR. GARY G. MILLER
OF CALIFORNIA

Mr. GARY G. MILLER of California.
Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARY G. MILLER of California:

Page 73, line 8, after the first dollar amount, insert the following: "(reduced by \$15,000,000)".

Page 92, line 12, after the dollar amount, insert the following: "(increased by \$15,000,000)".

Mr. GARY G. MILLER of California.
Mr. Chairman, I have a modest amendment to ensure HUD can continue to work the redevelopment of brownfield sites to local communities.

I would like to commend Chairman KNOLLENBERG. I am on the Financial Services Committee and Transportation Committee, and he has worked very hard and responsibly to fund the Nation's housing and transportation needs during this very, very tight budget year. I am pleased that the bill boosts highway spending, supports aviation, addresses America's critical housing needs, supports national anti-drug efforts.

This amendment today basically keeps the BEDI program going, which redevelops brownfields through the HUD administration. The estimate is 450,000 vacant sites lay idle throughout this country. They are underused industrial sites as a result of environmental contamination caused by chemical compounds and other hazardous substances.

The basic year's budget transfers all the funding to EPA. EPA has a completely different objective than HUD does through the BEDI Program. BEDI grants are basically used for economic development. We passed out a bill I offered last year, H.R. 280, that is in the Senate today to restructure the BEDI Program, making a simpler program more usable to local communities. Currently, to get a BEDI grant you have to apply for a section 108 loan, then in repayment you have to guarantee your CDBG funds and pledge those to repay that loan. Some communities don't receive CDBG funds directly, so they

could not apply for section 108. And the other communities who can, don't want to readily pledge those CDBG funds because many community organizations and efforts are undertaken with the utilization of these funds. These brownfield sites threaten our groundwater. They cost local communities jobs and revenues. It is estimated if we could clean these 450,000 brownfield sites up, it would generate an additional 550,000 jobs throughout this country and \$2.4 billion in new tax revenues for its cities and towns.

The communities I represent and communities throughout this country want this program. The problem they have had is it has been a complex program in the past. I thank Chairman KNOLLENBERG. Last year you accepted an amendment of mine which kept this program going. And the understanding I had was we need to do legislation to modify the program in order to make it more accessible to communities. We have done that. It passed out of this floor on unanimous consent. It is in the Senate currently. And we hope to have that addressed in the Senate and made into law so we can keep this viable program going.

EDDIE BERNICE JOHNSON has been a true partner working with me on this, and I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to begin by commending the gentleman from Michigan, Chairman KNOLLENBERG, and the ranking member, the gentleman from Massachusetts (Mr. OLVER), for their good work on this bill in the midst of an extremely tight budget environment. Both gentlemen have had to make some very unpopular decisions.

However, as I stated last year, eliminating the funding for brownfield redevelopment programs should be reconsidered. As a result, I rise today in strong support of the Miller-Johnson amendment to H.R. 5576.

Similar to last year, the gentleman from California and I offered this amendment today because we both feel that it is time for this body to get really serious about eliminating the Nation's estimated 500,000 brownfields.

The amendment increases the Department of Housing and Urban Development Brownfields Redevelopment Program account by \$15 million.

In its present form, H.R. 5576 provides no funding for a program that has helped to transform communities, large and small, throughout the country.

The amendment calls for a corresponding offset through a reduction of \$15 million within the Business Systems Modernization Account in the Treasury title. Currently, the Business Systems Modernization Account is \$45 million above the administration's request, and \$15.3 million above last year's request.

While I respect the committee's view that HUD funding is no longer essen-

tial or appropriate due to the EPA's expanded authority and increased appropriations, this is certainly a view that I do not share.

First of all, I believe it is important to note that there are clear distinctions between EPA's Brownfields Program relative to HUD's.

Although both are equally important, EPA's program focuses primarily on cleanup, whereas the focus of HUD's program is on redevelopment of brownfield sites once cleanup is complete.

It is true that the authority of the EPA has been expanded. However, the consistent and chronic underfunding of the Brownfields Program by the President and the Congress leave much to be desired in terms of corresponding appropriations.

In fact, appropriations for brownfields assessment and cleanup peaked.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. GARY G. MILLER of California was allowed to proceed for 30 additional seconds.)

Mr. GARY G. MILLER of California. I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Appropriations for brownfields assessment cleanup peaked at \$97.7 million in fiscal year 2002 and is only \$89 million in this year's interior and environment appropriations bill.

Last week before the Subcommittee on Water Resources and Environment, where I serve as ranking member, an EPA assistant administrator testified that for fiscal year 2006 EPA received nearly 700 proposals for Brownfield Grants. Unfortunately, EPA funded less than 45 percent of these.

Mr. Chairman, our communities are very deserving of these strong HUD-administered brownfields programs. If you watch the game tonight, look at the American Center. Oh, you won't see that one. It will be in Miami tonight. But that was a brownfield in Dallas.

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

I have always felt very strongly about Mr. MILLER and his ideas. I do have a problem with this particular amendment. I oppose any amendment to continue the Brownfields Program, which is recommended for elimination as part of a broad sweep of lower priority programs. We must reduce or eliminate these duplicative programs in order to free up the funds for the highest priorities in HUD, which is, among other things, assistance to extremely low-income families and restoring funds for community development.

Last year Congress recognized the lack of use of this program and rescinded \$10 million in unused prior-year appropriations. The money wasn't being spent.

The activities of the Brownfields Program remain, as they have been, eligible uses for CDBG funds. States and

communities can use these funds for this purpose if they choose to do so.

In addition, there are nearly two dozen Federal programs that can help communities in one way or another to assess, clean up and reuse brownfield sites.

EPA's Brownfield Program has awarded 883 assessment grants totaling \$225.4 million, 202 revolving loan fund grants totaling \$186.7 million, 238 cleanup grants totaling \$42.7 million.

By comparison, HUD's program has been extremely slow and funds are often used as a loan loss reserve, rather than as grants for reconstructing sites.

HUD grants are a tiny fraction of project development costs. They represent just 2.3 percent of the total development costs on average. For each HUD dollar, there was \$28 in private and \$12 in State and local funds committed with an average of five State, local, and private sources of funding or financing for each project. HUD funding is not critical to any decision to proceed with a project or makes any difference to the completion of a project.

This amendment, and we are being hit already early in title II, this amendment cuts the IRS's Business Systems Modernization Program by \$15 million. While it appears this account is \$45 million above the President's request, it is actually just a restructuring of the IRS accounts. In fact, BSM is currently funded below last year's level. Cutting this \$15 million will force IRS to lay off many of the 317 personnel. Let me repeat that: 317 personnel who are currently working on the BSM project, delaying all work on the modernization of IRS legacy systems.

So it is for those reasons that I urge a "no" vote on this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to make a final plea for this program. Even if there might be a few people less in these Departments, it does not compare with what a small investment does to get rid of brownfields anywhere they are, because once this property is put back on the tax rolls, it generates more than ever than what is put into it.

□ 1830

And I want to express my appreciation to Mr. KNOLLENBERG because he has been helpful. But I would make a plea that this is a lot larger than what was requested, and that is the reason why we chose to take it from there.

We all have to tighten our belts. We all have to give up a little more than what we had. But I can assure you that allowing property to not be on a tax roll will go a lot longer way when you put the money there, just a small amount of money, than doing without two or three staff people.

I just imagine that any Department in this Nation can function with just a

few less staff than what they have now and do the same job. If we cannot, then we are not doing as well as the private industry because they have cut half of their staff and are still doing the same job. That is called higher productivity, and maybe that is what we need in some of these Departments is higher productivity, while half of the people at home and the other half are doing the full job. But this will offer jobs. It puts property back onto the tax rolls by allowing it to be redeveloped, and I do not know a single city or rural area that could not use a little brownfield encouragement through their funds.

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

Mr. Chairman, I would just like to point out that this is the second year in a row that we have had this discussion, and it is predicated on the idea that somewhere there is a sense that the EPA has a program for brownfields that does the same thing that this HUD program for brownfields does.

Now, to the very best of my knowledge, and very recently rechecked, the EPA does assessments of hazardous materials on old industrial sites but does nothing to redevelop those sites so that this program is, to the best of my knowledge, the only place that we have done redevelopment of otherwise old hazardous material sites, industrial sites that can be put back into use.

Now, last year, even though it had been zeroed out, we ended up with a final budget of \$9.9 million by amendment adopted on the floor. The offset here is an unpalatable offset. But, again, my belief is that the Brownfields Program is at least as important as the IRS Business Systems Program. If this amendment is defeated, I will assure the gentlewoman from Texas that I will do my best to see that something better comes out of the final process and the conference process on this legislation.

In the meantime, I will join her in support of the legislation.

Ms. WATERS. Mr. Chairman, I rise to support the Miller Brownfields amendment. The Amendment provides \$15 million in funding for the Brownfields program.

Again, let me thank the Chairman of the Subcommittee, JOE KNOLLENBERG and the Ranking Member, JOHN W. OLVER, for their work on this bill. HUD programs, however, have witnessed major cuts over the past several years. What I find interesting about this bill is that it does not provide any funding for the Brownfields Economic Development Initiatives (BEDI) program, but instead includes Brownfields redevelopment as an eligible activity under the Community Development Block Grant (CDBG) program. Of course, this does not take into account the existence of numerous Brownfields sites across the country. These sites are often located in strategically important areas of a city or county, where economic development projects have been planned. Without funding for the Brownfields program many of these projects will not be undertaken.

The estimate of the number of vacant and underused sites around the U.S. is more than

500,000. If we could put these sites into productive economic development uses we stand to increase jobs by 500,000 million, while generating \$2.4 billion in new tax revenues. The Brownfields program that I would like to see funded is truly an economic development tool that has been very effective in assisting communities to reclaim important parcels of underused land. To the extent that we eliminate funding for the BEDI program we will seriously undermine economic development efforts across-the-board. In the City of Los Angeles and in Los Angeles County, the BEDI program supports a wide variety of projects, including developments with a strong business attraction, expansion and/or retentions component, as well employment creation.

One example is the use of a \$1.75 million BEDI grant that was used to convert a contaminated 130 acre oil production and storage site facility into a warehouse and distribution center, which produced 679 jobs—the City of Sante Fe Springs Golden Springs Development Park.

As many of you know, the House last year unanimously approved an amendment to provide \$24 million for Brownfields, and the conference report provided \$10 million. In addition, the House recently passed H.R. 280, the Brownfields Redevelopment Enhancement Act to provide greater access to the BEDI program.

Whether you agree with the \$15 million funding level is not important. What is really critical is that the program be in place to continue to assist communities to clean-up the mess made by industry, as well as the inadequate federal response. Many communities are at a critical stage in revitalizing themselves. A major tool at their disposal has been the BEDI program. As such, I urge your support for the Miller amendment.

Mr. PASCRELL. Mr. Chairman, I rise in strong support of the Miller-Johnson amendment to restore funding for the HUD Brownfields program.

I want to congratulate the gentleman from California for his amendment. As a former mayor, I believe that this amendment will have a very positive impact on our Nation's cities.

Since the inception of its Brownfield programs, the federal government has allocated over \$800 million in brownfield assessment and cleanup funds.

In addition, this investment has leveraged over \$8 billion in cleanup and redevelopment dollars, a better than 10-to-1 return on investment. It has resulted in the assessment of more than 8,000 properties and helped create over 37,000 jobs.

This is because EPA and HUD grants work in conjunction with funding from state, local and private sources to address cleanup of brownfield sites.

Brownfields sites include inactive factories, gas stations, salvage yards, and abandoned warehouses.

These sites drive down property values, provide little or no tax revenue, and contribute to community blight.

HUD's brownfields program serves as a catalyst to spur private sector investment, job creation and economic development in communities.

HUD's program supports sustainable economic development that leverages investments from other public and private sources.

In comments from last year's floor debate, an opponent of the HUD Brownfields program

stated that "HUD funds on average are just about 2.3 percent of the total development cost of each project. Moreover, for each HUD dollar, there are \$28 in private and \$12 in State and local funds committed to the project."

These statistics were cited as a reason to eliminate the HUD Brownfields program, but instead they demonstrate its unique value.

An initial influx of capital is often the greatest barrier to remediation of brownfields sites, and HUD's program provides that essential start up money.

The HUD program has been remarkably effective at leveraging private and local financial resources to achieve new successes on old properties.

This is an exciting time in the brownfields marketplace. Federal brownfields programs have provided the foundation on which state initiatives have flourished.

New Jersey has taken the lead creating a Federal Brownfields Inter-Agency Working Group comprised of 14 federal and state agencies.

This unprecedented coordination of agencies, community partners and private investors has enabled New Jersey to solve environmental problems while providing businesses a place to locate, create jobs, build housing and entertainment venues—all without having to go into farmlands and areas with open space.

This new business activity, housing or other types of redevelopment can restore the proud heritage of successful enterprise to our historic cities and other locales.

Throughout New Jersey and the country, there are thousands of abandoned structures that were once thriving businesses, often part of large industrial centers.

Economic development matched with environmental cleanup has resulted in the rebirth of many industrial and commercial properties and surrounding neighborhoods.

Anyone who cares about our nation's cities celebrates these successes, and welcomes the flexibility of the program. HUD's particular expertise in incorporating brownfields remediation into a larger strategy for economic development and community revitalization is essential to the success we have had and will continue to have in the future.

I urge my colleagues to support this very worthwhile amendment to restore funding for the HUD Brownfields program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

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

Mr. GARY G. MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMMONS) having assumed the chair, Mr. DREIER, 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. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5576 in the Committee of the Whole pursuant to House Resolution 865, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

an amendment by Ms. HARRIS or Mr. DAVIS of Alabama regarding funding for Public Housing Capital Fund, which shall be debatable for 20 minutes;

an amendment by Mr. FRANK of Massachusetts regarding funding limitation on tenant-based section 8 vouchers, which shall be debatable for 20 minutes;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. KUCINICH regarding certain IRS enforcement activities;

an amendment by Mr. AL GREEN of Texas regarding funding for the HUD-FHIP program;

an amendment by Mr. GARY G. MILLER of California regarding funding for the HUD Community Development Fund;

an amendment by Mr. THOMAS regarding section 209 of this bill;

an amendment by Mr. NADLER regarding the funding level for tenant-based section 8 vouchers;

an amendment by Mr. INSLEE regarding funding level for the Public Housing Capital Fund;

an amendment by Mr. NADLER regarding the funding level for the HOPWA program;

an amendment by Ms. JACKSON-LEE of Texas to change the funding availability for the HOME downpayment assistance program;

an amendment by Mr. JINDAL to make eligible certain individuals for HUD project-based rental assistance;

an amendment by Ms. HARRIS regarding funding levels for the HUD Elderly and Disabled program;

an amendment by Ms. JACKSON-LEE of Texas regarding eligibility for HUD elderly housing;

an amendment by Ms. SLAUGHTER regarding the funding level for HUD lead-based paint activities;

an amendment by Ms. MILLENDER-MCDONALD regarding Election Assistance College Poll Work Program;

an amendment by Mr. FRANK of Massachusetts regarding section 325 of this bill;

an amendment by Ms. WATERS regarding funding for HUD section 108 loan guarantee program;

an amendment by Mr. SHAYS regarding the Privacy and Civil Liberties Board;

an amendment by Mr. SHAYS regarding the Privacy and Civil Liberties Board;

an amendment by Ms. HOOLEY regarding funding for HIDTA program;

an amendment by Mrs. MALONEY regarding the Privacy and Civil Liberties Board;

an amendment by Mr. WYNN regarding funding level for OPM administrative expense;

an amendment by Mr. BAIRD regarding funding limitation on transportation projects that fail to comply with section 1928 of SAFETEA-LU;

an amendment by Mr. BISHOP of New York regarding the 10th anniversary of TWA Flight 800;

an amendment by Mr. CLEAVER regarding item No. 87 of section 1702 of SAFETEA-LU;

an amendment by Mr. CUELLAR regarding limitation on obligations;

an amendment by Ms. DELAURO regarding funding limitation on corporate expatriation;

an amendment by Mr. DOOLITTLE regarding funding limitation on FEC certifications;

an amendment by Mr. ENGEL regarding funding limitation on purchase of alternative fuel vehicles;

an amendment by Mr. FLAKE regarding funding limitation on Monterey Bay Sanctuary Scenic Trail in California;

an amendment by Mr. FLAKE regarding funding limitation on Fairfax County Virginia Park Authority field improvements in Annandale, Virginia;

an amendment by Mr. FLAKE regarding funding limitation on Strand Theater Arts Center in Plattsburg, New York;

an amendment by Mr. FLAKE regarding funding limitation on William Faulkner Museum in Oxford, Mississippi;

an amendment by Mr. FLAKE regarding funding limitation on multipurpose facility in Yucaupa, California;

an amendment by Mr. FLAKE regarding funding limitation on renovations to a city-owned pool in Banning, California;

an amendment by Mr. FLAKE regarding funding limitation on Agricenter Interchange in Tulare, California;

an amendment by Mr. FLAKE regarding funding limitation on Fairmont Gateway Connector System in West Virginia;

an amendment by Mr. FLAKE regarding funding limitation on road improvements in Monroe County, New York;

an amendment by Mr. FLAKE regarding funding limitation on the Bakersfield Beltway system in California;

an amendment by Mr. FLAKE regarding funding limitation on construction on the Spirit of South Carolina in Charleston;

an amendment by Mr. FLAKE regarding funding limitation on facilities construction in Weirton, West Virginia;

an amendment by Mr. FLAKE regarding funding limitation on construction of an Audubon Nature Center in Columbus, Ohio;

an amendment by Mr. FLAKE regarding funding limitation on religious activities in Cuba;

an amendment by Mr. GARRETT of New Jersey regarding travel to overseas conferences;

an amendment by Mr. GARRETT of New Jersey regarding a study on State transportation funding;

an amendment by Mr. GORDON regarding funding limitation on energy efficiency;

an amendment by Mr. HASTINGS of Florida regarding TRACON consolidation in high-threat urban areas;

an amendment by Mr. HEFLEY regarding reduction of funds;

an amendment by Ms. JACKSON-LEE of Texas regarding denial of noise mitigation grants;

an amendment by Ms. JACKSON-LEE of Texas regarding regulations on noise mitigation;

an amendment by Mr. KENNEDY of Minnesota regarding funding limitation on FTA ratings system on the Northstar Corridor Rail project;

an amendment by Mr. KING of Iowa regarding funding limitation on naming of certain public works projects or programs;

an amendment by Mr. KING of Iowa regarding funding limitation on contracting practices based on racial preferences;

an amendment by Mr. KING of Iowa regarding funding limitation on construction of a center in Los Angeles;

an amendment by Mr. KIRK regarding funding limitation on certain bridge construction in Alaska;

an amendment by Ms. LEE regarding funding limitation on restrictions on education travel to Cuba;

an amendment by Mr. LIPINSKI regarding funding for rail line relocation program;

an amendment by Mr. MCHENRY regarding funding limitation on an interchange located at exit 131 in Catawba County, North Carolina;

an amendment by Mr. MORAN of Kansas regarding funding limitation on restrictions on agricultural trade with Cuba;

an amendment by Mr. OBERSTAR regarding funding limitation on implementation of a final rule on certain air carriers;

an amendment by Mr. RANGEL regarding funding limitation on enforcement of economic embargo of Cuba;

an amendment by Mr. TIAHRT regarding competitiveness of U.S. businesses;

an amendment by Mr. TIAHRT regarding IRS services; and

an amendment or amendments by Mr. KNOLLENBERG regarding funding in the bill.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Transportation, Treasury, and Housing and Urban Development, Judiciary, District of Columbia, and independent agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I simply under the reservation would like to point out to the House that if this is strictly adhered to, there are 67 amendments that are provided for under this UC request. It will take approximately 11 hours just for the debate time, not allowing for slippage, not allowing for other Members yielding or the natural sliding that we have in the House. That means that it will take at least 13 to 14 hours to finish these amendments plus the time that is needed for voting.

Assuming that only one-third of these amendments are put to a record vote, we could have a total of around 16 to 17 hours before this bill is finished. That will certainly take us through tonight, all of tomorrow, and well into Friday and perhaps beyond. So I would ask Members to again think through whether or not they feel the need to offer every one of these amendments. If they are, we will be here for a long, long time with other competing business being squeezed to the end of the week.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

TRANSPORTATION, TREASURY,
HOUSING AND URBAN DEVELOPMENT,
THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 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. 5576.

□ 1845

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. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) had been postponed and the bill had been read through page 74, line 5.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

Page 73, line 8, insert after the first dollar amount the following: "(reduced by \$250,000)".

Page 190, line 10, insert after the first dollar amount the following: "(increased by \$250,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise today to offer this amendment to the Transportation-Treasury Appropriations bill for fiscal year 2007, to provide more funding for the training of college students to be poll workers.

As ranking member on the Committee on House Administration, I am pleased that the Appropriations Committee fully funded the budget request for the Election Assistance Commission, commonly referred to as EAC.

I am also pleased that the committee report suggests that \$250,000 of the EAC's funding be allocated to the College Worker's Poll Grant Program, authorized by the Help America Vote Act, HAVA.

However, Mr. Chairman, I do believe that this funding is not sufficient to meet the critical challenges facing the administration of elections in this country.

I am offering this amendment to increase the funding.

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

Ms. MILLENDER-MCDONALD. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I would be happy to accept your amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

HEALTH INSURANCE TAX CREDIT
ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107-210), \$14,846,000.

ADMINISTRATIVE PROVISIONS—INTERNAL
REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

SEC. 205. Of the funds made available by this Act to the Internal Revenue Service, not less than \$166,249,000 shall be available for operating expenses of the Taxpayer Advocate Service, of which not less than \$166,101,000 shall be made available from the "Taxpayer Services" account and \$148,000 shall be made available from the "Operations Support" account.

SEC. 206. None of the funds appropriated or otherwise made available by this or any other Act or source in this or any future fiscal year may be used to develop or provide taxpayers with free individual income tax

electronic preparation and filing products or services other than through the Free File program and the Internal Revenue Service's Taxpayer Assistance Centers, Tax Counseling for the Elderly, and volunteer income tax assistance programs: *Provided*, That no such funds may be used to develop or implement direct interactive online electronic individual income tax preparation or filing services or products, or a return-free system as described in section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998.

POINT OF ORDER

Mr. THOMAS. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. THOMAS. Mr. Chairman, I raise a point of order against section 206 of this bill, H.R. 5576, on the grounds that this provision violates clause 2(b) of House rule XXI, because it is legislation included in a general appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this section addresses funds in other Acts. As such, the section constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 207. Appropriations for the Internal Revenue Service for the taxpayer service and tax law enforcement programs for fiscal year 2007 and thereafter shall be made up of three accounts, "Taxpayer Services", "Enforcement", and "Operations Support" for fulfilling the taxpayer service and enforcement programs.

SEC. 208. Amounts made available for fiscal year 2007 under the "Taxpayer Services", "Enforcement", and "Operations Support" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Internal Revenue Service accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided*, That the limitation on transfers is 20 percent in fiscal year 2007.

SEC. 209. None of the funds made available in this Act may be used to enter into, renew, extend, administer, implement, enforce, or provide oversight of any qualified tax collection contract (as defined in section 6306 of the Internal Revenue Code of 1986).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 213. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 214. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the \$1 Federal Reserve note.

SEC. 215. The Secretary of the Treasury may transfer funds from Financial Management Services, Salaries and Expenses to Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 216. Section 122(g)(1) of Public Law 105-119 (5 U.S.C. 3104 note), is further amended by striking "8 years" and inserting "9 years".

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 218. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 219. Section 3333(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

"(3) The amount of the relief, and the amount of any relief granted to an official or agent of the Department of the Treasury under section 3527 of this title, shall be charged to the Check Forgery Insurance Fund under section 3343 of this title. A recovery or repayment of a loss for which replacement is made out of the fund shall be credited to the fund and is available for the purposes for which the fund was established."

This title may be cited as the "Department of the Treasury Appropriations Act, 2007".

TITLE III

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,776,400,000, to remain available until expended, of which \$11,576,400,000 shall be available on October 1, 2006, and \$4,200,000,000 shall be available on October 1, 2007: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$14,436,200,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2007 funding cycle shall provide renewal funding for each public housing agency based on the amount public housing agencies were eligible to receive in calendar year 2006, and by applying the 2007 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with deposits to Family Self-Sufficiency Program escrow accounts or the first-time renewal of tenant protection or HOPE VI vouchers: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso: *Provided further*, That up to \$100,000,000 shall be available for additional rental subsidy due to unforeseen exigencies as determined by the Secretary and for the one-time funding of housing assistance payments resulting from the portability provisions of the housing choice voucher program;

(2) \$149,300,000 for section 8 rental assistance for relocation and replacement of housing units under lease that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: *Provided*, That additional section 8 tenant protection rental assistance costs may be funded in 2007 by utilizing unobligated balances, including recaptures and carry-over, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing", the heading "Housing Certificate Fund", and the heading "Project-based rental assistance", for fiscal year 2006 and prior years notwithstanding the purposes for which such amounts were appropriated;

(3) \$47,500,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) \$5,900,000 shall be transferred to the Working Capital Fund; and

(5) \$1,137,500,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to \$20,000,000 to be for fees associated with section 8 tenant protection rental assistance: *Provided*, That \$1,107,500,000 of the amount provided in this paragraph shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2006: *Provided further*, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

AMENDMENT OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 80, line 24, after the dollar amount, insert the following: “(increased by \$70,000,000)”.

Page 80, line 25, after the dollar amount, insert the following: “(increased by \$70,000,000)”.

Page 81, line 3, after the dollar amount, insert the following: “(increased by \$70,000,000)”.

Page 113, line 16, after the dollar amount, insert the following: “(reduced by \$100,000,000)”.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, this amendment would increase funding for Section 8 housing vouchers by \$70 million to enable an additional 10,000 low-income families to afford safe, decent housing.

To offset this increase, the amendment cuts the Working Capital Fund for a poorly managed computer upgrade program. Even with the reduction, the bill would still provide \$94 million in working capital funds for IT projects in eight accounts scattered around the bill other than the Working Capital Fund itself.

We have a choice, Mr. Chairman. Do we want to help thousands of families obtain affordable housing, or do we think it is more important to have a somewhat faster computer upgrade in HUD? If we support American families, we should support this amendment.

We all understand the budget is extremely tight and that many programs are facing cuts. Our amendment, therefore, does not seek to restore the amount to the amount that the President recommended, which is \$144 million more than the committee recommends, it seeks merely to restore \$70 million, or about half of what the difference is to what the President recommended.

This is less than the bare minimum of what is needed. We have hundreds of thousands of families on waiting lists, waiting 8, 9, 10 years for decent housing for Section 8 vouchers.

This amendment will enable us to provide vouchers to about 10,000 of those families. That is our choice. The Section 8 housing voucher program provides safe, affordable housing to approximately 2 million American fami-

lies in urban and rural communities in our country.

Those vouchers are often the only resource for low-income families confronted by our Nation’s affordable housing crisis.

Mr. Chairman, many Republicans support this amendment. We passed a similar amendment last year with Republican support. 141 Members have signed a letter in support of fully funding the President’s request, which would be twice the size of this amendment. 225 Members, including 30 Republicans, voted for an essentially similar amendment last year.

I urge everyone on both sides of the aisle to vote for this amendment.

Finally, let me say that we may be told that the offset would leave no funds in the computer account. The fact is the committee has been very ingenious in squirreling away money in different accounts.

Mr. Chairman, I have here a list of all of the places in the bill where money is squirreled away for these computers. There is a total of \$194 million. With this amendment it would still leave \$94 million for this purpose.

Mr. Chairman, I thank the chairman. I urge everyone to vote for this amendment.

Mr. Chairman, I would offer this chart for the RECORD. I am pleased to announce also that the amendment has gained the support of the AARP and the National League of Cities. Once again, the choice is, will we provide 10,000 families with safe, decent housing, at the price of slightly slowing down a computerization program for the bureaucrats at HUD?

That is the choice. I hope everyone will vote yes on the Nadler-Velazquez Amendment.

Programs descriptions	Additional descriptions	Amount	Page/Line
Public Indian Housing	Tenant Based Rental Assistance	\$5,900,000	pg. 83 ln. 14.
Public Housing Capital Fund	Housing Opportunities for People with AIDS	14,850,000	pg. 86 ln. 1.
Community House and Development		1,485,000	pg. 92 ln. 4.
Home Investment Partnerships Program		3,465,000	pg. 94 ln. 22.
Homeless Assistant Grants		2,475,000	pg. 97 ln. 20.
Housing Programs Project Based Rental Assistance		3,960,000	pg. 99 ln. 24.
Housing for the Elderly		1,980,000	pg. 101 ln. 7.
Housing for Persons with Disabilities		990,000	pg. 102 ln. 5.
Federal Housing Administration	Mutual Mortgage Insurance Program Account	23,562,000	pg. 105 ln. 6.
General and Special Risk Program Account		10,692,000	pg. 106 ln. 22.
Management and Administration	Salaries and Expenses	15,000,000	pg. 112 ln. 25.
Working Capital Fund		100,000,000	pg. 113 ln. 16.
Section 325	Administrative Contract Expenses	10,000,000	pg. 133 ln. 21.
		\$194,359,000	

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

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, the bill before us fully funds the renewal of Section 8 vouchers. Additional funds, especially ones at the expense of critical programs, are simply not necessary. The cost of Section 8 vouchers are remaining constant and in some markets are actually decreasing.

As such, this funding level will not only maintain the current level of

vouchers, but also provide funds to restore vouchers that may have been lost in recent years.

The proposed reduction to the Working Capital Fund leaves a funding level that is not sufficient to support HUD’s existing needs and will cause delays in critically needed efforts to modernize antiquated legacy systems in such areas as HUD’s core financial systems and FHA mortgage program systems.

More importantly, the funds of the Working Capital Fund are the funds that ensure that HUD is able to make Section 8 payments on time. Ironically,

cutting this program to boost Section 8 will have a very real and negative impact on the Section 8 program.

So therefore, I must urge a no vote on this amendment.

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

Mr. NADLER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman has 2 minutes remaining.

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

Mr. Chairman, the fact is we have waiting lists in many of our cities of 8, 9, and 10 years for Section 8 vouchers.

We could do much, much more than this amendment would do and shorten these waiting lists to 5 and 6 years.

Mr. Chairman, it is wrong for low-income Americans to have to wait 8, 9 and 10 years for decent, safe housing. This amendment will go a little ways toward supplying that need.

The chairman says that the committee's proposal funds all of the Section 8 vouchers. It funds enough Section 8 vouchers to continue a waiting list of 8, 9, and 10 years.

Now, it is true the offset takes some money away from a computerization account at HUD, but it leaves \$94 million for that purpose. The computerization at HUD can go a little more slowly, and 10,000 additional families will have decent housing.

That is the choice. HUD can do, and do very well, with \$94 million for this computerization program squirreled away in different sections of the bill as I have here outlined.

But 10,000 families might not have to wait 9, 10 years for decent housing. Mr. Chairman, that is the choice in the amendment. That is why I urge everyone to vote for the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

□ 1900

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

HOUSING CERTIFICATE FUND
(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual contributions for assisted housing", the heading "Tenant-based rental assistance", and the heading "Project-based rental assistance", for fiscal year 2006 and prior years, \$2,000,000,000 is rescinded, to be effected by the Secretary no later than September 30, 2007: *Provided*, That, if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: *Provided further*, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission.

PUBLIC HOUSING CAPITAL FUND
(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States

Housing Act of 1937, as amended (42 U.S.C. 1437g) (the "Act") \$2,178,000,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2007, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount provided under this heading, up to \$10,890,000 shall be for carrying out activities under section 9(h) of such Act: *Provided further*, That up to \$14,850,000 shall be transferred to the Working Capital Fund: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further*, That of the total amount provided under this heading, up to \$19,800,000 shall be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 305 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal years 2007 and 2008: *Provided further*, That of the total amount provided under this heading, \$23,760,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That of the total amount provided under this heading up to \$7,920,000 is to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading up to \$15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC).

AMENDMENT OFFERED BY MR. DAVIS OF
ALABAMA

Mr. DAVIS of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DAVIS of Alabama:

Page 85, line 11, after the dollar amount, insert "(increased by \$30,000,000)".

Page 111, line 3, after the first dollar amount, insert "(reduced by \$30,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Alabama (Mr. DAVIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, thank you for the recognition. I have an amendment at the desk which is a repetition of a bipartisan amendment that was brought to the floor of the House a year ago, and it has to deal with the HOPE VI housing program. Many of our colleagues on both sides of the aisle have seen their districts benefit from HOPE VI.

It is a program that was launched under the George Herbert Walker Bush

administration. In fact, its chief architect was former Secretary of Housing and Urban Development Jack Kemp. It is a program which has been in place for 16 years now, and it has literally changed the face of public housing in numerous communities around our country.

I have seen it happen three times in Birmingham, Alabama and Tuscaloosa, Alabama. Abandoned, near dilapidated public housing projects, which had been given up, have now been turned into mixed-income developments. And whole communities of Birmingham and Tuscaloosa, which had been squandered, are now on the road toward economic revitalization and recovery.

That has been the story of Birmingham and Tuscaloosa. It has been a story that has spread all over this country.

When we brought this amendment to the floor last year, no less than 59 Republicans joined in support of it with 188 Democrats, one of the strongest levels of bipartisan support that any amendment has commanded. I simply ask the House to do essentially what it has done before.

The President attempted to zero out funding. The committee has not added funding. We propose to add \$30 million from the Administration and Management Fund to the Working Capital Fund. The reason, Mr. Chairman, that it goes in the Working Capital Fund is we have a reauthorization issue around HOPE VI. As of September 30, the program will have lapsed. It is our full expectation that it will be extended.

There has been a unanimous voice vote in the Financial Services Committee to reauthorize it, and there has been strong support on the other side of the Capitol in the Senate to reauthorize it. What we simply want to do is make sure that when the program is reauthorized, that the money is being held so these projects can go forward. \$30 million is a very conservative amount of money.

The average HOPE VI project is indeed around 20 or \$30 million. But what this commitment of resources will do is to in effect preserve the HOPE VI program and effectuate the intent of the Financial Services Committee that HOPE VI be reauthorized.

Let me thank someone who is not in the Chamber at this point, my colleague from Florida, Congresswoman KATHERINE HARRIS. She worked very hard to bring this amendment to the floor last year. She has worked very hard to give us support for it tonight. I certainly thank her for her bipartisan commitment.

But it is a very simple statement, Mr. Chairman. If we value a future for public housing, if we want to transform the lives of these communities, this is a small nominal amount in a massive Federal budget of \$3.7 trillion. It is literally a drop in the bucket, but it is a very meaningful drop in the bucket for many families who are living in urban centers all around this country.

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

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN (Mr. GOOD-LATTE). The gentleman from Michigan is recognized for 10 minutes.

Mr. KNOLLENBERG. HOPE VI was intended to demolish 100,000 units of severely distressed public housing units, and the program has accomplished that goal. However, there is currently \$80 million in unobligated funds going back as far as 10 years-plus. And get this, an additional \$2 billion remains in unexpended balances. That is money.

These unobligated and unexpended balances mean the program will be spending out for years to come. As of the end of fiscal year 2005, only 23 percent of all projects have been completed. We need to focus on completing what has already been approved, not adding to the already large backlog of unfinished work. Therefore, I urge a "no" vote on this amendment.

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

Mr. DAVIS of Alabama. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I just want to rise in support of the amendment. A number of us have worked hard for a number of different years to save, reauthorize, and fund the HOPE VI program.

The gentleman is right: they have funds in the process, but you can't revitalize communities overnight. They seem to have lost sight of the fact that it takes a long time to rebuild a community that starts off being dilapidated public housing. You have to tear it down, you have to enter into public-private ventures around that community to restore housing, and that takes time.

When people criticize the fact that there is money in the pipeline that has not been expended, that simply reaffirms the purpose for which HOPE VI was initiated in the first place, to restore communities, not to just build houses. That takes time. We need this money to continue the process.

Mr. DAVIS of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Ms. HARRIS) and thank her for her outstanding work on this issue.

Ms. HARRIS. Mr. Chairman, I rise today to offer an amendment with my friend and colleague from Alabama (Mr. DAVIS). This would restore the funding for the Department of Housing and Urban Development's HOPE VI programs.

Created in 1992 to renovate existing public housing sites and replace them with new mixed-income housing, the HOPE VI grant program has been remarkably successful at revitalizing some of our most troubled and distressed communities. We have all seen stories of the conditions that exist in public housing developments throughout the Nation, dilapidated buildings

and homes, infestations of insects and rodents, barely functional plumbing and sewage, high rates of violence and crime. These are the conditions that have overtaken too many of our public housing facilities, the conditions in which too many families are struggling to live and raise children.

This program is aptly named because hope is exactly what these grants bring to communities. I can speak firsthand of the outstanding results of this program. In the City of Bradenton, Florida, we have already been completely revitalized as a result of HOPE VI grants.

The result is Bradenton Village, a successful partnership between the local government, the private sector, and the Federal Government to restore and revitalize a community that only a few years ago was crumbling and suffering. Today, Bradenton Village is a vibrant and thriving area and a testament to HOPE VI grants. That success is not limited to Florida.

This remarkable program has been responsible for rebuilding substandard housing and replacing it with quality, affordable housing across the country. It is not just about bricks and mortar. By creating more options, giving a consumer more and better choices in housing, education, job training and job placement, HOPE VI grants transform lives.

If this amendment is adopted, the HOPE VI program can continue to deliver upon its promises. The Davis-Harris amendment seeks to restore \$30 million to the HOPE VI program so that they can continue in their mission of revitalizing American communities. This \$30 million is a far cry from the funding HOPE VI has received in the past; it is less than a third of the \$99 million that the program received last year, for example, but it is enough to keep the program alive so that we can continue to help these communities where it is making such a tremendous difference.

The amendment is fiscally responsible, as the \$30 million we are requesting for HOPE VI will be offset by reducing funding HUD's Management and Administrative Salaries and Expense Funds. Additionally, according to the Congressional Budget Office, the amendment budget authority is neutral and as a result, a net outlay savings of \$22 million.

I know some of my colleagues have been concerned about the administration of the HOPE VI program. There have been complaints that the funds are not dispersed as swiftly or as efficiently as they could be. I share some of those concerns, and I want to see the program operate at maximum efficiency and effectiveness.

If the management of the program can be made more effective, by all means let us make it more effective. But let us not give up on the program just when it is making a difference in people's lives. Let us not give up on HOPE VI. Let us not give up on the

strength and possibilities of our communities. I urge my colleagues to support the Davis-Harris amendment. Let us keep hope alive.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself the balance of my time.

Let me put several things in perspective. Mr. WATT made the obvious point that these projects take awhile to succeed. Therefore if we stop the funding flow, it will make it impossible for commitments to be made that have been kept.

Observation number two, we need this appropriation of funds to effectuate the intent of Congress. The committee that has jurisdiction over HOPE VI, the Financial Services Committee, has voted unanimously on a voice vote to reauthorize HOPE VI.

The Senate has expressed or manifested the same plan to reauthorize HOPE VI. If we don't put funding forward, the clear-cut congressional intent will be undercut in this instance.

Third of all, there is a strong, clear congressional intent from the last several budget cycles. Four times in a row now, the administration has tried to zero out HOPE VI. Every single time Congress has put it back.

The Senate had put \$100 million back last year. The House, in a strong bipartisan vote, put \$60 million back. We anticipate the Senate will put another significant amount back into this budget.

The next point, talk to the people who have seen this work on the ground. The League of Cities, a bipartisan collection of mayors and leaders of municipalities, has endorsed this amendment. They are an eloquent testament to the fact that HOPE VI revitalizes neighborhoods.

The National Home Builders, a strong bipartisan group, has given its endorsement to this amendment. They have a statement it meets important private sector and public sector goals.

We don't have to look very far other than the quotes of some of our own colleagues. CHARLIE DENT from Pennsylvania, a Republican the last time I checked, this "project will be a catalyst for the revitalization of the entire community and it will serve as a model of what public housing can and should be, a path to homeownership for its residents."

FRED UPTON, a Republican from Saint Joseph, Michigan: "This is tremendous news for the Benton Harbor community. It is another example of folks from the local State and Federal levels coming together for the betterment of Benton Harbor."

ANNE NORTHUP, our colleague from Louisville, a Republican: "A HOPE VI grant, great news for Louisville, a major investment in the downtown neighborhood."

My good friend and our colleague, CHIP PICKERING from Mississippi, a Republican the last time I checked: "The full range of this project will not only improve the lives of the residents in

my district, but also their children for years to come. The HOPE VI grant represents a significant investment to the overall economic development and renewal of the East Mississippi region."

Our colleague from Connecticut (Mr. SHAYS), a Republican the last time I checked, talks about the wonderful collaboration of the Stamford Housing Authority, the Fairfield Resident Council and the City of Stamford to make this project a reality.

There is an overwhelming statement from our colleagues on both sides of the aisle about the utility of HOPE VI. So for this body to fail to pass this Davis-Harris amendment will not only be in contradiction of what we say in our press releases, it would be in contradiction of what the U.S. Senate seeks to do and would be in contradiction of what we do with our own votes.

While the administration fails to get the message, I think that our colleagues in this body tonight will get the message. I urge passage of this bipartisan 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 Alabama (Mr. DAVIS).

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

Mr. DAVIS of Alabama. 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 Alabama will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

Page 85, line 11, after the dollar amount, insert the following: "(increased by \$261,000,000)".

Page 194, line 1, after "2007", insert the following: "(reduced by \$261,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, this would restore \$260 million to the Public Housing Capital Fund. As Members know, this is a critical fund that delivers housing services to make sure that our public housing is up to snuff and our citizens can live in safe housing.

This is a fund that makes sure that the roofs don't leak on our citizens, air ventilation doesn't cause asthma, and we don't allow termites to infest our public housing facilities. Despite the criticality of that fund, the current bill

as proposed would cut \$260 million, an 11 percent slash out of this budget of this very important fund.

Mr. Chairman, we will simply restore that cut to go back to the status quo of the level of funding for the Public Housing Capital Fund.

□ 1915

The reason we suggest this is that our offset for this would be a small cut to the Federal building budget. It would essentially result in about a 3.5 percent cut to the Federal building budget, and what we suggest by this amendment is that in difficult times, if we are going to have to have cuts in these Federal budgets, it should first come out of where we house our Federal agencies and, second, come out of where we house our citizens.

Our citizens ought to have first claim to the money. The kids that we are trying to avoid an epidemic of asthma, some of which we believe is caused by poor housing, they ought not to be suffering right now if we have to slash some budget. If we have to delay some bureaucracy, getting an upgrade in an agency, that is really a delay that kids in public housing cannot take a slash in the health of these budgets.

I just want to point out the one thing that this public housing fund does that is so effective.

One of the problems of our folks in public housing are their energy costs. A lot of these people pay 50 percent and more of their income in housing costs, and their energy costs eats them alive. I looked at St. Paul. Over 26 percent of all the evictions there were essentially caused because of high utility costs, and one of the things this public housing fund can do is help get better weatherization, more efficient heating/cooling systems to reduce energy costs. In fact, if we reduce our energy costs by 10 percent, we will save \$20 billion of these folks in public housing.

So our amendment does some things that are very common sense. It will go back to status quo. It will restore a \$260 million slashed cut to public housing. It will offset that by a 3.5 percent cut to the Federal budget. Let us give first priority to our citizens and their housing and second priority to a small cut to housing some of our Federal agencies. It is the right thing to do. It is common sense.

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

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

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

Mr. Chairman, I oppose this amendment and would point out that this is not an amendment that simply cuts money out of the bureaucracy. It is not a bureaucratic cut.

The cuts proposed by the amendment are irresponsible in today's atmosphere

where immigration and terrorism threats to the government and U.S. citizens are real.

Cutting the Federal buildings fund by \$261 million would leave the fund without the resources it needs to build critical, secure crossings on our southern border with Mexico and strengthen the Federal buildings against the threat of terrorism.

Let me repeat that. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure Federal buildings against terrorism.

The amendment would completely eliminate GSA's new construction of six border stations at the crossings in McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. In addition, the amendment would eliminate the Food and Drug Administration's Montgomery County, Maryland project, as well as the remote delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed with the threat of anthrax and other deadly substances in our government now.

Funds would be cut that are needed to secure Federal buildings to protect workers and the general public from possible terrorist attacks.

As much as higher funding for the capital fund would be nice, there are more pressing needs in this bill.

This amendment is irresponsible, and I would urge its defeat, Mr. Chairman.

Mr. Chairman, I reserve my time.

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

Well, while I respect my friend's argument, it is quite artful, but not every dollar spent by the Federal Government goes to terrorism, as the suggestion would be.

Let us be real here in this discussion. We will leave \$7.44 billion in the Federal building fund, and in that fund the vast majority of those dollars are spent for housing Federal office workers, not Border Patrol, and to suggest that somehow that if this cut takes place we are going to be bombarded by immigrants is a great stretch, artful perhaps, but a tremendous stretch.

What we are really talking about, we are talking about delaying perhaps for a year expanded Federal bureaucracies and the square footage they have in their Federal offices and office buildings scattered all across America. We are talking about suggesting that that delay in expanding the square footage for Federal office workers, as hard as they work and I respect them a bunch, is something that we ought to figure is a common-sense thing to do, instead of cutting \$260 million when people are living in substandard housing that has an \$18 billion backlog.

So, let us look at the real life and not get wrapped around the argument that anything that changes a Republican budget somehow smacks of being soft

on terrorism. That is a great stretch, and I do not think that dog will hunt.

We are talking about a small reduction of 3.5 percent in a \$7.7 billion budget for office budgets. Let me just give you an example of what we are talking about.

There is \$4.3 billion for rental space, \$277 million in current funding in this budget. Maybe a little bit of that could be deferred. There is \$2 billion for building operations, \$119 million, 6 percent more than cut funding. That is common sense.

Let us give first priority to our housing.

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

Mr. Chairman, I would point out to my good friend that I probably, more than any other Member in this body, have great understanding of what public housing funds are for. I grew up in public housing. Nevertheless, this bill is about balancing the priorities that we need in this age of terrorism and threat of terrorism. In this age of immigration reform, I think that these funds need to fully be kept in as they have been appropriated by the committee.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from New York.

I am pleased that the gentleman from the State of Washington is concerned about the expanding Federal bureaucracy, and I look forward to working with him to make sure that our Federal Government does not grow at fast of a pace because when it does it makes us less competitive, but the issue here is whether we should divert money to the issue that the gentleman would like to have it diverted to.

\$260 million is a lot of money. There has been a lot of preparation in the allocation of the money that has come to the subcommittee and to the full Committee of Appropriations. Difficult decisions were made, but more importantly, this money that would be taken from the GSA is to address a very important, vital need in our society today, and that is the immigration challenge that we are facing today.

Many of you have received bricks in your office from constituents. Those bricks represent the necessity of building a stronger border along the southern part of this country. This money that is being diverted in this amendment would take money from six border stations: McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. People are coming across because we have not established our own borders in this country. We have not established our southern border. These six border stations will help do this establishment of our borders.

Now, there is always something that people feel like is a higher priority, but

today, if you stop the first 12 people on Main Street, America, and ask them do what you want with this \$260 million going to this Federal housing project or do you want it to go to the border to stop the illegal flow of immigrants coming in, I guarantee you that all of them will say to you, let us stop the flow of illegal immigrants into the country. First, let us take care of the ones that are here, find a system that incorporates them into our work needs and into our culture, and then let us move on to something else. Let us move on to the needs that we have in meeting the challenges of those who are lower income groups.

This amendment would take away from that goal of fixing our borders, and I would suggest that we vote it down.

Mr. SWEENEY. Mr. Chairman, I yield myself the remaining time.

In conclusion, let me just say I strongly oppose this amendment because of its impact on some vital security needs. I would point out to the gentleman and my friends, of the \$261 million he diverts over into public housing, 20 percent of it could be used for administrative costs in the current form of the structure that it is used.

This money is needed and has been prioritized as such, and I would urge my colleagues to vote "no."

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

The amendment was rejected.

Mr. INSLEE. Mr. Chairman, I request a recorded vote.

The Acting CHAIRMAN. The gentleman's request is untimely.

The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING OPERATING FUND

For 2007 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), \$3,564,000,000: *Provided*, That all funds made available under this heading shall be allocated to public housing agencies in accordance with the terms, conditions, criteria and methodology set forth in the Housing and Urban Development Department Correction for Formula Implementation Date notice (Correction Notice) published in the Federal Register on October 24, 2005 and shall not be allocated using any other formula unless approved by the Committee: *Provided further*, That of the total amount provided under this heading \$9,900,000 in bonus funds shall be provided to public housing agencies that assist program participants in moving away from dependency on housing assistance programs: *Provided further*, That of the total amount provided under this heading, \$5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: *Provided further*, That, in fiscal year 2007 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further*, That no funds may be used under this heading for the

purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$625,680,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, \$990,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; \$3,465,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance: *Provided further*, That of the amount provided under this heading, \$1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$14,938,825: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to \$148,500 from amounts in the third proviso, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), \$8,815,000, to remain available until expended, of which \$299,211 shall be for training and technical activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$3,960,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$116,276,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to \$247,500 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE
FUND PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13b), \$1,010,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$43,000,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to \$35,000 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH
AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$300,100,000, to remain available until September 30, 2008, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2009: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use up to \$1,485,000 of the funds under this heading for training, oversight, and technical assistance activities and \$1,485,000 shall be transferred to the Working Capital Fund.

AMENDMENT OFFERED BY MR. NADLER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 91, line 20, after the dollar amount, insert the following: "(increased by \$10,000,000)".

Page 105, lines 5 and 6, after each of the dollar amounts, insert the following: "(reduced by \$10,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, this amendment would increase the appropriation for the Housing Opportunities for Persons With AIDS program, or HOPWA, by \$10 million.

Frankly, this is a very modest amount. Earlier this year, more than 100 Members joined me and Representatives ROS-LEHTINEN and CROWLEY in asking the Appropriations Committee for \$424 million in HOPWA funding for fiscal year 2007.

I am relieved that the President finally asked for a \$14 million increase

over last year in HOPWA funding, and I am very grateful to Chairman KNOLLENBERG and Ranking Member OLVER for meeting his request and funding the program at this level.

But the sad truth is that this year's HOPWA level barely keeps up with inflation. Three years ago in 2004, HOPWA was funded at \$295 million. That the program will see an increase in 2004 to 2007 of \$5 million in 3 years is not enough even to meet inflation.

Housing needs have grown faster than inflation. Adequately meeting the housing needs of all those living with HIV and AIDS would take over \$2 billion. Nationwide, thousands of people are now on waiting lists for HOPWA-funded housing, and with 91 percent of HOPWA recipients having family incomes of less than \$1,000 per month, program recipients simply cannot afford the shortfall.

The costs associated with new AIDS treatments often force people to choose between essential medications to enable them to survive and the necessities such as housing. Without adequate HOPWA funding, AIDS patients will continue to flood our emergency rooms and our Medicaid rolls and will be forced to live on the streets.

This HOPWA funding does not simply get people with HIV and AIDS off of the streets. Recent studies have shown that housing in many cases equates directly to HIV prevention because people with housing are much more likely to know their HIV status and, therefore, less likely to transmit the disease to others. Improvements in housing status also lead to lower rates of high-risk behavior, such as intravenous drug use, which can lead to the spread of the disease.

HOPWA is an extremely fiscally sound program. It is locally controlled and provides maximum flexibility to States and communities to design approaches that best respond to local housing needs. In fiscal year 2006 alone, HOPWA funds will support the delivery of services to roughly 71,500 households in all 50 States.

I realize that, given the record deficits that we have, funding HOPWA at the \$2 billion level it should have is not realistic. The financial constraints that we face put us in an unfortunate bind. There is much room for improvement.

I, again, thank the chairman and ranking member for the increase that they proposed, but given the scarce resources of this bill, a \$10 million increase beyond that, which means we will have an increase by \$5 million in 3 years, is I think more than warranted, and that is what this amendment is.

□ 1930

I am grateful for HOPWA's increase this year, but I urge a further increase of \$10 million, so it is a net increase of \$5 million in 3 years.

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

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

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I would ask the gentleman from New York if his intention is to withdraw the amendment, as we were led to believe.

Mr. NADLER. Mr. Chairman, I will withdraw the amendment if necessary.

Mr. SWEENEY. It is necessary.

Mr. NADLER. I regret to hear that, but I will withdraw the amendment.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$4,200,000,000, to remain available until September 30, 2009, unless otherwise specified: *Provided*, That of the amount provided, \$3,872,580,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That \$57,420,000 shall be for grants to federally-recognized Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to \$3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, \$250,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2005, 2006, and 2007, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction: *Provided further*, That funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

Of the amount made available under this heading, \$20,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided further*, That

funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

HOME INVESTMENT PARTNERSHIPS PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$1,891,890,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided in this paragraph, up to \$41,580,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968, and \$9,000,000 shall be available for contracts to provide counseling of prospective HECM borrowers as required by subsection (f) of section 255 of the National Housing Act (12 U.S.C. 1715z-20): *Provided further*, That \$3,465,000 shall be transferred to the Working Capital Fund: *Provided further*, That up to \$9,900,000 shall be available for technical assistance.

In addition to amounts otherwise made available under this heading, \$24,750,000, to remain available until September 30, 2009, for assistance to homebuyers as authorized under title I of the American Dream Downpayment Act.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 95, line 3 strike "September 30, 2009" and insert "December 31, 2009".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the committee, the ranking member, Mr. OLVER, and the chairman of this committee for the hard work that has been done. This truly does go, very briefly, to the American Dream. Interestingly enough, it is a bipartisan dream. It is a commitment that we have made over the years, which is to ensure the opportunity for homeownership for all Americans. This is made possible by the authorizing legislation, the American Dream Downpayment Act, which was a combination of Members, both Republicans and Democrats.

This amendment does a very simple act, and it is an act that we could consume and has a de minimis impact, except for those who are still trying to seek the American Dream. It allows them to do so until December 31, 2009. This amendment extends the availability of funding on the American Dream Downpayment Act for an additional 3 months.

On December 16, 2003, the President signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayment and closing costs. The Home Improvement Partnership Program is

funded at \$1.9 billion in FY 2007, an increase of \$159 million, or 9 percent above FY 2006, and equal to the President's request.

Since its inception, the HOME program has assisted more than 300,000 families to become homeowners, 55 percent of whom are minorities. More than two dozen organizations are working to create more than \$1 trillion in mortgage financing for minority home buyers.

As we look at the landscape of America, one natural disaster after another, we know that we are in a crisis on either homeownership or the rebuilding of homes. So, Mr. Chairman, I think it is important if we have a program that appears to be working that we give those extra added months in order to help Mr. and Mrs. Jones, Mr. and Mrs. Garcia, Mr. and Mrs. Smith, Mr. and Mrs. Johnson, just Mr. and Mrs. America who are eligible for this program.

I would say to you that because 55 percent are minorities, that means that 45 percent are all of America. This is a 100 percent program that responds to working Americans. The purpose of this program is to increase the homeownership rate, especially, as I indicated, among minority groups, but not limited to such. It gives the opportunity to hardworking Americans, single parents, single individuals, married individuals, and people who want to invest in their community.

It allows communities that have lower rates of homeownership when compared to the national average to be engaged in the home-buying business. It provides them with lower closing costs by approximately \$700 per loan in order to stimulate homeownership for all Americans.

About 3 years ago, Mr. Chairman, I had a homeownership fair where 6,000 Houstonians showed up. Six thousand, looking for the opportunity. This amendment is a simple statement that we are committed to homeownership and allows for the homeownership to go forward until December 30, 2009.

Mr. Chairman, I rise to offer an amendment to H.R. 5576, which replaces "September 30, 2009" with "December 31, 2009" as the date where funds made available for the American Dream Down Payment Act are available.

This amendment extends the availability of the funding under the American Dream Down Payment Act for an additional three months.

On December 16, 2003, President George W. Bush signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayments and closing costs. The HOME Investment Partnerships Program is funded at \$1.92 billion in FY 2007, an amount increase of \$159 million (9 percent) above FY 2006 and equal to the President's request.

Since its inception, the HOME Program has assisted more than 300,000 families to become homeowners, 55 percent of which are minorities. More than two dozen organizations are working to create more than \$1 trillion in mortgage financing for minority home buyers.

The purpose of the program is to increase the home ownership rate, especially among

minority groups, who have lower rates of home ownership when compared to the national average, and to lower closing costs by approximately \$700 per loan in order to stimulate home ownership for all Americans.

This amendment will help first-time homebuyers by allowing funds appropriated to be available through December 30, 2009, to coincide with typical lease calendars, and provide increased flexibility for purchasing.

I urge my colleagues to support this amendment.

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

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

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

Mr. SWEENEY. Mr. Chairman, I do so in opposition to this amendment which I understand takes part of the program and makes it available into the first quarter of fiscal year 2010. The problem with that is that this adds an unneeded complication to the administration and accounting of the HOME program and is unnecessary since under existing rules, if the funds are obligated on time, they will be available to homeowners during the last quarter of the year.

Mr. Chairman, this causes a great deal of problems in the administration of this program, so I would urge my colleagues to vote "no" on this amendment.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me just say to the distinguished chairman that I would like to err on the side of hardworking, tax-paying Americans who have invested their taxes and look forward to a return back home to them.

There are all kinds of complications, and I would suggest that the extra added time frame for this program to be extended would in fact be a plus for hardworking Americans seeking an opportunity for the American Dream. I frankly think the procedural, if you will, barrier can be remedied by this extension and my amendment.

I would ask all of my colleagues, Republicans and Democrats, to invest in the American Dream by voting to extend this particular provision and this particular investment in allowing them to buy the one singular investment that all Americans should have an opportunity to have: young couples, retiring couples, working couples of all races, colors and creeds, and particularly the very positive impact it has on minority Americans.

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

Mr. SWEENEY. Mr. Chairman, I have no further speakers and I will close on this side.

Ms. JACKSON-LEE of Texas. Do I have the opportunity to close, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from New York has the right to close.

Ms. JACKSON-LEE of Texas. Not having any other speakers, and you have no other speakers, let me again simply say that 55 percent of the individuals impacted by the American Dream program through the HOME monies are in fact minorities.

Having suffered through the travesty of Katrina, having suffered through Wilma and Rita, we know many are in the process of rebuilding and buying homes. Why not give them the extra added opportunity of a mere 3 months to be able to do what is right for them so that the American Dream is not extinguished because we are selfish on the floor of the House.

I am delighted to ask my colleagues in a bipartisan manner to support the Jackson-Lee amendment to invest in the American Dream for all Americans, and that is to have an opportunity to buy and live in your own home.

I yield back the balance of my time.

Mr. SWEENEY. Mr. Chairman, once again I reiterate the opposition by the committee to this amendment. It is unnecessary and is an unneeded complication. But I would make the final point that already in existing appropriations the problem of the first quarter of next year will be satisfied with \$25 million that has been appropriated next year, which will overlap between the 2007 and 2008 cycle, meaning this amendment is not only unnecessary but wouldn't have the impact which is already covered in the bill, in prior bills passed.

I urge my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on amendment offered by the gentleman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. 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 Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, \$60,390,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided in this heading \$21,920,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That \$32,000,000 shall be made available for capacity building, of which \$31,000,000 shall be for capacity building for Community Development and affordable Housing for LISC and the Enterprise Foundation for activities authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, and \$1,000,000 shall be made available for capacity building activi-

ties administered by Habitat for Humanity International: *Provided further*, That \$3,500,000 shall be made available to the Housing Assistance Council; \$1,980,000 shall be available as a grant to the National Housing Development Corporation for operating expenses and a program of affordable housing acquisition and rehabilitation: *Provided further*, That up to \$990,000 shall be made available for technical assistance.

HOMELESS ASSISTANCE GRANTS (INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,535,990,000, of which \$1,515,990,000 shall remain available until September 30, 2009, and of which \$20,000,000 shall remain available until expended: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to \$10,395,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That \$2,475,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2007.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$5,475,700,000, to remain available until expended: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$5,326,240,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including

section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) \$145,500,000 for performance-based contract administrators for section 8 project-based assistance: *Provided*, That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q, 1701q-1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667).

(3) No less than \$3,960,000 shall be transferred to the Working Capital Fund.

(4) Amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund" may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

HOUSING FOR THE ELDERLY (INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, \$734,580,000, to remain available until September 30, 2010, of which amount up to \$603,900,000 shall be for capital advance and project-based rental assistance awards, of which amount up to \$59,400,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to \$24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That no less than \$1,980,000 of the total amount made available under this heading shall be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

AMENDMENT OFFERED BY MS. HARRIS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HARRIS:

Page 100, line 18, after the dollar amount, insert the following: “(increased by \$12,000,000)”.

Page 102, line 3, after the dollar amount, insert the following: “(increased by \$3,000,000)”.

Page 111, line 3, after the first dollar amount, insert the following: “(reduced by \$12,000,000)”.

Page 195, line 4, after the dollar amount, insert the following: “(reduced by \$3,000,000)”.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Florida (Ms. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. HARRIS. Mr. Chairman, I rise today to address an affordable housing crisis facing this Nation's most vulnerable populations.

Let me begin by recognizing the work of Chairman KNOLLENBERG and the committee in crafting this bill. In particular, I commend the committee's work in addressing critical housing needs. However, I rise today to offer an amendment to strengthen an extremely important housing program for our Nation's low-income seniors and persons with disabilities.

HUD's section 202 Supportive Housing for the Elderly Program funds capital development grants and rental assistance contracts for nonprofit housing sponsors to develop and maintain housing.

Since its inception in 1959, the program has demonstrated how a successful partnership between public-private entities can maximize efficiency and quality of a Federal housing program as well as enhancing the sense of independence and self-reliance so important to the mental health of our seniors.

HUD's section 811, Disabled Housing Program, is the only HUD program that offers accessible and affordable supportive housing for nonelderly, low-income persons with disabilities. The program provides safe and affordable housing for people with the most severe disabilities who rely on SSI income of \$600 or less per month.

Funds in this program are used to develop and improve fully wheelchair-accessible units of permanent supportive housing and to foster the integration of citizens with disabilities into open housing rather than confining them to nursing homes, public institutions, or imposing them on families and friends.

The section 811 program is supported by groups including the United Cerebral Palsy Association, the National Alliance for the Mentally Ill, and the Arc of the United States.

As importantly, the restoration of funds would be offset by \$12 million re-

ductions in Housing and Urban Development Management and Administration and \$3 million in General Services Administration costs, so there is no additional cost to America's taxpayers. In fact, CBO scores this amendment as a net outlay savings of \$11 million.

Mr. Chairman, my amendment would not bust the budget, nor would it expand the size of government. Simply put, it would increase the opportunities available to seniors and the disabled to find the affordable, safe and secure housing that they deserve. I strongly encourage my colleagues to support this amendment.

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

Mr. SWEENEY. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. SWEENEY. Mr. Chairman, while I recognize that the gentlewoman from Florida has great intentions here, this bill, as we have said, is all about choosing priorities and making some difficult choices. The proposed reduction in HUD S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD's staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

Regarding the cuts to GSA, I make note that we are at the start of the hurricane season, and these funds that would be cut support the Office of Citizen Services and Communications, the Nation's focal point for information and services offered by the Federal Government. This infrastructure has been a resource in the time of crisis or unexpected events, most recently as a means to provide valuable information to citizens after Hurricane Katrina. Reductions could impact the hours of operation of our call centers for victims of hurricanes this year.

These accounts also fund GSA's real and personal property utilization and disposal programs from which we transfer assets no longer needed by the Federal Government to State and local governments and nonprofit organizations, saving millions of dollars.

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Cutting these funds delays in transferring properties to eligible recipients and delays in generating sales proceeds from disposal actions.

The amendment would cut funds for the Office of Governmentwide Policy, which carries out various policy functions assigned by Congress that is separate from GSA's operations. For example, these are the folks who set per diem rates and travel policy for government employees.

Mr. Chairman, cutting GSA operating expenses is the surest way to bring the operations of the Federal

Government to a grinding halt. And while “government” bashing may be popular with many folks, we found out with the devastating hurricane season last year that many citizens want their government to respond to them in times of need. I ask Members to oppose this amendment.

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

Ms. HARRIS. Mr. Chairman, I yield myself the balance of my time.

I want to commend the chairman for the bill which addresses important issues, including transportation, the war on drugs and Judiciary, and critical housing needs.

I acknowledge that there are robust funding levels for these programs in the underlying bill. However, our Nation's seniors in their golden years deserve access to affordable housing. We owe it to persons with disabilities to provide them with the opportunity to live their lives to the fullest.

This additional \$15 million for these important programs is judicious from budgets of tens of hundreds of millions of dollars. But nonetheless, Congress must demonstrate its resolve to forthrightly pursue these important and noble goals.

I strongly urge my colleagues to step up and show your commitment to tackle the affordable housing crisis facing our Nation's most vulnerable citizens such as our seniors and persons with disabilities.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. HARRIS).

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

Ms. HARRIS. 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 gentlewoman from Florida will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 101, line 9 after “Fund;”, “*Provided further*, that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants”.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

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

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I offer my appreciation to the ranking member, Mr. OLVER, and Mr. KNOLLENBERG, and of course the chairman and the ranking member of the full committee.

This is a difficult task, but as I stand here today, I argue that it is a difficult posture to be in, to be elderly in America and to be without housing. We have already heard the stories about the choices that our elderly citizens have to make, sometimes between food, prescription drugs and, of course, housing.

In my own community in Houston as we are hosting thousands of Hurricane Katrina survivors, we have found the most vulnerable to be senior citizens, individuals who are without income or a future in terms of the work world and need to have some housing.

This is a simple amendment. This amendment says all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants. Who could be against this simple statement?

I would ask my colleagues on the other side of the aisle to consider the vast numbers of the growing population of elderly, and let's try to do something about their plight.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 to the U.S. Census in 2000. More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

This extension or this compliance with the idea of having elderly housing remain available for rental I think is a statement that responds to the changing demographics of America, the problems of low-income seniors facing multiyear housing assistance. Waiting lists are exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Ask the many cities across America and the rural areas how many thousands of individuals are on the Section 8 housing, if you will, and they will respond thousands. And many of them are senior citizens. Nearly 21 percent of elderly 65 and older reported not being able to afford moderately priced housing in the area in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their own areas.

What can we do about it? We can simply acknowledge the fact that tenant-based housing should be available for the elderly. Thirty-four percent of older African American households and 41 percent of older Hispanic households rent their household, compared with only 19 percent of older white households. There is a population for rental assistance for the elderly, and particu-

larly in view of the evacuation, the largest evacuation we can ever have imagined following Hurricanes Katrina, Rita and Wilma.

This is an important amendment that I hope my colleagues would support. But more importantly, I hope my dear friend would yield to waiving the point of order so this amendment might be able to be passed by this body.

Mr. Chairman, I rise to offer an amendment to H.R. 5576 that emphasizes that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 (U.S. Census 2000).

More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households with worst-case housing needs rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

The problems of low income seniors facing multi-year housing assistance waiting lists is only exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Nearly 21 percent of elderly 65 and over reported not being able to afford moderately priced housing in the areas in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their areas. (U.S. Census 1995, Housing Affordability)

Thirty-four percent of older African American households and 41 percent of older Hispanic households were renter households, compared with only 19 percent of older white households. (1995 American Housing Survey)

Approximately 19 percent of elderly African American and 11 percent of older Hispanic households reported moderate or severe problems regarding the physical condition of their housing units.

New tools are needed to help preserve these units and to provide the supportive services that are so necessary for an aging population.

Housing for the Elderly and Housing for Persons with Disabilities are funded at the FY 2006 levels of \$735 million and \$237 million respectively. The President's budget cut Elderly Housing by \$190 million (26 percent) and Housing for Persons with Disabilities by \$118 million (50 percent).

This amendment emphasizes the intent of the funding under this heading to assist the elderly, only and specifically the elderly, with rental housing.

I urge my colleagues to support this amendment.

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

The Acting CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. SWEENEY. I do, Mr. Chairman.

POINT OF ORDER

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

The rule states in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law." The amendment is not merely perfecting and adds additional legislation.

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does the gentlewoman from Texas wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Am I able to speak after the ruling of Chair on the point of order?

The Acting CHAIRMAN. The gentlewoman may speak in advance of the ruling by the Chair.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me simply say that I have asked respectfully for the opposing side, for the Republicans, to acknowledge the plight of the elderly, and the percentage of them who are suffering without having the ability to have housing.

The Acting CHAIRMAN. The gentlewoman must confine her remarks to the point of order.

Ms. JACKSON-LEE of Texas. My position is that the enormity of the need warrants a waiver of the point of order, and I would ask the majority to waive the point of order so the elderly might be served in rental housing so the choice they make is not health care or housing.

I ask for a ruling from the Chair in favor of my amendment.

The Acting CHAIRMAN. The paragraph to which the amendment has been offered is a legislative provision permitted to remain under the rule.

The amendment offered by the gentlewoman from Texas proposes not merely to perfect the language permitted to remain but to add additional legislation thereto; namely, a requirement that certain housing assistance remain available.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

HOUSING FOR PERSONS WITH DISABILITIES
(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, \$236,610,000 to remain available until September 30, 2010: *Provided*, That no less than \$990,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading up to \$74,745,000 shall be for amendments or renewal of tenant-based assistance contracts: *Provided further*, That all tenant-

based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, \$24,750,000, to remain available until expended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to \$16,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees and charges from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, subject to amounts made available under this heading, may use such collections, as well as fees collected under such section 620, for necessary expenses of such Act: *Provided further*, That in addition to amounts made available under this heading, and notwithstanding the requirements of such section 620, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services: *Provided further*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2007 so as to result in no final fiscal year 2007 appropriation from the general fund, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2007 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2007, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$185,000,000,000.

During fiscal year 2007, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$351,450,000, of which not to exceed

\$347,490,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed \$3,960,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, \$52,400,000, of which no less than \$23,562,000 shall be transferred to the Working Capital Fund, and of which up to \$10,000,000 may be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed \$65,500,000,000 on or before April 1, 2007, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM

ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, \$8,600,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed \$35,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000, of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$229,086,000, of which \$209,286,000 shall be transferred to the appropriation for "Salaries and Expenses"; and of which \$19,800,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$72,778,000, of which no less than \$10,692,000 shall be transferred to the Working Capital Fund.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$100,000,000,000, to remain available until September 30, 2008.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$10,700,000, shall be transferred to the appropriation for "Salaries and Expenses".

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development

Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$55,787,000, to remain available until September 30, 2008: *Provided*, That of the total amount provided under this heading, \$5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That of the amounts made available for PATH under this heading, \$2,500,000 shall not be subject to the requirements of section 305 of this title: *Provided further*, That of the funds made available under this heading, \$20,394,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended: *Provided further*, That activities for the Partnership for Advancing Technology in Housing Initiative shall be administered by the Office of Policy Development and Research for Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act as amended, tribal colleges and universities, the Historically Black Colleges and Universities program, and the Hispanic Serving Institutions Programs.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$44,550,000, to remain available until September 30, 2008, of which \$18,800,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$114,840,000, to remain available until September 30, 2008, of which \$8,712,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: *Provided further*, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity

that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

AMENDMENT OFFERED BY MS. SLAUGHTER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SLAUGHTER:

Page 109, line 14, after the dollar amount, insert the following: “(increased by \$35,000,000)”.

Page 111, line 3, after the first dollar amount, insert the following: “(reduced by \$35,000,000)”.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I would like to ask a favor. Mr. TERRY and I want to split this 5 minutes exactly in half, and so if you would be kind enough to tell me when my time is up.

The Acting CHAIRMAN. The gentlewoman is recognized for 2½ minutes.

Ms. SLAUGHTER. Mr. Chairman, I rise today in strong support of the Slaughter-Velázquez-Terry amendment to restore funding to HUD’s critically important Office of Lead Hazard Control.

This funding is necessary if we ever hope to eradicate childhood lead poisoning by 2010, a imperative national goal. HUD’s Office of Lead Hazard Control provides grants to cities and States working to correct serious lead hazards in low income and high-risk homes. The grants are targeted to help the most vulnerable of our citizens, children under the age of 6.

Mr. Chairman, this is not an isolated problem. Lead poisoning affects nearly 434,000 American children each year between the ages of 1 and 5, and it is unacceptable. High blood levels in children have been linked to asthma, brain damage, hearing loss, hyperactivity and environmental delays. We must not let that happen to our children. In extreme cases, exposure to lead has caused seizures, comas and death.

In my district alone, over 2,000 children fall victim to lead poisoning each year. Over 50 percent of the homes in Niagara and Erie Counties were built before 1950 and are likely to contain lead paint. In Erie County, 1,000 children will be found to have unsafe lead levels.

A \$1.5 million lead hazard control grant that went to the City of Buffalo has been essential in local efforts to protect the children from lead poisoning.

The City of Rochester is among the top 10 U.S. cities with the worst lead paint problems. In 2004, 900 children in Monroe County were exposed to lead poisoning. To combat the problem, Monroe County and the City of Roch-

ester have worked together using funding from HUD’s lead hazard control grant to make nearly 300 housing units lead free and safe for children.

Lead hazard control grants work, but they are threatened by a lack of funding. In fiscal year 2006, the Office of Lead Hazard Control received \$1.548 million, and that is \$16 million less than in 2005. The 2007 appropriations bill makes it worse and cuts it more by \$35 million. The need far outpaces the resources and slashing the funding will significantly jeopardize the progress we have made.

I urge Members to support the Slaughter-Velázquez-Terry amendment.

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

Mr. SWEENEY. Mr. Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

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

Mr. Chairman, I recognize noble intentions are at work here, but I am very opposed to increasing this program at the expense of other critical programs, and there are a number of reasons.

The committee mark fully funds the amount requested by the administration and fully funds the program that has been in place for the past decade. These funds go to State and local governments to abate lead-based paint in homes that will not be restored through privately funded modernization or resale.

Three years ago the Senate began a new demonstration program and added between \$50 and \$75 million in additional funds. The House has not included these funds in subsequent years, and the Senate has attempted to continue the demonstration program each year. They may well try to do it again.

The committee is simply not in a position to absorb a \$35 million increase in funding for this demonstration program at the expense of other programs that are being funded at the 2005 level or below.

Once again, the proposed reduction in S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD’s staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

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Therefore, Mr. Chairman, I would urge a “no” vote on this amendment.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Chairman, I yield the remaining time to Mr. TERRY.

The Acting CHAIRMAN. The gentleman from Nebraska is recognized for 2½ minutes.

Mr. TERRY. Mr. Chairman, I thank the gentlewoman from New York for not only sponsoring this, but yielding me the time.

I rise in support of this amendment as a coauthor, cosponsor of this important amendment. What this amendment does is it restores \$35 million to help States combat childhood lead poisoning.

I happen to represent a district where a significant geographical portion has been declared a Superfund site because of lead contamination. Although the lead contamination in the soil is a different issue and a different agency, the reality is one agency, EPA, cleans up the yards from lead contamination. What they are finding is that part of the contamination is also from the lead-based paint from the outside or exterior of the home. At the same time, we have the lead paint interior issues in these older, poorer parts of my city. So what happens is we clean up one area and leave other contaminated areas. It makes sense that we do a more holistic approach and clean up lead paint at the same time in those homes.

But, unfortunately, the fund that deals with the lead paint for houses has been cut. This program has already fallen from a previous level of \$175 million in fiscal year 2003. This appropriations bill under consideration today would further cut the funding from \$150 million in fiscal year 2006 to about \$115 million in fiscal year 2007. I realize the budget is tight, and we try to take this out of the administrative salary side so we don’t have to take it out of the programs that Mr. SWEENEY had referenced.

This is important to the health and safety of children in many inner-city urban areas, and I respectfully request my colleagues support this amendment.

Mr. SWEENEY. Mr. Chairman, let me just conclude by reiterating my remarks that this is, as Mr. TERRY pointed out, a year of very tough budget numbers. But not only that, we need to control our spending here.

The committee understands that, but also understands that it needs to meet other priorities. The mark fully funds the amount requested by the administration and fully funds the program that has been in place the past decade. The cuts that are proposed as offsets would be too substantial to absorb in the other programs. It would have a devastating impact.

I would urge our colleagues to vote “no.”

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

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

Ms. SLAUGHTER. 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 gentlewoman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

MANAGEMENT AND ADMINISTRATION
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$25,000 for official reception and representation expenses, \$1,141,117,000, of which \$556,776,000 shall be provided from the various funds of the Federal Housing Administration, \$10,700,000 shall be provided from funds of the Government National Mortgage Association, \$148,500 shall be provided by transfer from the “Native American housing block grants” account, \$247,500 shall be provided by transfer from the “Indian housing loan guarantee fund program” account and \$35,000 shall be transferred from the “Native Hawaiian housing loan guarantee fund” account: *Provided*, That funds made available under this heading shall only be allocated in the manner specified in the statement of the managers accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: *Provided further*, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further*, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further*, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further*, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further*, That up to \$15,000,000 may be transferred to the Working Capital Fund: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS-14 and GS-15 levels until the total number of GS-14 and GS-15 positions in the Department has been reduced from the number of GS-14 and GS-15 positions on the date of enactment of Public Law 106-377 by 2½ percent.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, \$100,000,000, to remain available until September 30, 2008: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$107,000,000, of which \$23,760,000 shall be provided from the various funds of the Federal Housing Administration: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE
OVERSIGHT

SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed \$500 for official reception and representation expenses, \$62,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided*, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2007: *Provided further*, That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under subtitle B of such Act: *Provided further*, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than \$0.

ADMINISTRATIVE PROVISIONS
(INCLUDING RESCISSION)

SEC. 301. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and

Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 302. None of the amounts made available under this Act may be used during fiscal year 2007 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 303. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2007 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2007 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2007 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2007, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter “metropolitan division”) of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007

under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 304. During fiscal year 2007, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 305. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title III of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 306. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 307. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 308. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2007 for such corporation or agency except as herein-after provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 309. None of the funds provided in this title for technical assistance, training, or management improvements may be obli-

gated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the budget justifications. For fiscal year 2007, HUD shall transmit this information to the Committees by March 15, 2007 for 30 days of review.

SEC. 310. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 311. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 312. The Department of Housing and Urban Development shall submit the Department’s fiscal year 2007 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 313. That incremental vouchers previously made available under the heading “Housing Certificate Fund” or renewed under the heading, “Tenant-Based Rental Assistance,” for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 314. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 315. The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 316. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 317. Incremental vouchers previously made available under the heading, “Housing Certificate Fund” or renewed under the heading, “Tenant-Based Rental Assistance”, for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 318. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202b(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 319. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child; and

(6) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)),

shall be considered income to that individual, except for a person over the age of 35 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 320. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134, April 26, 1996): *Provided*, That upon turnover, existing requirements on the re-issuance of Section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

SEC. 321. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134, April 26, 1996), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

SEC. 322. For fiscal year 2007 and every fiscal year thereafter any obligated balances of contract authority or any obligated balances derived from contract authority from fiscal year 1974 and prior years shall be deobligated and cancelled upon contract expiration or termination.

SEC. 323. Notwithstanding any other provision of law, in fiscal year 2007, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 324. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 325. (a) Paragraph (2) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended—

(1) in subparagraph (A)—

(A) by striking the subparagraph designation and all that follows through the end of clause (i) and inserting the following:

“(A) not to exceed the lesser of—

“(i) the median house price in the area, as determined by the Secretary; or”;

(B) in clause (ii)—

(i) by striking “87 percent of”;

(ii) by striking “for Fiscal Year” and inserting a comma; and

(iii) by striking “48 percent” and inserting “65 percent”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) not to exceed the appraised value of the property, plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.”;

(b) Paragraph (9) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(9)) is amended by striking the paragraph designation and all that follows through “*Provided further*, That for” and inserting the following:

“(9) Be executed by a mortgagor who shall have paid on account of the property, in cash or its equivalent, an amount, if any, as the Secretary may determine based on factors determined by the Secretary and commensurate with the likelihood of default. For”.

(c) Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “Notwithstanding” and inserting “Except as provided in paragraph (3) and notwithstanding”; and

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

“(3) FLEXIBLE RISK-BASED PREMIUMS.—

“(A) IN GENERAL.—For any mortgage insured by the Secretary under this title that is secured by a 1- to 4-family dwelling and for which the loan application is received by the mortgagor on or after October 1, 2006, the Secretary may establish a mortgage insurance premium structure involving a single premium payment collected prior to the insurance of the mortgage or periodic payments, or both, without regard to any maximum or minimum premium amounts set forth in this subsection. The rate of premium for such a mortgage may vary during the mortgage term as long as the basis for determining the variable rate is established before the execution of the mortgage. The Secretary may change a premium structure established under this subparagraph but only to the extent that such change is not applied to any mortgage already executed.

“(B) ESTABLISHMENT AND ALTERATION OF PREMIUM STRUCTURE.—A premium structure shall be established or changed under subparagraph (A) only by providing notice to mortgagees and to the Congress, at least 30 days before the premium structure is established or changed.

“(C) CONSIDERATIONS FOR PREMIUM STRUCTURE.—When establishing a premium structure under subparagraph (A) or when changing such a premium structure, the Secretary shall consider the following:

“(i) The effect of the proposed premium structure on the Secretary’s ability to meet the operational goals of the Mutual Mortgage Insurance Fund as provided in section 202(a).

“(ii) Underwriting variables.

“(iii) The extent to which new pricing under the proposed premium structure has potential for acceptance in the private market.

“(iv) The administrative capability of the Secretary to administer the proposed premium structure.

“(v) The effect of the proposed premium structure on the Secretary’s ability to maintain the availability of mortgage credit and provide stability to mortgage markets.”.

(d) Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended—

(1) in subsection (g)—

(A) by striking the first sentence; and

(B) by striking “established under section 203(b)(2)” and all that follows through “located” and inserting “limitation established under section 305(a)(2) of the Federal Home

Loan Mortgage Corporation Act for a 1-family residence”; and

(2) in subsection (i)(1)(C), by striking “limitations” and inserting “limitation”.

(e) The Secretary of Housing and Urban Development shall by notice establish any additional requirements that may be necessary to immediately carry out the provisions of this section. The notice shall take effect upon issuance.

(f) In addition to amounts otherwise made available by this Act, \$10,000,000 for administrative contract expenses, including amounts to be transferred to the Working Capital Fund, for Federal Housing Administration program and systems development for single family mortgage insurance.

SEC. 326. Notwithstanding any other provision of law, the cities of Alton, Illinois, and Granite City, Illinois, shall be considered metropolitan cities, for purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), for a period of time not less than the time period covered by the enactment of this Act and the implementation of modifications pursuant to the 2010 decennial census.

AMENDMENT OFFERED BY MS. WATERS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. WATERS:

Page 134, after line 8, insert the following new section:

SEC. 327. For the cost of guaranteed loans, as authorized by section 108 of the Housing and Community Development Act of 1974, and the amount otherwise provided in this title for “MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES” is hereby reduced by \$2,970,000.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I would like to thank Chairman KNOLLENBERG, as well as Ranking Member JOHN OLVER for their hard work on this bill, H.R. 5576.

The purpose of my amendment is to restore funding of \$2.97 million to the section 108 loan guarantee program offset from the Salaries and Expenses Account for the Department.

The program is designed to leverage economic and community development project activities. While the administration supports this consolidation of this program, consolidation is a shortcut to eliminate the section 108 loan guarantee program.

Mr. Chairman and Members, many districts have benefited from the section 108 loan guarantee program. I discovered this program in law some 12 years ago. At that time, it was scored and it was basically guaranteed by CDBG funds. Section 108 loan guarantee funds evolved to the point where many cities were using them for economic development projects that created jobs and converted old town

projects into real vibrant, vital economic engines for those cities.

This is an important program. With this program we are able not only to create jobs and to spur economic development, this is what you call a real investment in our cities and our towns, both in the urban communities and in the rural communities. This is the kind of investment that will help to get people off welfare, get people working, create new business opportunities, and help to grow these areas in these cities and these communities.

It is beyond my understanding why an investment program that is designed to create jobs, designed to help cities grow and develop would be consolidated or would be placed at risk.

If you talk with many of the Members of this Congress, you will find that they do not know that the section 108 program is in jeopardy. I was just looking at a program in the western part of L.A. County, a gateway retail project that got \$8 million in section 108 loan guarantees and a \$2 million BEDI grant. These funds were used to convert an old car wash into a retail center that created 750 jobs in that community.

Many communities have relied on the section 108 loan guarantee program, not only to spur economic development, but they know they could never otherwise undertake this kind of activity. Section 108 is a complement to many of the other economic development tools that are available to distressed communities around the country. As such, I would urge you to support this amendment as one tool that will be made available to communities like mine, as well as yours, to facilitate their economic development strategies.

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

The Acting CHAIRMAN. Does the gentleman from New York insist upon his point of order?

Mr. SWEENEY. Yes, I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. I will make the point order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part: "An appropriation may not be in order as an amendment for an expenditure not previously authorized by law."

Mr. Chairman, the amendment proposes to appropriate funds for a program that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

I ask for a ruling on the point of order.

The Acting CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Ms. WATERS. Yes, Mr. Chairman.

On the point of order, I would object to the characterization of this program as unauthorized.

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As a matter of fact, it is my understanding that the program indeed is authorized. It is couched in something called consolidation, which means that it really is authorized, and I would challenge the gentleman on the opposite side of the aisle for thinking or saying that this is an unauthorized program. And if that is his reason for objecting to the program, I would ask that you certainly make a ruling based on the facts and we could move forward with including funding for this program to make sure that it is retained.

The Acting CHAIRMAN (Mr. GOODLATTE). Does any other Member wish to be heard on the point of order?

Mr. SWEENEY. Mr. Chairman, I withdraw the point of order, and I will reserve the time in opposition.

The Acting CHAIRMAN. The gentleman from New York withdraws the point of order and will control the time in opposition.

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

Mr. Chairman, as I have stated, this is an economic development program that has served our country well. As I just took a look at the number of cities that have benefited from this program, I have hundreds of cities that have benefited from this program all over the country. This will be traumatic to all of a sudden pull the rug out from under a program that creates investment in cities and towns all over America, that is helping them not only to create jobs but to create opportunities for small businesses, to redo dilapidated areas, to create new possibilities with these old towns that are being developed, to take these old dilapidated buildings and turn them into productive centers.

I do not think that perhaps my colleague on the opposite side of the aisle realizes the damage he may be causing even to his own area. And just as perhaps he thought it was not authorized when it really is, I would ask him to take a second look and not object to this program.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Ms. WATERS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentlewoman for her leadership. She has been a consistent leader in helping cities' economic development. I want to point out this seems to me a particularly odd thing to do. Cities which use this are not getting additional funding. They pay it back.

The Acting CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment, and I would urge my colleagues to do so.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I will make these very quick points: First, that section 108 is an eligible use of

economic development funds. And, therefore, there is no reason to have a separate set-aside of funds, as is proposed here in this amendment. In fact, in this bill we have added \$1 billion in CDBG funds for the fiscal year. So there will be plenty of opportunities for States to do exactly as the gentlewoman calls for, and we believe that is the best way the program should be run.

With that, I urge my colleagues to vote "no."

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

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

Mr. SWEENEY. 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 gentlewoman from California will be postponed.

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

I yield to my colleague from Massachusetts (Mr. FRANK) who may have two things to speak about at this point.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the ranking member of the subcommittee for yielding.

I was hoping to be able to offer an amendment, but we ran into a CBO scoring problem and I was told that therefore it would not be supported. I deeply regret this.

There is in this bill a very good set of provisions in general, expanding the ability of the FHA to be responsive. It came from work we did in the authorizing committee. Frankly, I was surprised to see it plucked in part from the authorizing version and stuck into this bill. It is authorizing language. On the whole it is a good thing. The Appropriations Committee took from the authorizing committee much of what we did, but they did not take everything. Now, they are entitled, obviously, to pick and choose, but there is one grave omission here. One of the things this bill will do will be to give the FHA the authority the ability to extend loans to people who might be of lower credit risk. That is, it will try to help get to people who might not have been able to get loans by stricter standards. That is a good thing. And it says that those people will have to pay a higher upfront fee. It could be as much as double, from 1.5 percent to 3 percent of the loan, and they will also be forced to pay a higher fee going forward. With people who are just starting out, I will accept the need to do that.

What my amendment would have accomplished, and it was something we were ready to do in the authorizing process and we lost the ability to do that, it was to say that a low income borrower, a borrower with some credit

risk, who was meeting his or her obligations after a period of 5 years would be eligible to get back the extra money. In other words, without that provision the Federal Government is going to be something of a predatory lender. It will lend money to the lower income people with the higher credit risk and charge them more for that loan. Now, as a starting point that might be a reasonable idea. But once a borrower in that category, having borrowed the money, has demonstrated over 5 years a capacity and willingness to make the payments, why does the Federal Government continue to penalize that person?

People have said, well, there might be some losses here. If there are losses, why should the responsible low income borrower be forced to bear all that cost? Why should that not be shared among all the borrowers? Why should the cost of paying for those loans that may default, a small percentage but there will still be some, why should that not go for everybody?

So right now if you are getting the maximum FHA loan, it is irrelevant to you if these people default. We are making the poor pay for the poor. You are making in this a predatory lender of the Federal Government. Without the amendment that I was told would not be accepted, so I will not push it here, low income people who borrow money from the FHA will be charged more upfront, they will be charged more going forward, and no matter how well they meet their obligations, no matter how responsible they are, they will continue to pay more for the loan. The poor pay more under this bill. And what the CBO said as well, there is a certain element of subsidy here for the low income borrowers, and this would increase the subsidy. That is right, for the low income borrowers.

I do think it is worth to trying to reach out to the lower income people, and I understand this means that some will default, but I do not understand why one low income individual or 10 or 20 low income individuals who meet their obligation ought to be the ones who bear the burden for those who do not. Now, as I said, I understand, because CBO said it was going to score it negatively, I was not going to be able to get it adopted. But I hope, to the committee, that this will not be the end of it.

Please, we are talking, Mr. Chairman, about ending predatory lending. Without the language I was talking about, we, the Federal Government, become an entity that charges you more if you are poor than if you are wealthy, that charges you more if you are in the low income bracket because you are asked to shoulder the burden of people in the same bracket who will default. That is unworthy of us. It also, of course, retards the very purpose of the bill because you say you want to expand home ownership by reaching out to people and then you charge them more because they have to pay not

only the price of their own home but they are going to be saddled with the price of other people in their income level and their credit rating level who default.

That is an inappropriate thing for the Federal Government to do. And while I accept the fact that I cannot get this accepted now, I hope we can talk about this.

By the way, the overall bill will raise money for the Federal Government. This would simply reduce it by a small amount. That is the least we can do for low income people.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the "Department of Housing and Urban Development Act, 2007".

TITLE IV

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$63,405,000, of which \$2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$12,959,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$26,000,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, \$16,182,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$4,556,114,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660), not to exceed \$3,952,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended (18 U.S.C. 3006A); the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, \$750,033,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$63,079,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$400,334,000, of which not to exceed \$15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger

motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$73,800,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER
SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$23,500,000; of which \$1,800,000 shall remain available through September 30, 2008, to provide education and training to Federal court personnel; and of which not to exceed \$1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$54,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$800,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(1), \$3,500,000.

UNITED STATES SENTENCING COMMISSION
SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$15,500,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY
(INCLUDING TRANSFER OF FUNDS)

SEC. 401. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 805 and 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 404. Within 90 days of enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology fund.

SEC. 405. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note), is amended—

(1) in the second sentence, by inserting "the district of Kansas," after "Except with respect to"; and

(2) by inserting after the second sentence the following: "The first vacancy in the of-

fice of district judge in the district of Kansas occurring 20 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled."

This title may be cited as "The Judiciary Appropriations Act, 2007".

TITLE V

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION
SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than \$1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING
AND SECURITY COSTS IN THE DISTRICT OF
COLUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$8,533,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any amount provided under this heading shall be available only after such amount has been appropriated pursuant to chapter 15 of title 31, United States Code.

DISTRICT OF COLUMBIA COURTS

FEDERAL PAYMENT TO THE DISTRICT OF
COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$219,629,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$9,401,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$89,646,000, of which

not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$46,653,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$73,929,000, to remain available until September 30, 2008, for capital improvements for District of Columbia courthouse facilities: *Provided*, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of Funds" found at 48 CFR 52.232-18: *Provided further*, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA
COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$43,475,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$73,929,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$73,929,000 provided under such heading for

capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$181,653,000, of which not to exceed \$2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed \$400,000 for the Community Supervision program and \$160,000 for the Pretrial Services program, both to remain available until September 30, 2008, are for Information Technology infrastructure enhancement acquisitions; of which \$135,457,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which \$46,196,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses of the District of Columbia Public Defender Service, \$32,710,000: *Provided*, That notwithstanding

any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, \$7,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, \$1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, \$5,000,000: *Provided*, That these funds shall be available for the projects and in the amounts specified in the Statement of the Managers on the conference report accompanying this Act: *Provided further*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a budget and a report on the activities to be carried out with such funds no later than March 15, 2007, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later than June 1, 2007.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, \$40,800,000, to be allocated as follows: for the District of Columbia Public Schools, \$13,000,000 to improve public school education in the District of Columbia; for the State Education Office, \$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2008; for the Secretary of the Department of Education, \$14,800,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 126), of which up to \$1,800,000 may be used to administer and fund assessments.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, section 1-204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2007 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$8,996,915,000 (of which \$5,079,758,000 shall be from local funds, \$2,011,321,000 shall be from Federal grant funds, \$1,897,951,000 shall be from other funds, and \$7,885,000 shall be from private funds), in addition, \$170,052,000 from funds previously appropriated in this Act as Federal payments: *Provided further*, That of the local

funds, \$175,292,000 shall be derived from the District's general fund balance: *Provided further*, That of these funds the District's intradistrict authority shall be \$523,004,000: *Provided further*, That in addition for capital construction projects there is appropriated an increase of \$2,400,757,000, of which \$1,756,306,000 shall be from local funds, \$54,281,000 from Highway Trust funds, \$52,000,000 from the Local Street Maintenance fund, \$15,000,000 from revenue bonds, \$18,200,000 from Certificates of Participation financing, \$63,000,000 from financing for construction of a baseball stadium, \$229,970,000 from Federal grant funds, and a rescission of \$65,859,000 from local funds appropriated under this heading in prior years, for a net amount of \$2,334,898,000, to remain available until expended: *Provided further*, That the amounts provided under this heading are to be subject to the provisions of and allocated and expended as proposed under "Title II—District of Columbia Funds" of the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia in June 2006: *Provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2007, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 502. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 503. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 504. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 505. (a) None of the funds provided under this title to the agencies funded by this title, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of \$3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless in the case of federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of \$3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

(c) The District of Columbia Government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through September 30, 2007.

SEC. 506. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 507. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; sec. 1-601.01 et seq., D.C. Official Code), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (sec. 1-204.22(3), D.C. Official Code), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b) Notwithstanding section 8344(a) of title 5, United States Code, the amendment made by section 2 of the District Government Re-employed Annuitant Offset Elimination Amendment Act of 2004 (D.C. Law 15-207)

shall apply with respect to any individual employed in an appointive or elective position with the District of Columbia government after December 7, 2004.

SEC. 508. No later than 30 days after the end of the first quarter of fiscal year 2007, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2007 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2008. The officially revised estimates at midyear shall be used for the mid-year report.

SEC. 509. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code, section 2-303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 510. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, section 1-123).

SEC. 511. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code, section 32-701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 512. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from

the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, to the Committees on Appropriations of the House of Representatives and Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 513. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2007, an inventory, as of September 30, 2006, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 514. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2007 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, section 2-302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making

the appropriations for the year and its legislative history.

SEC. 515. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 516. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 517. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: *Provided*, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by April 1, 2007 and October 1, 2007, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 518. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 519. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the Dis-

trict of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 520. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, section 1-204.42), for all agencies of the District of Columbia government for fiscal year 2007 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 521. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of \$4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term "action" includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 522. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 523. The amount appropriated by this Act may be increased by no more than

\$42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2006 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

- (A) One-time expenditures.
- (B) Expenditures to avoid deficit spending.
- (C) Debt Reduction.
- (D) Program needs.
- (E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 524. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as "Other-Type Funds" in the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

- (A) the increase in revenue; and
- (B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 525. The Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 93-198): *Provided*, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *Provided further*, That the borrowing shall not deplete either fund by more than 50 percent: *Provided*

further, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *Provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 526. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 527. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 528. The authority that the Chief Financial Officer of the District of Columbia exercised with respect to personnel and the preparation of fiscal impact statements during a control period (as defined in Public Law 104-8) shall remain in effect until September 30, 2007.

SEC. 529. The entire process used by the Chief Financial Officer to acquire any and all kinds of goods, works and services by any contractual means, including but not limited to purchase, lease or rental, shall be exempt from all of the provisions of the District of Columbia's Procurement Practices Act of 1985: *Provided*, That provisions made by this section shall take effect as if enacted in D.C. Law 11-259 and shall remain in effect until September 30, 2007.

SEC. 530. (a) DIRECT APPROPRIATION.—Section 307(a) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1607(a), D.C. Official Code) is amended by striking the first 2 sentences and inserting the following: "There are authorized to be appropriated to the Service in each fiscal year such funds as may be necessary to carry out this chapter."

(b) CONFORMING AMENDMENT.—Section 11233 of the Balanced Budget Act of 1997 (sec. 24-133, D.C. Official Code) is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

SEC. 531. (a) The item relating to "Federal Payment for School Improvement" in the District of Columbia Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2512) is amended by striking "\$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007" and inserting the following: "\$13,000,000 to expand quality public charter schools in the District of Columbia, of which \$4,000,000 shall be for the direct loan fund and shall remain available until expended, \$2,000,000 shall be for credit enhancement and shall remain available until expended, and the remainder shall remain available until September 30, 2007".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2006.

SEC. 532. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this title.

This title may be cited as the "District of Columbia Appropriations Act, 2007".

□ 2030

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 176, line 11 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. KNOLLENBERG
Mr. KNOLLENBERG (during the reading). Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KNOLLENBERG:
On page 175, line 16, through page 176, line 6, strike Section 531.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. KNOLLENBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, my amendment strikes section 531 of the bill. We included this correcting provision at the request of the D.C. Education Office to assist them with some funds management.

Unfortunately this provision creates an advance appropriation and, therefore, violates the budget resolution. I ask for the amendment's adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102, \$450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed

\$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed \$19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, \$51,952,000: *Provided*, That of the funds appropriated under this heading, up to \$1,500,000 shall be for the Privacy and Civil Liberties Oversight Board.

AMENDMENT OFFERED BY MR. SHAYS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS:
Page 177, line 15, after the dollar amount, insert the following: "(increased by \$750,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Connecticut (Mr. SHAYS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, this amendment would add \$750,000 to an account that has \$1.5 million in it. Mrs. MALONEY and I both had legislation adding \$1.5 million on top of the \$1.5 million to the Civil Liberties Board.

Mr. Chairman, it is my understanding that the chairman will accept this amendment at 750, and I advise Mrs. MALONEY of that fact. What we want to do, Mr. Chairman, is to support a Civil Liberties Board that hopefully over time will do more than it is presently doing.

When we give the executive branch more power, we need to have more oversight, more congressional oversight, stronger whistleblower protection. And the 9/11 Commission suggested a strong Civil Liberties Board.

I would like to ask the chairman if this is in fact an amendment that he would accept.

Mr. KNOLLENBERG. I would be happy to accept the amendment with the provision that it would be at the \$750,000 level.

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

The Acting CHAIRMAN. For what purpose does the gentlewoman from New York rise?

Mrs. MALONEY. I rise and would like to express—

The Acting CHAIRMAN. Is the gentlewoman opposed to the amendment?

Mrs. MALONEY. No, I am not opposed to it.

I am opposed to it because I feel we should have gotten more money.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. MALONEY. Mr. Chairman, I had an amendment with Mr. UDALL which would have raised the funding amount to \$3 million. I feel that the \$750,000 is certainly welcomed and needed, but I regret that we were not able to achieve the additional \$1.5 million.

One way that this Congress and the President can show their support for a program is the level of funding that is appropriated, and when we passed the

very important intelligence reform bill, a very important provision of this bill, and a recommendation, one of the top recommendations of the 9/11 Commission, was the creation of a governmentwide Privacy and Civil Liberties Oversight Board.

This board, if given the proper funding and authority, has the opportunity to enhance our security and protect our Nation's core values as we fight to prevent terrorism. The bill before us provides up to \$1.5 million in funding, as part of the Executive Office of the President. The Maloney-Tom Udall amendment would have increased the amount of the board to \$3 million.

This board is to be funded from the \$52 million account provided for in the Executive Office of the President, and our amendment would further draw from this account. We had hoped that it would have passed. I want to say that if we value human rights and civil liberties, we should be funding this board.

We had a hearing on it earlier, and they only had one staff member and one administrator. And certainly, for an oversight board for civil liberties, they should have more funding to protect the civil liberties of Americans. We asked them if they had looked at the many challenges before this country now, the surveillance of phones, the surveillance in the libraries, the surveillance of private lives of people, and we questioned why they had not taken this up.

They said they had just been formed. But I would say that another reason they have not taken it up is that they do not have enough staff working with them.

And clearly any governmentwide board tasked to perform oversight regarding privacy civil liberties will need more than three permanent staffers to get the job done.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

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

Mr. FRANK of Massachusetts. Mr. Chairman, like my colleague from New York, I am glad we are getting something additional. This is symptomatic of this bill. It will provide too little money for a lot of very important programs.

And we will be told, yes, it is a good program, but we do not have the money. I believe the members of the subcommittee did the best possible job. I commend them for doing the best possible job in the circumstances.

The problem is that the majority created the circumstances. This is the consequence of too many tax cuts with wars at the same time, and a budget that then leaves too little money. So in case after case after case, we will be told, you are right, that is a very important function, we do not have enough money.

This particularly troubles me because I would like to build the consensus in the country for the kind of

vigorous law enforcement that we need to protect ourselves in the face of this new threat.

When the oversight board on civil liberties and privacy that the 9/11 Commission recommended is starved for money, you lose the opportunity to achieve that balance that would increase support for law enforcement.

And while no one says it is a bad idea, except maybe the Vice President, but he did not say that openly, I just guessed, no one says that it is doing a bad job. There is too little money left because the priorities are tax cuts, the war in Iraq, and then everything else gets stifled.

And this is an example of a very good program. The committee did the best it could, and the amendment of the gentleman from Connecticut makes a bad situation somewhat better. I am glad that it is here, but we are in this situation because this is an example of the price the country is paying for a very distorted set of priorities.

Mr. Chairman, I thank the gentlewoman, who has been a leader in this fight.

Mrs. MALONEY. Mr. Chairman, reclaiming my time, I would like to contrast this office with the Privacy Office at the Department of Homeland Security. There they have 25 staff members. Here we have three staff members at the governmentwide office, and 25 for the office within just one department.

Just beyond the challenge of staffing, the additional funding will allow the board to develop the infrastructure they need to do their job and will send a message that Congress fully intends to support the important work of the board.

We need to support them. The 9/11 Commission gave this an "F." We would like to get it funded and up and running, and we must find ways of doing this. I appreciate the efforts of my colleagues.

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

Mr. Chairman, I just first would thank Mr. KNOLLENBERG for adding \$750,000 to the \$1.5 million that is already there. I particularly want to thank my colleague, Mrs. MALONEY, who has worked tirelessly on the 9/11 Commission with me and others. I appreciate her willingness to accept this amendment. I appreciate the work that she has done, and she is right about this.

With the Government getting more power, with the PATRIOT Act and the war on terrorism and, and, and, there needs to be stronger legislative oversight. We need to make sure that our whistleblower statutes protect those in the intelligence community.

We need a much stronger Civil Liberties Board. This money will allow the Civil Liberties Board to get started and to do what they need. I know we will be back asking Mr. KNOLLENBERG for more as it proves its viability and effectiveness.

Mr. Chairman, at this time I urge acceptance of this amendment.

My amendment would add a modest \$750,000 for the Privacy and Civil Liberties Oversight Board. This board was created by the Intelligence Reform and Terrorism Prevention Act and is based on a key recommendation of the 9-11 Commission.

The Commission provided the nation with 41 important recommendations to address the terrorist threat and improve our homeland security and recognized the need to balance civil liberties and security. It recommended the following: At this time of increased and consolidated government authority, there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties.

Unfortunately, the authority of the Privacy and Civil Liberties Oversight Board is not as broad as proposed because the legislation that created it does not provide subpoena power, and Board investigations can be vetoed by the U.S. Attorney General. The need for the Board to have strong oversight power was the subject of a recent hearing held in the Subcommittee on National Security, Emerging Threats and International Relations, which I chair.

The limitations on debate prevent my offering an amendment that would expand the Board's powers as is proposed in H.R. 5000, which I co-authored with Representative Maloney, but we can take an important step to ensure the Board will function to the best of its ability under current law.

During our Subcommittee hearing, the chair and vice-chair of the Board testified that they currently only have two staff members and are considering hiring one additional permanent staff member. Mr. Chairman, how can a board with responsibilities for protecting privacy and civil liberties operate like this?

With increased executive power must come increased oversight. These additional funds will help the Board establish its infrastructure and begin performing the robust oversight needed to make it successful, and ensure it can protect all citizens' privacy and civil liberties.

Mr. UDALL of New Mexico. Mr. Chairman, I am pleased to be a cosponsor of this amendment, which is a simple and straightforward step to ensure the privacy rights and civil liberties are being adequately protected.

Recognizing that many of their recommendations called for the government to more effectively protect our Nation, 9/11 Commissioners unanimously expressed the need for a viable Privacy and Civil Liberties Board. The Board was created to help ensure that as we take steps to protect our Nation, it was not done at the expense of our civil liberties.

Unfortunately, this vital board, which was established by the Intelligence Reform bill almost two years ago, has only recently had its Members appointed and confirmed and has held its first meetings. It now has to organize, hire staff, and begin fulfilling its responsibilities, all of which takes time and resources. However, in the 9/11 Commission's report card on the implementation of its recommendations, which was released in December, the Commission noted the Board's insufficient funding. This problem persists in this year's appropriations bill, which will severely hinder the Board's ability to complete these tasks.

Following the revelations about the National Security Agency's various spy programs, it is

more evident that we need the Privacy and Civil Liberties Board to be implemented now more than ever. However, the current level of funding is clearly inadequate. \$1,500,000 is not enough for a Board charged with monitoring privacy and civil liberties implications of federal regulations, executive branch policies and procedures, and public law.

The Maloney/Udall amendment increases the amount reserved for the Board to \$3 million—the same amount that was initially given to the 9/11 Commission. And the level of funding in the bill for the Executive Office of the President will remain the same. This amendment simply gives the Board the funding it needs to do the job it was created to do.

I urge a “yes” vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EXECUTIVE RESIDENCE AT THE WHITE HOUSE
OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurbishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, \$12,041,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit \$25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That

the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, \$1,600,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), \$4,002,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$3,385,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, \$8,405,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, \$91,393,000, of which \$11,397,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, \$76,185,000, of which not to exceed \$3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made and shall be allocated in accordance with the terms and conditions set forth in the accompanying statement of the managers except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of

1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and Appropriations Committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days of the end of the OMB review period based on the notification from the Director, Congress shall assume OMB concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed \$10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, \$26,928,000; of which \$1,316,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT

CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$19,600,000, which shall remain available until expended, consisting of \$9,600,000 for counternarcotics research and development projects, of which up to \$1,000,000 is to be directed to supply reduction activities, and \$10,000,000 for the continued operation of the technology transfer program: *Provided*, That the \$9,600,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS
PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$227,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities: *Provided*, That up to 49 percent, to remain available until September 30, 2007, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less

than \$2,000,000 shall be used for auditing services and associated activities, and at least \$500,000 of the \$2,000,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program.

AMENDMENT 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 offered by Ms. HOOLEY:

Page 184, line 17, after the dollar amount, insert the following: “(increased by \$8,000,000)”.

Page 205, line 18, after the dollar amount, insert the following: “(reduced by \$8,000,000)”.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. HOOLEY. Mr. Chairman, today I rise to offer an amendment with Congressman HULSHOF and Congressman SKELTON that would provide an \$8 million increase to the High Intensity Drug Trafficking Area Program.

Mr. Chairman, for the past 5 years, HIDTA has essentially been levelly funded despite the increasing threat from the spread of methamphetamine throughout our country.

This amendment would enable the Office of National Drug Control Policy to maintain full funding to existing HIDTAs as well as provide additional resources for the establishment of new HIDTAs.

Mr. Chairman, in my three decades of public service, I have not seen a problem as pervasive or as damaging as Oregon's meth epidemic. The production, distribution and use of meth is a serious threat to public health and safety.

□ 2045

I have traveled around the State talking to policymakers and law enforcement leaders about the meth problem. I have heard one message loud and clear: local law enforcement lacks the resources needed to extinguish Oregon's meth wildfire, and I know Oregon is by no means alone in this fight.

HIDTA provides State and local law enforcement with critical Federal resources to fight meth abuse. It is particularly effective because these resources are targeted at the areas most adversely affected by drug trafficking. It allows communities to develop and implement a comprehensive strategy to combat meth and other illegal drugs, one that addresses enforcement, treatment, prevention education, and control of precursor chemicals.

Last year, I offered a similar amendment to the FY 06 meth appropriation bill that added \$9 million to HIDTA. While this amendment passed overwhelmingly, the funding was stripped from the final conference report. HIDTA deserves the support of this

Congress because it not only helps law enforcement identify and dismantle labs, but also helps break the cycle of other crimes associated with meth use, crimes from domestic violence and child abuse to identity theft. We must continue to support this valuable initiative so our communities have the resources they need to stop the spread of methamphetamine.

I urge you to support this amendment.

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

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

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

Mr. KNOLLENBERG. Mr. Chairman, first let me state that I am a supporter of the High Intensity Drug Trafficking Areas program. I think it is apparent from the recommended level of funding in our bill.

Mr. Chairman, the President requested that this program be transferred to the Department of Justice, a Department not under the jurisdiction of this subcommittee, at a level of \$207 million. Given the wide support for this program, we retain the oversight of the program in the TTHUD subcommittee and increased funding above the President's request \$20 million to that \$227 million level.

I would support my colleague's amount if this were not a zero-sum situation. But this increase has to come from another program, in this case the National Archives and Records Administration, or NARA. NARA has a projected \$12 million shortfall right now, even if they receive full funding for fiscal year 2007. A hiring freeze goes into effect on the beginning of July. A cut of \$12 million could result in serious staffing issues at the National Archives.

Additionally, there is a projected reduction in research hours and hours open to the public and other measures that have to be taken even with full funding. A \$12 million cut would impose further reductions on operating hours, something that I oppose; and I urge my colleagues, therefore, to oppose this amendment.

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

Ms. HOOLEY. Mr. Chairman, if the gentleman will answer a question, this was \$9 million, not \$12 million.

Mr. KNOLLENBERG. Well, the whole point is that it isn't just one thing; it is two or three things that are the problem. Already, they are down \$12 million. Then there is the possibility that yours would strike some more money.

Finally, what do they do about the servicing? How do they even get along with that situation when they know they are going to lose some people. They are going to lose some people.

Ms. HOOLEY. Mr. Chairman, reclaiming the balance of my time, this amendment is really about priorities.

The National Archives is an excellent program, and one I fully support; but this amendment still leaves them with \$281.6 million for operating expenses. It is an increase. HIDTA is at level funding, and it allows HIDTA to improve and expand its services for the first time in 5 years, at a time when communities across this country are facing an increasing problem with methamphetamine.

Everybody knows this is a huge problem, one of the fastest-growing drug problems in the Nation. I think we need to provide HIDTA with the funding they need. It is not that I don't support the archives program; it is terrific. But HIDTA has been funded at a level that it already had an increase, and I think we need to fund this. This is a horrific epidemic in this country, and I think we need to fund it.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

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

Ms. HOOLEY. 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 gentlewoman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

OTHER FEDERAL DRUG CONTROL PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$194,000,000, to remain available until expended, of which the amounts are available as follows: \$100,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998: *Provided*, That the Office of National Drug Control Policy shall maintain funding for non-advertising services for the media campaign at no less than the fiscal year 2003 ratio of service funding to total funds and shall continue the corporate outreach program as it operated prior to its cancellation; \$80,000,000 to continue a program of matching grants to drug-free communities, of which \$2,000,000 shall be a direct grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; \$1,000,000 for the National Drug Court Institute; \$1,000,000 for the National Alliance for Model State Drug Laws; \$8,500,000 for the United States Anti-Doping Agency for anti-doping activities; \$1,500,000 for the United States membership dues to the World Anti-Doping Agency; and \$1,980,000 for evaluations and research related to National Drug Control Program performance measures: *Provided further*, That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further*, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and

testing, labor and related costs of the national media campaign.

UNANTICIPATED NEEDS
UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, \$1,000,000.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, \$4,352,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurbishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed \$90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, \$317,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 601. From funds made available in this Act under the headings "White House Office", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisors", "National Security Council", "Office of Administration", "Office of Policy Development", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the House and Senate Committees on Appropriations, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 602. The President shall submit to the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds appropriated under the heading "Office of National Drug Control Policy", a financial plan on the proposed uses of all funds under the heading on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up to 20 percent of funds appropriated under this heading may be obligated before the submission of the report subject to prior approval of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*,

That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

This title may be cited as the "Executive Office of the President Appropriations Act, 2007".

TITLE VII

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$5,956,590: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$62,370,000.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, \$16,908,000, of which \$4,950,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$26,256,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund (or any successor to these Funds).

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, \$57,138,000, of which no less than \$6,500,000 shall be available for internal automated data processing systems, and of which not to exceed \$5,000 shall be available for reception and representation expenses: *Provided*, That the FEC is authorized to establish, modify, charge, and collect registration fees for FEC hosted conferences: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to attend the campaign finance conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere,

\$25,218,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$21,474,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATION ON AVAILABILITY OF REVENUE

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract: *Provided*, That notwithstanding any other provision of this Act, in an amount not more than the aggregate amount specified under this heading in the Report of the House Committee on Appropriations to accompany the Transportation, Treasury, Housing and Urban Development, the Judiciary, The District of Columbia, and Independent Agencies Appropriations Act, 2007, and that such aggregate amount shall remain available until expended in such amounts for individual real property projects and activities as provided in that accompanying Report: *Provided further*, That any proposed increases or decreases to the amounts contained in such report shall be subject to prior approval of the Committee on Appropriations.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with

the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, \$52,550,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed \$7,500 for official reception and representation expenses, \$83,032,000.

AMENDMENT OFFERED BY MR. WYNN

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WYNN:

Page 195, line 4, after "\$83,032,000" insert "(reduced by \$1,000,000)".

Page 209, line 15, after "\$100,178,000" insert "(increased by \$1,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. WYNN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. WYNN. Mr. Chairman, I rise to offer an amendment that would fund a study to increase health and wellness for the Federal workforce, our employees. Specifically, the amendment would fund a study by the Office of Personnel Management to develop recommendations to create incentives to boost the level of physical fitness and in return the productivity of Federal employees and their families.

Increasing the level of Federal employees' physical fitness would indeed boost the productivity of workers, reduce chronic illness, and decrease the Federal workforce's health care costs.

Let me talk for a minute about the nature of the problem. Today, approximately 127 million adults in the United States are overweight. I know a little about that. Sixty million are obese and nine million are severely obese. Obesity has been linked to an increase in chronic diseases such as coronary artery disease, type 2 diabetes, osteoporosis, high blood pressure and certain types of cancer.

According to the Centers for Disease Control and Prevention, the medical care costs, and this is what is important, the medical care cost of people with chronic diseases accounts for more than 75 percent of the Nation's \$1.4 trillion in medical costs.

You know, on this floor, Mr. Chairman, we offer you the phrase, we need to run government like a business. I

think that is a good idea. What you will find is businesses are increasingly turning to wellness programs to reduce rising health care costs and most believe that these programs will have a long-term impact according to a survey by the Deloitte Center For Health Solutions and the ERISA Industry Committee.

For example, Lafarge North America, a Herndon, Virginia, building materials manufacturer with 650 employees reimburses its employees for half of their monthly gym fees up to \$500 per year. Employees of Aetna can earn financial incentives of up to \$345 a year for participating in weight management and fitness courses.

Could this business approach apply to the Federal workforce? I think so. This amendment would provide funding to study best ways to improve employee health and fitness, thereby improving productivity. Some of the issues under study would include lunchtime walking and running clubs, creating accessible biking trails or bike routes, providing periodic incentive programs, promoting physical activities, health risk appraisals for all employees, contract with health plans to offer free and reduced cost memberships to health clubs allowing flexible work schedules so employees can exercise; discounting health insurance premiums and/or reduce copayments and deductibles in return for an employee's participation in specified health promotion or disease prevention program, constructing gyms in the workplace, such as we have here at the House; sponsoring exercise classes, providing employees with a stipend, full or partial, for gym membership.

Mr. Chairman, let me conclude by saying this: this amendment is designed to call attention to the link between Federal employees' fitness and greater productivity and ultimately taxpayer savings on health insurance costs. I would like to work with the chairman and the ranking member in the future to increase the level of physical fitness in the Federal workforce. I believe it is a win/win for the taxpayer and Federal employees.

At this time, Mr. Chairman, I would ask unanimous consent to withdraw my amendment in the hope of further discussion as we go forward.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I just want to thank the gentleman from Maryland for his interest in this area. I certainly agree that to the extent we can, we should promote and encourage physical activity as a way to prevent chronic health problems. I would just say that I look forward to working with you on this matter and make sure that these efforts lead to some decent results.

Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 252, line 2 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through page 252, line 2 is as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, \$44,312,000: *Provided*, That not to exceed \$15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed \$2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of inter-agency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, \$3,000,000, to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95-138, \$3,030,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, \$16,866,000, to be deposited into the Federal Citizen Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed \$35,000,000: *Provided further*, That appropriations, revenues, and collections accruing to this Fund during fiscal year 2007 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 701. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 702. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 703. Funds in the Federal Buildings Fund made available for fiscal year 2007 for Federal Buildings Fund activities may be transferred between such activities only to

the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 704. Except as otherwise provided in this title, no funds made available by this Act shall be used to transmit a fiscal year 2008 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2008 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 705. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 706. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 707. ACQUISITION SERVICES FUND.—(a) 40 U.S.C. 321 is amended as follows:

(1) In the heading, by striking "**GENERAL SUPPLY**" and inserting "**ACQUISITION SERVICES**".

(2) In subsection (a), by striking "General Supply" and inserting "Acquisition Services" and adding "(the Fund)" following "Acquisition Services Fund"; and after the initial sentence, by adding the following new paragraph: "The Fund shall replace the General Supply Fund and the Information Technology Fund. Capital assets and balances remaining in the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be transferred to the Acquisition Services Fund and shall be merged with and be available for the purposes of the Acquisition Services Fund. Any liabilities, commitments, and obligations of the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be assumed by the Acquisition Services Fund."

(3) In subsection (b)—

(A) by striking the text of paragraph (1) and inserting the following: "The Fund is composed of amounts authorized to be transferred to the Fund or otherwise made available to the Fund.";

(B) by striking the text of paragraph (2) and inserting the following: "The Fund shall be credited with all reimbursements, advances, and refunds or recoveries relating to personal property or services procured through the Fund, including—

"(A) the net proceeds of disposal of surplus personal property;

"(B) receipts from carriers and others for loss of, or damage to, personal property; and

"(C) receipts from agencies charged fees pursuant to rates established by the Administrator.";

(C) by striking the heading and text of paragraph (3) and inserting the following: "COST AND CAPITAL REQUIREMENTS.—The Ad-

ministrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged agencies provided, or to be provided, a supply of personal property and non-personal services through the Fund, in accordance with the plan.";

(D) by adding at the end the following new paragraph:

"(4) DEPOSIT OF FEES.—Fees collected by the Administrator under section 313 of this title may be deposited in the Fund, to be used for the purposes of the Fund."

(4) In subsection (c)(1)(A)—
(A) by striking "and" at the end of clause (i);

(B) by inserting "and" after the semicolon at the end of clause (ii); and

(C) by inserting after clause (ii) the following new clause:

"(iii) personal services related to the provision of information technology (as defined in section 11101(6) of this title)."

(5) In subsection (d)(2)(A)—

(A) by striking "and" at the end of clause (iv);

(B) by redesignating clause (v) as clause (vi); and

(C) by inserting after clause (iv) the following new clause:

"(v) the cost of personal services employed directly in providing information technology (as defined in section 11101(6) of this title); and"

(6) By striking subsection (f) and inserting the following:

"(f) TRANSFER OF UNCOMMITTED BALANCES.—Following the close of each fiscal year, after making provision for a sufficient level of inventory of personal property to meet the needs of Federal Agencies, the replacement cost of motor vehicles, and other anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts."

(7) CONFORMING AND CLERICAL AMENDMENTS.—

(A) 40 U.S.C. 322 is repealed.

(B) The table of sections for chapter 3 of title 40, United States Code, is amended by striking the items relating to sections 321 and 322 and inserting the following:

"321. Acquisition Services Fund."

(C) 40 U.S.C. 573 is amended by striking "General Supply Fund" both places it appears and inserting "Acquisition Services Fund".

(D) 40 U.S.C. 604(b) is amended in the heading and the text by striking "General Supply Fund" and inserting "Acquisition Services Fund".

(E) 40 U.S.C. 605 is amended—

(i) in the heading and the text of subsection (a) by striking "General Supply Fund" and inserting "Acquisition Services Fund"; and

(ii) in subsection (b)(2), by striking "321(f)(1)" and inserting "321(f)" and by striking "General Supply Fund" and inserting "Acquisition Services Fund".

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978,

and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed \$2,000 for official reception and representation expenses, \$36,531,000, together with not to exceed \$2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), \$2,000,000, to remain available until expended, of which up to \$50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107-289) notwithstanding sections 8 and 9 of Public Law 102-259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, \$2,000,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for the hire of passenger motor vehicles, \$289,605,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, \$45,455,000, of which \$31,680,000 shall remain available until September 30, 2008.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, \$13,020,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records

as authorized by 44 U.S.C. 2504, as amended, \$7,500,000, to remain available until expended: *Provided*, That of the funds provided in this paragraph, \$2,000,000 shall be transferred to the operating expenses account for operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION
CENTRAL LIQUIDITY FACILITY

During fiscal year 2007, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2007 shall not exceed \$331,000.

COMMUNITY DEVELOPMENT CREDIT UNION
REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, \$941,000, shall be available until September 30, 2008 for technical assistance to low-income designated credit unions.

NATIONAL TRANSPORTATION SAFETY BOARD
SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) \$81,594,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

(RESCISSION)

Of the available unobligated balances made available under Public Law 106-246, \$1,664,000 are rescinded.

NEIGHBORHOOD REINVESTMENT CORPORATION
PAYMENT TO THE NEIGHBORHOOD
REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$119,790,000.

OFFICE OF GOVERNMENT ETHICS
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$11,489,000.

OFFICE OF PERSONNEL MANAGEMENT
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where

Voting Rights Act activities require an employee to remain overnight at his or her post of duty, \$111,095,000, of which \$6,913,170 shall remain available until expended for the Enterprise Human Resources Integration project; \$1,435,500 shall remain available until expended for the Human Resources Line of Business project. In addition, \$100,178,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2007, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$1,597,860, and in addition, not to exceed \$16,165,710 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS,
EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS,
EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND
DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771-775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95-454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101-12), as amended, Public Law 107-304, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103-353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$15,937,000.

SELECTIVE SERVICE SYSTEM
SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101-4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$750 for official reception and representation expenses; \$24,255,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS
OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$2,000,000.

UNITED STATES POSTAL SERVICE
PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$108,915,000, of which \$79,915,000 shall not be available for obligation until October 1, 2007: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2007.

UNITED STATES TAX COURT
SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, \$47,110,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VIII—GENERAL PROVISIONS THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 802. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 803. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 804. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 805. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 806. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 807. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 808. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy American Act”).

SEC. 809. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 810. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activ-

ity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 811. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2007 from appropriations made available for salaries and expenses for fiscal year 2007 in this Act, shall remain available through September 30, 2008, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be in compliance with reprogramming guidelines.

SEC. 812. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 813. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 814. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an

Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 815. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 816. The provision of section 815 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 817. In order to promote Government access to commercial information technology, the restriction on purchasing non-domestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 818. None of the funds made available in the Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 819. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfield as defined in the Small Business Liability Relief and Brownfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

TITLE IX—GENERAL PROVISIONS GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 901. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 902. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2007 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 903. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance

with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at \$8,100 except station wagons for which the maximum shall be \$9,100: *Provided*, That these limits may be exceeded by not to exceed \$3,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.

SEC. 904. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-5924.

SEC. 905. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102-404): *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined not more than \$4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 906. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including

maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 907. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 908. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 909. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 910. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 911. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service or under the charge and control of the Postal Service. The Postal Service may give such guards, with respect to such property, any of the powers of special policemen provided under 40 U.S.C. 1315. The Postmaster General, or his designee, may take any action that the Secretary of Homeland Security may take under such section with respect to that property.

SEC. 912. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 913. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2007, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2007, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2007, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2007 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2007 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2006, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2006, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2006.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 914. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be

obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 915. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 916. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

- (1) the Central Intelligence Agency;
- (2) the National Security Agency;
- (3) the Defense Intelligence Agency;
- (4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;
- (5) the Bureau of Intelligence and Research of the Department of State;
- (6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 917. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241), as amended, the Age Discrimination in Employment Act of 1967 (Public Law 90-202, 81 Stat. 602), and the Rehabilitation Act of 1973 (Public Law 93-112, 87 Stat. 355).

SEC. 918. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Govern-

ment from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 919. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 920. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by

said Executive order and listed statutes are incorporated into this agreement and are controlling: *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 921. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 922. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 923. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 924. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 925. (a) In this section the term "agency"—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 926. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 927. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-

wide Policy” with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Chief Acquisition Officers Council for procurement initiatives): *Provided further*, the total funds transferred or reimbursed shall not exceed \$10,000,000: *Provided further*, such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 928. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 929. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 930. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 931. Subsection (f) of section 403 of Public Law 103-356 (31 U.S.C. 501 note), as amended, is repealed.

SEC. 932. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS’ INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual’s access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual’s access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term “regulatory” means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term “supervisory” means examinations of the agency’s supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 933. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care’s HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual’s religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 934. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 935. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A-126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 936. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 937. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or

other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 938. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail—

(1) the amount proposed for transfer for any department and agency by program office, bureau, or activity, as appropriate;

(2) the specific use of funds;

(3) the relevance of that use to that department or agency and each bureau or office within, which is contributing funds; and

(4) a description on any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 939. (a) REQUIREMENT FOR PUBLIC-PRIVATE COMPETITION.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be available to convert to contractor performance an activity or function of an executive agency, that on or after the date of enactment of this Act, is performed by more than 10 Federal employees unless—

(A) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function; and

(B) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the executive agency by an amount that equals or exceeds the lesser of—

(i) 10 percent of the most efficient organization’s personnel-related costs for performance of that activity or function by Federal employees; or

(ii) \$10,000,000.

(2) This paragraph shall not apply to—

(A) the Department of Defense;

(B) section 44920 of title 49, United States Code;

(C) a commercial or industrial type function that—

(i) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47); or

(ii) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act;

(D) depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code; or

(E) activities that are the subject of an ongoing competition that was publicly announced prior to the date of enactment of this Act.

(b) USE OF PUBLIC-PRIVATE COMPETITION.—Nothing in Office of Management and Budget Circular A-76 shall prevent the head of an executive agency from conducting a public-private competition to evaluate the benefits of converting work from contract performance to performance by Federal employees in appropriate instances. The Circular shall provide procedures and policies for these competitions that are similar to those applied to competitions that may result in the conversion of work from performance by Federal employees to performance by a contractor.

SEC. 940. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2007 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 2.7 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2007.

(b) Notwithstanding section 913 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2007 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as "Rest of US" pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2007.

SEC. 941. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 942. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) or of section 552.224 of title 48 of the Code of Federal Regulations.

SEC. 943. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. The department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

The Acting CHAIRMAN. Are there any points of order to that portion of the bill? If not, are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 944. Except as expressly provided otherwise, any reference to "this Act" contained in this title shall not apply to title V.

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 by Mr. LATOURETTE of Ohio.

Amendment by Ms. BEAN of Illinois.

Amendment by Mr. ISRAEL of New York.

Amendment by Mr. GARY G. MILLER of California.

Amendment by Mr. NADLER of New York.

Amendment by Mr. DAVIS of Alabama.

Amendment by Ms. JACKSON-LEE of Texas.

Amendment of Ms. HARRIS of Florida.

Amendment by Ms. SLAUGHTER of New York.

Amendment of Ms. WATERS of California.

Amendment by Ms. HOOLEY of Oregon.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LATOURETTE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE) 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 266, noes 158, not voting 8, as follows:

[Roll No. 263]

AYES—266

Abercrombie	Butterfield	DeFazio
Ackerman	Capito	DeGette
Allen	Capps	Delahunt
Andrews	Capuano	DeLauro
Baca	Cardin	Dent
Bachus	Cardoza	Dicks
Baird	Carnahan	Dingell
Baldwin	Carson	Doggett
Barrow	Case	Doyle
Bass	Castle	Edwards
Bean	Chandler	Ehlers
Becerra	Clay	Emanuel
Berkley	Cleaver	Emerson
Berman	Clyburn	Engel
Berry	Cole (OK)	English (PA)
Bishop (GA)	Conyers	Eshoo
Bishop (NY)	Costa	Etheridge
Blumenauer	Costello	Farr
Boehlert	Cramer	Fattah
Boren	Crowley	Feeney
Boswell	Cuellar	Ferguson
Boucher	Cummings	Filner
Boyd	Davis (AL)	Fitzpatrick (PA)
Brady (PA)	Davis (CA)	Foley
Brown (OH)	Davis (FL)	Ford
Brown, Corrine	Davis (IL)	Fortenberry
Brown-Waite,	Davis (TN)	Fossella
Ginny	Davis, Jo Ann	Frank (MA)
Burton (IN)	Davis, Tom	Frelinghuysen

Garrett (NJ)	Markey	Sabo
Gerlach	Marshall	Sanchez, Linda
Gilchrest	Matheson	T.
Gohmert	Matsui	Sanchez, Loretta
Gonzalez	McCarthy	Sanders
Goode	McCollum (MN)	Saxton
Goodlatte	McCotter	Schakowsky
Gordon	McDermott	Schiff
Green, Al	McGovern	Schwartz (PA)
Green, Gene	McHugh	Schwarz (MI)
Gutierrez	McIntyre	Scott (GA)
Harman	McKeon	Scott (VA)
Hastings (FL)	McKinney	Serrano
Hayes	McNulty	Shays
Herse	Meehan	Sherman
Higgins	Meek (FL)	Shimkus
Hinche	Meeks (NY)	Simmons
Hinojosa	Melancon	Skelton
Hoekstra	Michaud	Slaughter
Holden	Millender-	Smith (NJ)
Holt	McDonald	Smith (WA)
Honda	Miller (NC)	Snyder
Hooley	Miller, George	Solis
Hoyer	Mollohan	Souder
Inslee	Moore (KS)	Spratt
Israel	Moore (WI)	Stark
Jackson (IL)	Moran (NC)	Stark
Jackson-Lee	Moran (VA)	Stupak
(TX)	Murphy	Sweeney
Jefferson	Murtha	Tanner
Jindal	Nadler	Tauscher
Johnson (CT)	Napolitano	Taylor (MS)
Johnson (IL)	Neal (MA)	Thompson (CA)
Johnson, E. B.	Ney	Thompson (MS)
Jones (OH)	Oberstar	Tiberi
Kanjorski	Obey	Tierney
Kaptur	Olver	Towns
Kelly	Ortiz	Turner
Kennedy (RI)	Osborne	Udall (CO)
Kildee	Owens	Udall (NM)
Kilpatrick (MI)	Pallone	Upton
Kind	Pascarell	Van Hollen
King (NY)	Pelosi	Velázquez
Kirk	Peterson (MN)	Vislosky
Kucinich	Pickering	Walsh
Kuhl (NY)	Platts	Wasserman
LaHood	Pomeroy	Schultz
Langevin	Porter	Waters
Lantos	Price (NC)	Watson
Larsen (WA)	Pryce (OH)	Watt
Larson (CT)	Rahall	Waxman
LaTourette	Rangel	Weiner
Leach	Regula	Weldon (PA)
Lee	Rehberg	Weller
Levin	Reyes	Wexler
Lewis (GA)	Reynolds	Whitfield
Lipinski	Ross	Wolf
LoBiondo	Rothman	Woolsey
Lofgren, Zoe	Roybal-Allard	Wu
Lowey	Ruppersberger	Wynn
Lynch	Rush	Young (FL)
Maloney	Ryan (OH)	

NOES—158

Aderholt	Cooper	Hostettler
Akin	Crenshaw	Hulshof
Alexander	Cubin	Hunter
Baker	Culberson	Inglis (SC)
Barrett (SC)	Davis (KY)	Issa
Bartlett (MD)	Deal (GA)	Istook
Barton (TX)	Diaz-Balart, L.	Jenkins
Beauprez	Diaz-Balart, M.	Johnson, Sam
Biggett	Doolittle	Jones (NC)
Bilbray	Drake	Keller
Bilirakis	Dreier	Kennedy (MN)
Bishop (UT)	Duncan	King (IA)
Blackburn	Everett	Kingston
Blunt	Flake	Kline
Boehner	Forbes	Knollenberg
Bonilla	Fox	Kolbe
Bonner	Franks (AZ)	Latham
Bono	Gallely	Lewis (CA)
Boozman	Gibbons	Lewis (KY)
Boustany	Gillmor	Linder
Bradley (NH)	Gingrey	Lucas
Brady (TX)	Granger	Lungren, Daniel
Brown (SC)	Graves	E.
Burgess	Green (WI)	Mack
Buyer	Grijalva	Marchant
Calvert	McCauley	McCaul (TX)
Camp (MI)	Hall	McCreery
Campbell (CA)	Harris	McHenry
Cannon	Hart	McMorris
Cantor	Hastings (WA)	Mica
Carter	Hayworth	Miller (FL)
Chabot	Hefley	Miller, Gary
Chocola	Hensarling	Musgrave
Coble	Hergert	Myrick
Conaway	Hobson	Neugebauer

Northup Ramstad Smith (TX)
 Norwood Renzi Sodrel
 Nunes Rogers (AL) Stearns
 Nussle Rogers (KY) Sullivan
 Otter Rogers (MI) Tancredo
 Oxley Rohrabacher Taylor (NC)
 Pastor Ros-Lehtinen Terry
 Paul Royce Thomas
 Pearce Ryan (WI) Thornberry
 Pence Ryan (KS) Tiahrt
 Peterson (PA) Salazar Walden (OR)
 Petri Schmidt Wamp
 Pitts Sensenbrenner Weldon (FL)
 Poe Shadegg Westmoreland
 Pombo Shaw Wicker
 Price (GA) Sherwood Wilson (NM)
 Putnam Shuster Wilson (SC)
 Radanovich Simpson Young (AK)

Gutierrez Matsui Salazar
 Harman McCarthy Sánchez, Linda
 Harris McColium (MN) T.
 Hastings (FL) McDermott Sanchez, Loretta
 Holden McGovern Sanders
 Herseht McIntyre Schakowsky
 Higgins McKinney Schiff
 Hincey McNulty Schwartz (PA)
 Hinojosa Meehan Scott (GA)
 Hiron Meek (FL) Scott (VA)
 Holt Meeks (NY) Serrano
 Honda Melancon Shays
 Hooley Michaud Sherman
 Hoyer Millender Shimkus
 Insee McDonald Simmons
 Israel Miller (NC) Skelton
 Jackson (IL) Miller, George Slaughter
 Jackson-Lee Mollohan Smith (NJ)
 (TX) Moore (KS) Smith (WA)
 Jefferson Moore (WI) Snyder
 Jindal Moran (VA) Solis
 Johnson (CT) Murtha Spratt
 Johnson (IL) Nadler Stark
 Johnson, E. B. Napolitano Tanner
 Jones (OH) Neal (MA) Oberstar
 Kanjorski Oberstar Tauscher
 Kaptur Obey Taylor (MS)
 Keller Oliver Terry
 Kelly Ortiz Thompson (CA)
 Kennedy (RI) Owens Thompson (MS)
 Kildee Pallone Tierney
 Kilpatrick (MI) Pascrell Towns
 Kind Pastor Udall (CO)
 Kirk Pelosi Udall (NM)
 Kucinich Peterson (MN) Van Hollen
 Langevin Platts Velázquez
 Lantos Pomeroy Visclosky
 Larsen (WA) Porter Wasserman
 Larson (CT) Price (NC) Schultz
 Leach Rahall Waters
 Lee Ramstad Watson
 Levin Rangel Watt
 Lewis (GA) Renzi Waxman
 Lipinski Reyes Weiner
 LoBiondo Ross Weldon (PA)
 Lowey Rothman Weller
 Lynch Roybal-Allard Wexler
 Maloney Ruppersberger Woolsey
 Markey Rush Wu
 Marshall Ryan (OH) Wynn
 Matheson Sabo Young (FL)

Pitts Saxton Thomas
 Poe Schmidt Thornberry
 Pombo Schwarz (MI) Tiahrt
 Price (GA) Sensenbrenner Tiberi
 Pryce (OH) Shadegg Turner
 Putnam Shaw Upton
 Radanovich Sherwood Walden (OR)
 Regula Shuster Walsh
 Rehberg Simpson Wamp
 Reynolds Smith (TX) Weldon (FL)
 Rogers (AL) Sodrel Westmoreland
 Rogers (KY) Souder Whitfield
 Rogers (MI) Stearns Wicker
 Rohrabacher Stupak Wilson (NM)
 Ros-Lehtinen Sullivan Wilson (SC)
 Royce Sweeney Wolf
 Ryan (WI) Tancredo Young (AK)
 Ryun (KS) Taylor (NC)

NOT VOTING—8

Evans Miller (MI) Sessions
 Hyde Payne Strickland
 Manzullo Reichert

□ 2121

Messrs. SALAZAR, CHOCOLA, SIMPSON, MARCHANT, Mrs. SCHMIDT and Mr. SULLIVAN changed their vote from “aye” to “no.”

Messrs. HINOJOSA, GUTIERREZ, BURTON of Indiana and Ms. MCKINNEY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. BEAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. BEAN) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 190, not voting 8, as follows:

[Roll No. 264]

AYES—234

Abercrombie Capps DeLauro
 Ackerman Cardin Dent
 Allen Cardoza Dicks
 Andrews Carnahan Dingell
 Baca Carson Doggett
 Baird Case Doyle
 Baldwin Castle Edwards
 Barrow Chabot Emanuel
 Bean Chandler Engel
 Becerra Clay Eshoo
 Berkley Cleaver Etheridge
 Berman Clyburn Farr
 Berry Conyers Fattah
 Bilbray Cooper Ferguson
 Bilirakis Costa Filner
 Bishop (GA) Costello Fitzpatrick (PA)
 Bishop (NY) Cramer Foley
 Blumenauer Crowley Ford
 Bono Cuellar Foxx
 Boswell Cummings Frank (MA)
 Boucher Davis (AL) Gerlach
 Boyd Davis (CA) Gibbons
 Bradley (NH) Davis (FL) Gohmert
 Brady (PA) Davis (IL) Gonzalez
 Brown (OH) Davis (TN) Gordon
 Brown, Corrine Davis, Tom Green (WI)
 Brown-Waite, DeFazio Green, Al
 Ginny DeGette Green, Gene
 Butterfield Delahunt Grijalva

NOES—190

Aderholt Doolittle Kingston
 Akin Drake Kline
 Alexander Dreier Knollenberg
 Bachus Duncan Kolbe
 Baker Ehlers Kuhl (NY)
 Barrett (SC) Emerson LaHood
 Bartlett (MD) English (PA) Latham
 Barton (TX) Everett LaTourette
 Bass Feeney Lewis (CA)
 Beauprez Flake Lewis (KY)
 Biggert Forbes Linder
 Bishop (UT) Fortenberry Lofgren, Zoe
 Blackburn Fossella Lucas
 Blunt Franks (AZ) Lungren, Daniel
 Boehlert Frelinghuysen E.
 Boehner Gallegly Mack
 Bonilla Garrett (NJ) Marchant
 Bonner Gilchrest McCaul (TX)
 Boozman Gillmor McCotter
 Boren Gingrey McCreery
 Boustany Goode McHenry
 Brady (TX) Goodlatte McHugh
 Brown (SC) Granger McKeon
 Burgess Graves McMorris
 Burton (IN) Gutknecht Mica
 Buyer Hall Miller (FL)
 Calvert Hart Miller, Gary
 Camp (MI) Hastings (WA) Moran (KS)
 Campbell (CA) Hayworth Murphy
 Cannon Hefley Musgrave
 Cantor Hensarling Myrick
 Capito Herger Neugebauer
 Capuano Hobson Ney
 Carter Hoekstra Northup
 Chocola Hostetler Norwood
 Coble Hulshof Nunes
 Cole (OK) Hunter Nussle
 Conaway Inglis (SC) Osborne
 Crenshaw Issa Otter
 Cubin Istook Oxley
 Culberson Jenkins Paul
 Davis (KY) Johnson, Sam Pearce
 Davis, Jo Ann Jones (NC) Pence
 Deal (GA) Kennedy (MN) Peterson (PA)
 Diaz-Balart, L. King (IA) Petri
 Diaz-Balart, M. King (NY) Pickering

NOT VOTING—8

Evans Miller (MI) Sessions
 Hyde Payne Strickland
 Manzullo Reichert

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2127

Mr. THOMAS changed his vote from “aye” to “no.”

Mr. SHAYS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Chairman, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall vote No. 263, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for Amtrak by \$214,000,000. Had I been present, I would have voted “no.”

(2) Rollcall Vote No. 264, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for the National Highway Traffic Safety Administration Operations and Research by \$6,700,000. Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. ISRAEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ISRAEL) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 7, as follows:

[Roll No. 265]

AYES—197

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boehrlert
Boren
Boswell
Boucher
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gibbons

Gonzalez
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchev
Hinojosa
Holden
Holt
Honda
Hookey
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
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 (KS)
Murtha
Nadler
Napolitano
Ney
Oberstar
Obey
Ortiz
Owens
Pallone
Pascrell
Pelosi
Pomeroy
Porter
Price (GA)
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Ryazan
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Waters
Watt
Waxman
Weiner
Wexler
Wu

NOES—228

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggart
Bilbray
Billirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)

Brown (SC)
Brown-Waite,
Ginny
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Culberson
Davis (AL)
Davis (KY)
Davis, Tom
Deal (GA)

Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxo
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode

Goodlatte
Gordon
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kennedy (MN)
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Lynch
Mack
Marchant

Markey
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (VA)
Murphy
Musgrave
Myrick
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Nussle
Oliver
Osborne
Ottler
Oxley
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ryan (WI)

Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman
Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Hyde
Manzullo

Miller (MI)

Strickland

Payne

Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
Members are advised there is 1 minute
remaining in this vote.

□ 2131

Mr. MORAN of Virginia changed his
vote from “aye” to “no.”

Mr. BOEHLERT changed his vote
from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MR. GARY G. MILLER
OF CALIFORNIA

The CHAIRMAN. The pending busi-
ness is the demand for a recorded vote
on the amendment offered by the gen-
tleman from California (Mr. GARY G.
MILLER) 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 amend-
ment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has
been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 286, noes 139,
not voting 7, as follows:

[Roll No. 266]

AYES—286

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)

Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchev
Hinojosa
Holden
Holt
Honda
Hookey
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-
McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer

Ney
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomboy
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller

Wexler Wilson (NM) Wu
Whitfield Woolsey Wynn

[Roll No. 267]

AYES—243

NOES—139

Aderholt Gilchrest Myrick
Akin Gillmor Northup
Alexander Gingrey Norwood
Baird Goode Nunes
Baker Goodlatte Oxley
Barrett (SC) Granger Pearce
Barton (TX) Graves Pence
Bilirakis Gutknecht Petri
Bishop (UT) Hall Pitts
Blackburn Hayes Poe
Blunt Hayworth Price (GA)
Boehlert Hefley Putnam
Boehner Hensarling Regula
Bonilla Hergert
Bonner Hobson Rehberg
Boozman Hoekstra Rogers (KY)
Boustany Hostettler Rogers (MI)
Brady (TX) Hulshof Ros-Lehtinen
Brown (SC) Inglis (SC) Ryan (WI)
Buyer Istook Saxton
Camp (MI) Jenkins Schmidt
Cannon Johnson, Sam
Cantor King (IA) Sensenbrenner
Carter Kingstone Shadegg
Chocola Kirk Sherwood
Coble Kline Shimkus
Cole (OK) Knollenberg Shuster
Conaway Kolbe Simpson
Cooper Kuhl (NY) Smith (TX)
Crenshaw LaHood Sodrel
Cubin Latham Stearns
Culberson Leach Sullivan
Davis (KY) Lewis (CA) Sweeney
Davis, Tom Lewis (KY) Taylor (NC)
Deal (GA) Linder Terry
Diaz-Balart, L. Lucas Thomas
Diaz-Balart, M. Lungren, Daniel Thornberry
Dreier E. Upton
Emerson Mack Walsh
English (PA) Marchant Wamp
Everett McCrery Weldon (FL)
Feeney McHenry Westmoreland
Flake Mica Wicker
Forbes Miller (FL) Wilson (SC)
Foxy Moran (KS) Wolf
Franks (AZ) Moran (VA) Young (AK)
Frelinghuysen Musgrave Young (FL)

NOT VOTING—7

Evans Miller (MI) Strickland
Hyde Payne
Manzullo Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2136

Mr. ROHRABACHER, Mr. CONYERS and Miss McMORRIS changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 178, not voting 11, as follows:

Abercrombie Gonzalez
Ackerman Gordon
Allen Green (WI)
Andrews Green, Al
Baca Green, Gene
Baird Grijalva
Baldwin Gutierrez
Barrow Harman
Bartlett (MD) Harris
Bean Hastings (FL)
Becerra Herseht
Berkley Higgins
Berman Hinchev
Berry Hinojosa
Bishop (GA) Holt
Bishop (NY) Honda
Bishop (UT) Hooley
Hoyer
Insole
Israel
Issa
Jackson (IL) Jackson (IL)
Jackson-Lee Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (CT) Johnson (CT)
Johnson, E. B. Johnson, E. B.
Jones (NC) Jones (NC)
Jones (OH) Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Cardoza
Kennedy (MN) Kennedy (MN)
Kennedy (RI) Kennedy (RI)
Kildee
Kilpatrick (MI) Kilpatrick (MI)
Kind
King (NY) King (NY)
Kucinich
Kuhl (NY) Kuhl (NY)
Langevin
Lantos
Larsen (WA) Larsen (WA)
Larson (CT) Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA) Lewis (GA)
Lipinski
Lofgren, Zoe
Lowe
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN) McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meeke (FL)
Meeks (NY)
Melancon
Michaud
Millender
McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)

NOES—178

Aderholt Bilirakis Burgess
Akin Blunt Burton (IN)
Alexander Boehner Calvert
Bachus Bonilla Camp (MI)
Baker Bonner Campbell (CA)
Barrett (SC) Bono Cantor
Barton (TX) Boozman
Bass Brady (TX)
Beauprez Brown (SC)
Biggert Brown-Waite
Bilbray Ginny

Conaway Istook Pryce (OH)
Crenshaw Jenkins Putnam
Cubin Johnson (IL) Regula
Culberson Johnson, Sam Rehberg
Davis (KY) King (IA) Reynolds
Davis, Tom Kingstone Rogers (AL)
Deal (GA) Kirk Rogers (KY)
Dent Kline Rogers (MI)
Diaz-Balart, L. Knollenberg Rohrabacher
Diaz-Balart, M. Kolbe Ros-Lehtinen
Doolittle LaHood Royce
Drake Latham Ryun (KS)
Dreier Lewis (CA) Saxton
Duncan Lewis (KY) Schmidt
Everett Linder Schwartz (PA)
Feeney LoBiondo Schwarz (MI)
Flake Lucas Shadegg
Foley Lungren, Daniel Shaw
Forbes E. Sherwood
Fortenberry Mack Shimkus
Foxy Marchant Shuster
Franks (AZ) McCaul (TX) Simpson
Frelinghuysen McCrery Smith (TX)
Gallegly McHenry Sodrel
Garrett (NJ) McKeon Souder
Gibbons McMorrison Stearns
Gillmor Mica Sullivan
Gingrey Miller (FL) Sweeney
Gohmert Miller, Gary Tancredo
Goode Musgrave Tanner
Goodlatte Myrick Taylor (NC)
Granger Neugebauer Terry
Graves Ney Thornberry
Gutknecht Northup Tiahrt
Hall Norwood Tiberi
Hart Nunes Turner
Hastings (WA) Osborne Upton
Hayes Otter Walden (OR)
Hayworth Oxley Walsh
Hefley Pearce Wamp
Hensarling Pence Weldon (FL)
Hergert Peterson (PA) Weller
Hobson Petri Westmoreland
Hoekstra Pickering Whitfield
Holden Pitts Wicker
Hostettler Poe Wilson (SC)
Hulshof Pombo Wolf
Hunter Porter Young (AK)
Inglis (SC) Price (GA) Young (FL)

NOT VOTING—11

Buyer Manzullo Sessions
Cannon Miller (MI) Strickland
Evans Payne Thomas
Hyde Radanovich

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair advises Members there is 1 minute remaining in this vote.

□ 2139

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DAVIS OF ALABAMA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. DAVIS) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 162, not voting 8, as follows:

[Roll No. 268]

AYES—262

Abercrombie Green, Al
 Ackerman Green, Gene
 Allen Grijalva
 Andrews Gutierrez
 Baca Harris
 Bachus Hart
 Baird Hastings (FL)
 Baldwin Hayworth
 Barrett (SC) Hersth
 Barrow Higgins
 Bartlett (MD) Hinchey
 Bean Hinojosa
 Becerra Holden
 Berkley Holt
 Berman Honda
 Berry Hooley
 Bishop (GA) Hoyer
 Bishop (NY) Hulshof
 Blumenauer Insee
 Bonner Israel
 Bono Issa
 Boren Jackson (IL)
 Boswell Jackson-Lee
 Boucher (TX)
 Boustany Jefferson
 Brady (PA) Jenkins
 Brown (OH) Jindal
 Brown, Corrine Johnson, E. B.
 Brown-Waite, Jones (NC)
 Ginny Jones (OH)
 Butterfield Kanjorski
 Capito Kaptur
 Capps Kennedy (MN)
 Capuano Kennedy (RI)
 Cardin Kildee
 Cardoza Kilpatrick (MI)
 Carnahan Kind
 Carson Kucinich
 Case Kuhl (NY)
 Castle Langevin
 Chandler Lantos
 Clay Larsen (WA)
 Cleaver Larson (CT)
 Clyburn LaTourette
 Conyers Leach
 Cooper Lee
 Costa Levin
 Costello Lewis (GA)
 Cramer Lipinski
 Crowley LoBiondo
 Cuellar Lofgren, Zoe
 Cummings Lowey
 Davis (AL) Lynch
 Davis (CA) Mack
 Davis (FL) Maloney
 Davis (IL) Markey
 Davis (TN) Marshall
 Davis, Jo Ann Matheson
 DeFazio Matsui
 DeGette McCarthy
 Delahunt McCaul (TX)
 DeLauro McCollum (MN)
 Dent McCotter
 Diaz-Balart, M. McDermott
 Dicks McGovern
 Dingell McHugh
 Doggett McIntyre
 Doyle McKinney
 Edwards McNulty
 Emanuel Meehan
 Emerson Meek (FL)
 Engel Meeks (NY)
 Eshoo Melancon
 Etheridge Michaud
 Farr Millender-
 Fattah McDonald
 Ferguson Miller (NC)
 Filner Miller, George
 Fitzpatrick (PA) Mollohan
 Foley Moore (KS)
 Ford Moore (WI)
 Frank (MA) Moran (KS)
 Gerlach Moran (VA)
 Gibbons Murtha
 Gilchrest Myrick
 Gonzalez Nadler
 Gordon Napolitano
 Graves Neal (MA)
 Ney

NOES—162

Aderholt Bass
 Akin Beauprez
 Alexander Biggert
 Baker Bilbray
 Barton (TX) Bilirakis

Bonilla Gutknecht
 Boozman Hall
 Bradley (NH) Hastings (WA)
 Brady (TX) Hayes
 Brown (SC) Hefley
 Burgess Hensarling
 Burton (IN) Herger
 Buyer Hobson
 Calvert Hoekstra
 Camp (MI) Hostettler
 Campbell (CA) Hunter
 Cannon Inglis (SC)
 Cantor Istook
 Carter Johnson (CT)
 Chabot Johnson (IL)
 Choccola Johnson, Sam
 Coble Keller
 Cole (OK) Kelly
 Conaway King (IA)
 Crenshaw King (NY)
 Cubin Kingston
 Culberson Kirk
 Davis (KY) Kline
 Davis, Tom Knollenberg
 Deal (GA) Kolbe
 Diaz-Balart, L. LaHood
 Doolittle Latham
 Drake Lewis (CA)
 Dreier Lewis (KY)
 Duncan Linder
 Ehlers Lucas
 English (PA) Lungren, Daniel
 Everett E.
 Feeney Marchant
 Flake McCreery
 Forbes McHenry
 Fortenberry McKeon
 Fossella McMorris
 Foxx Micca
 Franks (AZ) Miller (FL)
 Frelinghuysen Miller, Gary
 Gallegly Murphy
 Garrett (NJ) Musgrave
 Gillmor Neugebauer
 Gingrey Northup
 Gohmert Norwood
 Goode Nunes
 Goodlatte Nussle
 Granger Osborne
 Green (WI) Otter

NOT VOTING—8

Evans Manullo
 Harman Miller (MI)
 Hyde Payne

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 The Chair advises Members 1 minute
 remains in this vote.

□ 2142

So the amendment was agreed to.

The result of the vote was announced
 as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending busi-
 ness is the demand for a recorded vote
 on the amendment offered by the gen-
 tlewoman from Texas (Ms. JACKSON-
 LEE) on which further proceedings were
 postponed and on which the noes pre-
 vailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has
 been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 193, noes 230,
 not voting 9, as follows:

[Roll No. 269]

AYES—193

Abercrombie Gutierrez
 Ackerman Harris
 Allen Hastings (FL)
 Andrews Hersth
 Baca Higgins
 Baldwin Hinchey
 Barrow Hinojosa
 Barton (TX) Holden
 Becerra Holt
 Berkley Honda
 Berman Hooley
 Berry Hoyer
 Bishop (GA) Insee
 Bishop (NY) Israel
 Blumenauer Jackson (IL)
 Boren Jackson-Lee
 Boswell (TX)
 Boucher Jefferson
 Boustany Johnson, E. B.
 Brady (PA) Jones (NC)
 Brown (OH) Jones (OH)
 Brown, Corrine Jones (OH)
 Brown-Waite, Kaptur
 Ginny Kanjorski
 Butterfield Kaylor
 Capito Keller
 Capps Kennedy (MN)
 Capuano Kennedy (RI)
 Cardin Kildee
 Cardoza Kilpatrick (MI)
 Carnahan Kind
 Carson Kucinich
 Case Langevin
 Castle Lantos
 Chandler Larson (WA)
 Clay Larson (CT)
 Cleaver LaTourette
 Clyburn Leach
 Conyers Lee
 Cooper Levin
 Costa Lewis (GA)
 Costello Lipinski
 Cramer LoBiondo
 Crowley Lofgren, Zoe
 Cuellar Lowey
 Cummings Lynch
 Davis (AL) Mack
 Davis (CA) Maloney
 Davis (FL) Markey
 Davis (IL) Marshall
 Davis (TN) Matheson
 Davis, Jo Ann Matsui
 DeFazio McCarthy
 DeGette McCaul (TX)
 Delahunt McCollum (MN)
 DeLauro McCotter
 Dent McDermott
 Diaz-Balart, M. McGovern
 Dicks McHugh
 Dingell McIntyre
 Doggett McKinney
 Doyle McNulty
 Edwards Meehan
 Emanuel Meek (FL)
 Emerson Meeks (NY)
 Engel Melancon
 Eshoo Michaud
 Etheridge Millender-
 Farr McDonald
 Fattah Miller (NC)
 Ferguson Miller, George
 Filner Mollohan
 Fitzpatrick (PA) Moore (KS)
 Foley Moore (WI)
 Ford Moran (KS)
 Frank (MA) Moran (VA)
 Gerlach Murtha
 Gibbons Myrick
 Gilchrest Nadler
 Gonzalez Napolitano
 Gordon Neal (MA)
 Graves Ney

NOES—230

Aderholt Brown-Waite, Dent
 Akin Ginny Diaz-Balart, L.
 Alexander Burgess Diaz-Balart, M.
 Bachus Burton (IN) Dicks
 Baird Buyer Doolittle
 Baker Calvert Drake
 Barrett (SC) Camp (MI) Dreier
 Bartlett (MD) Campbell (CA) Duncan
 Bass Cannon Edwards
 Bean Cantor Ehlers
 Beauprez Capito English (PA)
 Biggert Cardoza Everett
 Bilbray Carter Farr
 Bilirakis Castle Feeney
 Bishop (UT) Chabot Ferguson
 Blackburn Choccola Flake
 Blunt Coble Foley
 Boehlert Cole (OK) Forbes
 Boehner Conaway Fortenberry
 Bonilla Cooper Fossella
 Bonner Cramer Fox
 Bono Crenshaw Frank (MA)
 Boozman Cubin Franks (AZ)
 Boustany Culberson Frelinghuysen
 Boyd Davis (KY) Gallegly
 Bradley (NH) Davis (TN) Garrett (NJ)
 Brady (TX) Davis, Tom Gerlach
 Brown (SC) Deal (GA) Gillmor

Gingrey Marchant Ros-Lehtinen
 Gohmert Matheson Royce
 Goode McCaul (TX) Ryan (WI)
 Goodlatte McCollum (MN) Ryan (KS)
 Gordon McCotter Sabo
 Granger McCrery Saxton
 Graves McHugh Schmidt
 Gutknecht McKeon Schwarz (MI)
 Hall McMorris Sensenbrenner
 Hart Mica Shaw
 Hastings (WA) Miller (FL) Shays
 Hayes Miller, Gary Sherwood
 Hayworth Miller, George Shuster
 Hefley Murphy Simmons
 Hensarling Musgrave Simpson
 Herger Myrick Slaughter
 Hobson Neugebauer Smith (NJ)
 Hoekstra Ney Smith (TX)
 Hostettler Northup Sodrel
 Hulshof Norwood Souder
 Hunter Nunes Stearns
 Inglis (SC) Nussle Sullivan
 Issa Olver Sweeney
 Istook Osborne Tancredo
 Jenkins Otter Taylor (NC)
 Jindal Oxley Terry
 Johnson (CT) Pastor Thomas
 Johnson (IL) Pearce Thompson (CA)
 Johnson, Sam Pence Thornberry
 Kelly Peterson (MN) Tiahrt
 King (IA) Peterson (PA) Tiberi
 King (NY) Petri Turner
 Kingston Pickering Upton
 Kirk Pitts Visclosky
 Kline Platts Walsh
 Knollenberg Poe Walden (OR)
 Kolbe Pombo Walsh
 Kuhl (NY) Price (GA) Wamp
 LaHood Price (NC) Weldon (FL)
 Latham Pryce (OH) Weldon (PA)
 LaTourette Putnam Weller
 Leach Radanovich Westmoreland
 Lewis (CA) Regula Whitfield
 Lewis (KY) Rehberg Wicker
 Linder Reichert Wilson (SC)
 LoBiondo Reynolds Wolf
 Lucas Rogers (AL) Woolsey
 Lungren, Daniel Rogers (KY) Young (AK)
 E. Rogers (MI) Young (FL)
 Mack Rohrabacher

NOT VOTING—9

Evans Manzullo Payne
 Harman McHenry Sessions
 Hyde Miller (MI) Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining on this vote.

□ 2145

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MCHENRY. Mr. Chairman, on rollcall No. 269 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. HARRIS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. HARRIS) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 335, noes 90, not voting 7, as follows:

[Roll No. 270]
 AYES—335
 Abercrombie Engel Markey
 Ackerman Eshoo Marshall
 Aderholt Etheridge Matheson
 Akin Everett Matsui
 Allen Farr McCarthy
 Andrews Fattah McCaul (TX)
 Baca Ferguson McCollum (MN)
 Bachus Fitzpatrick (PA) McCotter
 Baldwin Foley McGovern
 Barrow Ford McHugh
 Bartlett (MD) Fortenberry McIntyre
 Bass Fossella McKeon
 Bean Frank (MA) McKinney
 Beauprez Franks (AZ) McMorris
 Becerra Frelinghuysen McNulty
 Berkley Gallegly Meehan
 Berman Gerlach Meek (FL)
 Berry Gibbons Meeks (NY)
 Biggert Gilchrest Melancon
 Bilbray Gillmor Mica
 Bilirakis Gohmert Michaud
 Gordon Gonzalez Millender-
 McDonald
 Green (WI) Miller (NC)
 Green, Al Miller, George
 Green, Gene Mollohan
 Grijalva Moore (KS)
 Gutierrez Moore (WI)
 Hahn Moran (KS)
 Hall Moran (VA)
 Harman Murphy
 Harris Murtha
 Hart Nadler
 Hastings (FL) Napolitano
 Hayworth Ney
 Herseth Nussle
 Higgins Oberstar
 Hinchey Obey
 Hinojosa Ortiz
 Hironaka Osborne
 Hobson Otter
 Holden Owens
 Holt Pallone
 Honda Pascrell
 Hooley Pastor
 Hostettler Paul
 Hoyer Pearce
 Hulshof Hunter Pelosi
 Inslee Peterson (MN)
 Israel Peterson (PA)
 Issa Petri
 Jackson (IL) Pickering
 Jackson-Lee Pitts
 Case Platts
 Jefferson Poe
 Jenkins Pombo
 Johnson (CT) Pomeroy
 Johnson (IL) Porter
 Johnson, E. B. Price (GA)
 Jones (NC) Price (NC)
 Jones (OH) Pryce (OH)
 Kanjorski Putnam
 Kaptur Rahall
 Keller Ramstad
 Kelly Regula
 Kennedy (MN) Rehberg
 Kennedy (RI) Reichert
 Kildee Renzi
 Kilpatrick (MI) Reyes
 Kind Reynolds
 King (NY) Rogers (AL)
 Kingston Rogers (MI)
 Kirk Ross
 Kline Rothman
 Kucinich Roybal-Allard
 Kuhl (NY) Royce
 LaHood Ruppberger
 Langevin Rush
 Lantos Ryan (OH)
 Larson (CT) Ryan (KS)
 Latham Salazar
 LaTourette Sanchez, Linda
 Leach T.
 Lee Sanchez, Loretta
 Levin Sanders
 Lewis (GA) Saxton
 Lewis (KY) Schakowsky
 Lipinski Schiff
 LoBiondo Schmidt
 Lofgren, Zoe Schwartz (PA)
 Lowey Schwarz (MI)
 Lungren, Daniel Scott (GA)
 E. Scott (VA)
 Lynch Sensenbrenner
 Mack Serrano
 Maloney Shaw

Shays Taylor (NC) Waters
 Sherman Terry Watson
 Simmons Thompson (CA) Watt
 Skelton Thompson (MS) Waxman
 Slaughter Tiahrt Weiner
 Smith (NJ) Tiberi Weldon (FL)
 Smith (WA) Tierney Weldon (PA)
 Snyder Towns Weller
 Sodrel Turner Wexler
 Solis Udall (CO) Whitfield
 Souder Udall (NM) Wicker
 Spratt Upton Wilson (NM)
 Stark Van Hollen Wolf
 Stearns Velazquez Woolsey
 Stupak Walden (OR) Wu
 Tanner Wamp Wynn
 Tauscher Wasserman Young (FL)
 Taylor (MS) Schultz

NOES—90

Alexander Goode Neugebauer
 Baird Goodlatte Northup
 Baker Granger Norwood
 Barrett (SC) Graves Nunes
 Blunt Hastings (WA) Olver
 Boehner Hayes Oxley
 Bonilla Hefley Pence
 Boustany Hensarling Radanovich
 Brady (TX) Herger Rangel
 Brown (SC) Hoekstra Rogers (KY)
 Buyer Inglis (SC) Rohrabacher
 Campbell (CA) Istook Ros-Lehtinen
 Cannon Jindal Ryan (WI)
 Cantor Johnson, Sam Sabo
 Carter King (IA) Shadegg
 Conaway Knollenberg Sherwood
 Culberson Shimkus
 Davis (KY) Larsen (WA) Shuster
 Deal (GA) Lewis (CA) Simpson
 Diaz-Balart, L. Linder Smith (TX)
 Diaz-Balart, M. Lucas Sullivan
 Dreier Marchant Sweeney
 English (PA) McCrery Tancredo
 Feeney McDermott Thomas
 Filner McHenry Thornberry
 Flake Miller (FL) Visclosky
 Forbes Miller, Gary Walsh
 Foxx Musgrave Westmoreland
 Garrett (NJ) Myrick Wilson (SC)
 Gingrey Neal (MA) Young (AK)

NOT VOTING—7

Evans Miller (MI) Strickland
 Hyde Payne
 Manzullo Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2149

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. SLAUGHTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 190, not voting 9, as follows:

[Roll No. 271]

AYES—233

Abercrombie	Green, Gene	Ney
Ackerman	Grijalva	Nussle
Allen	Gutierrez	Oberstar
Andrews	Harman	Obey
Baca	Hastings (FL)	Oliver
Baird	Herseeth	Ortiz
Baldwin	Higgins	Osborne
Barrow	Hinchev	Owens
Barton (TX)	Hinojosa	Pallone
Bean	Holden	Pascarell
Becerra	Holt	Pastor
Berkley	Honda	Pelosi
Berman	Hookey	Platts
Berry	Hoyer	Pomeroy
Bishop (GA)	Inslee	Porter
Bishop (NY)	Israel	Price (NC)
Blumenauer	Jackson (IL)	Rahall
Boren	Jackson-Lee	Ramstad
Boswell	(TX)	Rangel
Boucher	Jefferson	Reichert
Boyd	Jindal	Renzi
Brady (PA)	Johnson (IL)	Reyes
Brown (OH)	Johnson, E. B.	Ross
Brown, Corrine	Jones (NC)	Rothman
Butterfield	Jones (OH)	Royal-Allard
Capuano	Kanjorski	Ruppersberger
Cardin	Kaptur	Rush
Cardoza	Kennedy (MN)	Ryan (OH)
Carnahan	Kennedy (RI)	Sabo
Carson	Kildee	Salazar
Case	Kilpatrick (MI)	Salazar, Linda
Chabot	Kind	T.
Chandler	Kirk	Sanchez, Loretta
Clay	Kucinich	Sanders
Cleaver	LaHood	Schakowsky
Clyburn	Langevin	Schiff
Conyers	Lantos	Schwartz (PA)
Cooper	Larsen (WA)	Schwartz (MI)
Costa	Larson (CT)	Scott (GA)
Costello	Latham	Scott (VA)
Cramer	Leach	Serrano
Crowley	Lee	Shays
Cuellar	Levin	Sherman
Cummings	Lewis (GA)	Simmons
Davis (AL)	Lipinski	Skelton
Davis (CA)	LoBiondo	Slaughter
Davis (FL)	Lofgren, Zoe	Smith (NJ)
Davis (IL)	Lowe	Smith (WA)
Davis (TN)	Lynch	Snyder
DeFazio	Maloney	Solis
DeGette	Markey	Spratt
Delahunt	Marshall	Stark
Dent	Matheson	Stupak
Dicks	Matsui	Tanner
Dingell	McCarthy	Tauscher
Doggett	McCollum (MN)	Taylor (MS)
Doyle	McCotter	Terry
Edwards	McDermott	Thompson (CA)
Ehlers	McGovern	Thompson (MS)
Emanuel	McIntyre	Tierney
Engel	McKinney	Towns
English (PA)	McNulty	Udall (CO)
Eshoo	Meehan	Udall (NM)
Etheridge	Meek (FL)	Van Hollen
Farr	Meeks (NY)	Velázquez
Fattah	Melancon	Visclosky
Ferguson	Grijalva	Wasserman
Filner	Gutierrez	Schultz
Fitzpatrick (PA)	Harman	Waters
Ford		Watson
Fortenberry		Watt
Gerlach		Waxman
Gibbons		Weiner
Gilchrest		Weldon (PA)
Gonzalez		Weller
Gordon		Wexler
Green (WI)		Murtha
Green, Al		Nadler
		Woolsey
		Wu
		Wynn

NOES—190

Aderholt	Boehlert	Calvert
Akin	Boehner	Camp (MI)
Alexander	Bonilla	Campbell (CA)
Bachus	Bonner	Cannon
Baker	Bono	Cantor
Barrett (SC)	Boozman	Capito
Bartlett (MD)	Boustany	Carter
Bass	Bradley (NH)	Castle
Beauprez	Brady (TX)	Chocola
Biggart	Brown (SC)	Coble
Bilbray	Brown-Waite,	Cole (OK)
Bilirakis	Ginny	Conaway
Bishop (UT)	Burgess	Crenshaw
Blackburn	Burton (IN)	Cubin
Blunt	Buyer	Culberson

Davis (KY)	Johnson (CT)	Price (GA)
Davis, Jo Ann	Johnson, Sam	Pryce (OH)
Davis, Tom	Keller	Putnam
Deal (GA)	Kelly	Radanovich
Diaz-Balart, L.	King (IA)	Regula
Diaz-Balart, M.	King (NY)	Rehberg
Doolittle	Kingston	Reynolds
Drake	Kline	Rogers (AL)
Dreier	Knollenberg	Rogers (KY)
Duncan	Kolbe	Rogers (MI)
Emerson	Kuhl (NY)	Rohrabacher
Everett	LaTourette	Ros-Lehtinen
Feeney	Lewis (CA)	Royce
Flake	Lewis (KY)	Ryan (WI)
Foley	Linder	Ryun (KS)
Forbes	Lucas	Saxton
Fossella	Lungren, Daniel	Schmidt
Fox	E.	Sensenbrenner
Frank (MA)	Mack	Shadegg
Franks (AZ)	Marchant	Shaw
Frelinghuysen	McCaul (TX)	Sherwood
Gallego	McCrery	Shimkus
Garrett (NJ)	McHenry	Shuster
Gillmor	McHugh	Simpson
Gingrey	McKeon	Sodrel
Gohmert	McMorris	Souder
Goode	Mica	Stearns
Goodlatte	Miller (FL)	Sullivan
Granger	Miller, Gary	Sweeney
Graves	Murphy	Tancredo
Gutknecht	Musgrave	Taylor (NC)
Hall	Myrick	Thomas
Harris	Neal (MA)	Thornberry
Hart	Neugebauer	Tiahrt
Hastings (WA)	Northup	Tiberi
Hayes	Norwood	Turner
Hayworth	Nunes	Upton
Hefley	Otter	Walden (OR)
Hensarling	Oxley	Walsh
Herger	Paul	Wamp
Hobson	Pearce	Weldon (FL)
Hoekstra	Pence	Westmoreland
Hostettler	Peterson (MN)	Whitfield
Hulshof	Peterson (PA)	Wicker
Hunter	Petri	Wilson (NM)
Inglis (SC)	Pickering	Wilson (SC)
Issa	Pitts	Wolf
Istook	Poe	Young (AK)
Jenkins	Pombo	Young (FL)

NOT VOTING—9

ANNOUNCEMENT BY THE CHAIRMAN
The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2151

So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. WATERS
The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS) 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 CHAIRMAN. A recorded vote has been demanded.
A recorded vote was ordered.
The CHAIRMAN. This will be a 2-minute vote.
The vote was taken by electronic device, and there were—ayes 218, noes 207, not voting 7, as follows:

[Roll No. 272]

AYES—218

Abercrombie	Allen	Baca
Ackerman	Andrews	Baird

Baldwin	Hart	Obey
Barrow	Hastings (FL)	Oliver
Bean	Herseeth	Ortiz
Becerra	Higgins	Owens
Berkley	Hinchev	Pallone
Berman	Hinojosa	Pascarell
Berry	Holden	Pastor
Bishop (GA)	Holt	Pelosi
Bishop (NY)	Honda	Peterson (MN)
Blumenauer	Hookey	Platts
Boren	Hoyer	Pomeroy
Boswell	Inslee	Price (NC)
Boucher	Israel	Rahall
Boyd	Jackson (IL)	Ramstad
Brady (PA)	Jackson-Lee	Rangel
Brown (OH)	(TX)	Reichert
Brown, Corrine	Jefferson	Renzi
Butterfield	Jindal	Reyes
Capuano	Johnson, E. B.	Ross
Cardin	Jones (OH)	Rothman
Cardoza	Kanjorski	Royal-Allard
Carnahan	Kaptur	Ruppersberger
Carson	Kelly	Rush
Case	Kennedy (RI)	Ryan (OH)
Chabot	Kildee	Sabo
Chandler	Kilpatrick (MI)	Salazar
Clay	Kind	Sanchez, Linda
Cleaver	Kucinich	T.
Clyburn	Langevin	Sanchez, Loretta
Conyers	Lantos	Sanders
Cooper	Larsen (WA)	Schakowsky
Costa	Larson (CT)	Schiff
Costello	Leach	Schwartz (PA)
Cramer	Lee	Scott (GA)
Crowley	Levin	Scott (VA)
Cuellar	Lewis (GA)	Serrano
Cummings	Lipinski	Shays
Davis (AL)	Lofgren, Zoe	Sherman
Davis (CA)	Lowey	Simmons
Davis (FL)	Lynch	Skelton
Davis (IL)	Maloney	Slaughter
Davis (TN)	Markey	Smith (WA)
DeFazio	Marshall	Snyder
DeGette	Matheson	Solis
Delahunt	Matsui	Spratt
Dent	McCarthy	Stark
Dicks	McCollum (MN)	Stupak
Dingell	McCotter	Tanner
Doggett	McDermott	Tauscher
Doyle	McGovern	Taylor (MS)
Edwards	McIntyre	Thompson (CA)
Ehlers	McKinney	Thompson (MS)
Emanuel	McNulty	Tierney
Engel	Meehan	Towns
English (PA)	Meek (FL)	Udall (CO)
Eshoo	Meeks (NY)	Udall (NM)
Etheridge	Melancon	Van Hollen
Farr	Michaud	Velázquez
Fattah	Millender-	Visclosky
Ferguson	Fitzpatrick (PA)	Wasserman
Filner	Foley	Schultz
Fitzpatrick (PA)	Ford	Waters
Ford	Frank (MA)	Watson
Fortenberry	Gallego	Watt
Gerlach	Gerlach	Waxman
Gibbons	Gonzalez	Weiner
Gilchrest	Gordon	Weldon (PA)
Gonzalez	Green, Al	Weller
Gordon	Green, Gene	Wexler
Green (WI)	Grijalva	Wilson (NM)
Green, Al	Gutierrez	Neal (MA)
	Harman	Ney
		Oberstar

NOES—207

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

Gohmert	Lucas	Rogers (MI)	Bilbray	Gohmert	McKinney	Sullivan	Turner	Waxman
Goode	Lungren, Daniel	Rohrabacher	Bilirakis	Gonzalez	McMorris	Sweeney	Udall (CO)	Weiner
Goodlatte	E.	Ros-Lehtinen	Bishop (GA)	Goodlatte	McNulty	Tanner	Udall (NM)	Weldon (PA)
Granger	Mack	Royce	Bishop (NY)	Gordon	Meehan	Tauscher	Upton	Weller
Graves	Marchant	Ryan (WI)	Bishop (UT)	Granger	Meek (FL)	Taylor (MS)	Van Hollen	Wexler
Green (WI)	McCaul (TX)	Ryun (KS)	Blackburn	Graves	Meeks (NY)	Terry	Velazquez	Whitfield
Gutknecht	McCrery	Saxton	Blumenauer	Green (WI)	Melancon	Thompson (CA)	Walden (OR)	Wicker
Hall	McHenry	Schmidt	Blunt	Green, Al	Michaud	Thompson (MS)	Walsh	Wilson (NM)
Harris	McHugh	Schwarz (MI)	Boehrlert	Green, Gene	Millender-	Thornberry	Wamp	Wolf
Hastings (WA)	McKeon	Sensenbrenner	Bono	Grijalva	McDonald	Tiahrt	Wasserman	Woolsey
Hayes	McMorris	Shadegg	Boren	Gutierrez	Miller (NC)	Tiberi	Schultz	Wu
Hayworth	Mica	Shaw	Boswell	Gutknecht	Miller, George	Tierney	Waters	Wynn
Hefley	Miller (FL)	Sherwood	Boucher	Harman	Mollohan	Towns	Watson	Young (FL)
Hensarling	Miller, Gary	Shimkus	Boustany	Harris	Moore (KS)			
Herger	Moran (KS)	Shuster	Boyd	Hart	Moore (WI)			
Hobson	Murphy	Simpson	Bradley (NH)	Hastings (FL)	Moran (KS)			
Hoekstra	Musgrave	Smith (NJ)	Bradley (PA)	Hastings (WA)	Murphy			
Hostettler	Myrick	Smith (TX)	Brown (OH)	Hayworth	Murtha			
Hulshof	Neugebauer	Sodrel	Brown, Corrine	Hefley	Myrick			
Hunter	Northup	Souder	Brown-Waite,	Herger	Nadler			
Inglis (SC)	Norwood	Stearns	Ginny	Herseth	Napolitano			
Issa	Nunes	Sullivan	Burgess	Higgins	Neal (MA)			
Istook	Nussle	Sweeney	Burton (IN)	Hinchev	Neugebauer			
Jenkins	Osborne	Tancredo	Butterfield	Hinojosa	Ney			
Johnson (CT)	Otter	Taylor (NC)	Buyer	Hobson	Nunes			
Johnson (IL)	Oxley	Terry	Calvert	Hoekstra	Nussle			
Johnson, Sam	Paul	Thomas	Camp (MI)	Holden	Oberstar			
Jones (NC)	Pearce	Thornberry	Cannon	Holt	Obey			
Keller	Pence	Tiahrt	Capito	Honda	Ortiz			
Kennedy (MN)	Peterson (PA)	Tiberi	Capps	Hooley	Osborne			
King (IA)	Petri	Turner	Capuano	Hostettler	Otter			
King (NY)	Pickering	Upton	Cardin	Hoyer	Owens			
Kingston	Pitts	Walden (OR)	Cardoza	Hulshof	Pallone			
Kirk	Poe	Walsh	Carman	Hunter	Pascarell			
Kline	Pombo	Wamp	Carson	Inslee	Pastor			
Knollenberg	Porter	Weldon (FL)	Case	Israel	Pearce			
Kolbe	Price (GA)	Weller	Castle	Issa	Pelosi			
Kuhl (NY)	Pryce (OH)	Westmoreland	Chabot	Istook	Peterson (MN)			
LaHood	Putnam	Whitfield	Chandler	Jackson (IL)	Pickering			
Latham	Radanovich	Wicker	Chocoma	Jackson-Lee	Platts			
LaTourette	Regula	Wilson (SC)	Clay	(TX)	Poe			
Lewis (CA)	Rehberg	Wolf	Cleaver	Jefferson	Pombo			
Lewis (KY)	Reynolds	Young (AK)	Clyburn	Jenkins	Pomeroy			
Linder	Rogers (AL)	Young (FL)	Coble	Jindal	Porter			
LoBiondo	Rogers (KY)		Cole (OK)	Johnson (CT)	Price (GA)			
			Conaway	Johnson (IL)	Pryce (OH)			
			Johnson, E. B.	Johnson, E. B.	Putnam			
			Conyers	Jones (NC)	Rahall			
			Cooper	Jones (OH)	Ramstad			
			Costa	Kanjorski	Rangel			
			Costello	Kaptur	Rehberg			
			Cramer	Keller	Reichert			
			Crowley	Kelly	Renzi			
			Cuellar	Kennedy (MN)	Reyes			
			Culberson	Kennedy (RI)	Reynolds			
			Cummings	Kildee	Rogers (KY)			
			Davis (AL)	Kilpatrick (MI)	Rogers (MI)			
			Davis (CA)	Kind	Ross			
			Davis (FL)	King (IA)	Rothman			
			Davis (IL)	King (NY)	Roybal-Allard			
			Davis (TN)	Kingston	Ruppersberger			
			Davis, Jo Ann	Kirk	Rush			
			Davis, Tom	Kline	Ryan (OH)			
			DeFazio	Kucinich	Ryan (WI)			
			DeGette	Kuhl (NY)	Ryun (KS)			
			DeLaunt	LaHood	Sabo			
			DeLauro	Langevin	Salazar			
			Dent	Lantos	Sánchez, Linda			
			Dicks	Larsen (WA)	T.			
			Dingell	Larson (CT)	Sanchez, Loretta			
			Doggett	Latham	Sanders			
			Doolittle	LaTourette	Saxton			
			Doyle	Leach	Schakowsky			
			Drake	Lee	Schiff			
			Duncan	Levin	Schwartz (PA)			
			Edwards	Lewis (GA)	Schwarz (MI)			
			Ehlers	Lewis (KY)	Scott (GA)			
			Emanuel	Lipinski	Scott (VA)			
			Emerson	LoBiondo	Sensenbrenner			
			Engel	Lofgren, Zoe	Serrano			
			English (PA)	Lowe	Shadegg			
			Eshoo	Lungren, Daniel	Shaw			
			Etheridge	E.	Shays			
			Farr	Lynch	Sherman			
			Fattah	Mack	Sherwood			
			Ferguson	Maloney	Shimkus			
			Filner	Markey	Simmons			
			Fitzpatrick (PA)	Marshall	Simpson			
			Foley	Matheson	Skelton			
			Forbes	Matsui	Slaughter			
			Ford	McCarthy	Smith (NJ)			
			Fortenberry	McCaul (TX)	Smith (WA)			
			Fossella	McCollum (MN)	Snyder			
			Frank (MA)	McCotter	Soils			
			Galleghy	McDermott	Souder			
			Gerlach	McGovern	Spratt			
			Gibbons	McHenry	Stark			
			Gilchrest	McHugh	Stearns			
			Gillmor	McIntyre	Stupak			
			Gingrey					

NOES—76

NOT VOTING—8

NOT VOTING—7

Evans
Hyde
Manzullo

Miller (MI)
Payne
Sessions

Strickland
Thomas

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 2155

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HOOLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 348, noes 76, not voting 8, as follows:

[Roll No. 273]

AYES—348

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus

Baird
Baldwin
Barrow
Barton (TX)
Bass
Bean

Beauprez
Becerra
Berkley
Berman
Berry
Biggert

So the amendment was agreed to. The result of the vote was announced as above recorded.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PRICE of Georgia) having assumed the chair, Mr. DREIER, 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. 5576), making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

□ 2159

JOB-KILLING TRADE AGREEMENTS

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

Mr. BROWN of Ohio. Mr. Speaker, the People's Republic of China, Communist China, announced today that they have a \$13 billion trade surplus for the month of May only. China last year with the U.S. had a \$203 billion trade surplus, which, according to the U.S.-China Economic Security and Review Commission, a government agency, said that accounts in my State alone for a loss potentially of 42,000 manufacturing jobs.

Too many of our Senators, too many of our House Members voted for these trade agreements that outsourced jobs, these job-killing trade agreements that devastate our communities. When places like Mansfield and Chillicothe and Portsmouth and Zanesville and Lima lose these kinds of industrial manufacturing jobs, they hurt our schools, they mean fewer police on the street, they mean weaker fire protection, they mean hardship for our families.

Mr. Speaker, it is time that Members of Congress stood up and quit passing these job-killing trade agreements.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PRICE of Georgia). 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 FEDERAL CONSENT DECREE FAIRNESS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. BLUNT) is recognized for 5 minutes.

Mr. BLUNT. Mr. Speaker, I am here today to talk about the Federal Consent Decree Fairness Act that I hope we see on the floor during this Congress. Mr. GARRETT from New Jersey and Mr. BISHOP from Utah and other members of the Congressional Constitution Caucus are also speaking on behalf of this important legislation tonight. I would also like to thank the gentleman from Tennessee (Mr. COOPER), who is the lead cosponsor of this legislation along with me.

I am pleased to be the sponsor of the Federal Consent Decree Fairness Act. I would like to start by explaining what it is not about. This bill is not about reining in an activist judiciary or about ending consent decrees. This legislation is about increasing the responsibility and accountability of elected officials. This is really focused on what elected officials are elected to do.

Consent decrees are too often used by elected officials as an excuse not to solve the problems they have been elected to solve. The principal goal of this legislation is to return the responsibility for public policy-making and the governing of public institutions to elected officials. When a consent decree lasts for decades, as many of them do, many elected officials never have the opportunity to take responsibility for important public services. A politician can say, I would really like to do something about the transportation system in Los Angeles County, for example, but I cannot because of that consent decree. Or I would like to spend more on education in this State, but I really cannot because our budget is determined by these consent decrees on other issues or even on education itself. And their successors in that of-

fice can and often do say the same thing.

Consent decrees, in my view, have become a hiding place for public officials, relieving them of responsibility in the area that the consent decree affects. So let me again repeat, this is a bill, an act, that would really make public officials take responsibility for the things they have been elected to do.

This bill would create an obligation on the part of newly elected public officials that they would have an opportunity to look at every consent decree that their predecessors were part of and defend why the consent decree should continue or go to the courts and explain why the consent decree no longer applies. If the plaintiff can explain to the judge why it is important that the consent decree continue, then the decree stays in place.

Our goal is to return public responsibility to public officials. Too many people in the country today, too many public officials who even try to take on these issues find that the consent decrees that were entered into decades before by their predecessors prevent them from doing the hard things that need to be done.

The only consent decrees that could be dissolved under this action are those in which the plaintiff is incapable of proving a continued need for court supervision. If there is no longer a need for court supervision, would it not be undemocratic not to return the policy decisions to elected officials and in turn to the voters?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

IRAQ WEEK IN THE HOUSE OF REPRESENTATIVES

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from New York (Mrs. MCCARTHY).

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, this is Iraq Week in the House of Representatives, called by the Republican majority in hopes that they can stop the bleeding, not on the ground in Iraq, but in the opinion polls in this country.

They want to capitalize on the success of the U.S. military last week and define progress in Iraq all over again. Over the last 3 years, the definition of progress by the Republican majority has been as elusive as the President's plan for Iraq.

Still, later this week after lots of Republican speech making, the majority leader will force-feed the American people a new resolution telling them

what to think about the Iraq war. In the fine print is a desperate effort by the Republicans to cling to power in the November election. That is what this week is all about.

Republican leaders hope to commandeer the news cycle and convince the American people that Republicans deserve to stay despite their record on Iraq. In other words, Iraq Week is a staged Republican campaign event.

The resolution the Republicans will force through the House of Representatives on Friday will have nothing to do with increasing the safety of our Nation or the security of our soldiers on the ground in Iraq. It is about the security of the Republican grip on power. The Republicans fear the American people have answered Newt Gingrich's question. Do you remember it? "Had enough?" Well, they have. Poll after poll says the American people indeed have had enough of Republican power. The American people always have accepted sacrifice when it comes to defending the Nation. But one thing they have never accepted is being misled by their leaders. The American people have heard enough to know the trust they placed in the President over his justification to invade Iraq was misplaced.

The American people have seen enough to know this administration and the Republican Congress have no plan except to keep declaring progress. The words, however, pale compared to the images they see on TV every day. Enough facts have emerged for the American people to know that Iraq has become a grim lesson we learned a long time ago in Vietnam. But instead of transferring responsibility, the President declares the tide has turned, U.S. troops will stay in Iraq, and there will be difficult days ahead.

That is a Presidential declaration that more American soldiers will die, more American soldiers will suffer grave physical injuries, more American soldiers will be exposed to depleted uranium, and more American soldiers will return home traumatized by post-traumatic stress disorder.

This is today's reality, and the truth is there is no end in sight. And you will not hear that from the President. Earlier this year, U.S. military commanders talked about significant force reductions by the end of the year. They have stopped talking about it. That is because the reality on the ground in Iraq defies the Republican spin.

But the spinning goes on. Yesterday at Camp Neocon, that is what they used to call Camp David, the President called together the administration in a new effort to define progress. It was a campaign meeting meant to manage the news the American people receive about Iraq. Today, the President made a surprise visit to Iraq, not unlike landing on an aircraft carrier to declare mission accomplished. It wasn't then and it isn't now.

Soon, the Republican leaders will tell the American people what to think,

without the information on which to make an informed decision. Here is something they do not want to talk about: the U.S. is building Fortress Iraq, a \$600 million embassy, the biggest in the world.

What lurks ahead for the United States is another grim and painful lesson we learned a long time ago. The administration would like to divert your attention while it orders the military to pour concrete runways and bunkers across Iraq. Tens of thousands of U.S. soldiers are going to be stationed in Iraq indefinitely. These bases will be called something else for the American people, but they will still be targets for the insurgents.

Not everyone has access to enterprise journalism being produced by the mainstream news organizations. So in the interest of promoting a resolution of truth about Iraq, I will enter into the RECORD two recent news articles. The first is from the Los Angeles Times entitled: "Give the Defense Department an F." "A Roadblock to Unity in Iraq" was published in the Salt Lake City Tribune. Read them. Make up your own mind.

The definition of progress in Iraq is not a Republican resolution force-fed to the Congress, as they would have you believe. The definition of progress is bringing our soldiers home, all of them, in significant numbers every month from this moment on until they are out of harm's way and we are out of the war that we should never have been in in the first place.

[From the Los Angeles Times, June 3, 2006]

GIVE THE DEFENSE DEPARTMENT AN F

(By Anthony H. Cordesman)

If the United States is to win in Iraq, it needs an honest and objective picture of what is happening there. The media and outside experts can provide pieces of this picture, but only the U.S. government has the resources and access to information to offer a comprehensive overview.

But the quarterly report to Congress issued May 30 by the Department of Defense, "Measuring Stability and Security in Iraq," like the weekly reports the State Department issues on Iraq, is profoundly flawed. It does more than simply spin the situation to provide false assurances to lawmakers and the public. It makes basic analytical and statistical mistakes, fails to define key terms, provides undefined and unverifiable survey information and deals with key issues by omission. It deserves an overall grade of F.

The report provides a fundamentally false picture of the political situation in Iraq and of the difficulties ahead. It does not prepare Congress or the American people for the years of effort that will be needed even under "best-case" conditions nor for the risk of far more serious forms of civil conflict. Some of its political reporting is simply incompetent. For example, the report repeatedly states that 77% of the Iraqi population voted in the December 2005 election. Given that the CIA estimates that almost 40% of the population is 14 or younger, there is no conceivable way that 77% of the population could have voted. The report says 12.2 million voters turned out. The CIA estimates Iraq's population is 26.8 million. This means roughly 46% of the population voted.

The far more serious problem, however, is the spin the report puts on the entire Iraqi

political process. Political participation surely rose. But that wasn't because of acceptance of the new government or an embrace of a democratic political process; it reflected a steady sharpening of sectarian divisions, as Sunnis tried to make up for their decision to boycott earlier elections.

The report touts a "true unity government with broad-based buy-in from major electoral lists and all of Iraq's communities." But its own data tell a different story. The one largely secular party won only 9% of parliament. The sectarian Shiite party, the United Iraqi Alliance, got 47%. The equally sectarian Sunni Iraqi Accordance Front got 16%, and the Kurdish Coalition got 19%. That hardly adds up to "unity."

The five-month delay in forming a government after the elections, the failure to appoint ministers of defense or interior and the fact that former Prime Minister Ibrahim Jafari relinquished his post only after strong pressure from the United States and from Grand Ayatollah Ali Sistani are signs that progress is likely to be slow in the future as well. Sectarian conflict has become almost as serious a threat as the insurgency.

It is scarcely reassuring to be told by the Defense Department that the February attack on the Golden Mosque in Samarra marked a defeat for the insurgents and Islamic extremists because it did not instantly lead to all-out civil war. It is hard to think of a worse definition of victory.

The economic section of the report contains useful data and reflects some real progress in the Iraqi financial sector. However, its analysis is flawed to the point of being actively misleading. No meaningful assessment is provided of the successes and failures of the U.S. aid effort, and no mention is made of the massive corruption and mismanagement of U.S. aid discovered by the special inspector general for Iraqi reconstruction.

Nor is there meaningful analysis of oil developments, budget and revenue problems or future needs for aid. More than \$30 billion in U.S. funds and nearly \$35 billion in Iraqi money is involved, yet there is a serious risk that the Bush administration will do more than omit the inspector general's report. In fact, some State Department officials and Republicans in Congress are trying to put the inspector general out of business.

The report's handling of the key issue of Iraqi unemployment is symptomatic of the victory of spin over content. The report quotes vague national figures of 18% unemployment and states that other estimates range between 25% and 40%. By saying that unemployment and poverty "remain concerns" but that there are "substantial difficulties in measuring them accurately," it glosses over one of the most destabilizing aspects of Iraq. It ignores the failure of the aid program to create real jobs, especially for young men in areas of high crime and insurgency. Unemployment is not a casual macroeconomic factoid; it is central to bringing stability and security and to defeating the insurgency.

The Defense Department's reporting on the Iraqi police forces simply cannot be trusted. Death squads rampage in police uniforms, but there is only passing mention of staff problems, corruption, sectarian tensions or horrific prison abuses. There is no meaningful analysis of problems so severe that the U.S. has called for a "year of the police" and Iraq's new prime minister, Nouri Maliki, is considering reorganizing the entire force.

The United States is making real progress in some aspects of building the Iraqi regular military. Yet there is still a tendency to promise too much, too soon, to understate the risk and the threat, and to disguise the fact that the U.S. must be ready to support

Iraq at least through 2008 and probably through 2010.

The U.S. cannot afford to repeat the mistakes it made in Vietnam. Among them was dangerous self-delusion. The strategy President Bush is pursuing in Iraq is high risk. If it is to have any chance of success, it will require bipartisan persistence and sustained American effort. This requires trust, and trust cannot be built without integrity. That means credible reporting.

The American people and Congress need an honest portrayal of what is happening, not half-truths by omission and spin.

[From the Salt Lake Tribune, June 8, 2006]

A ROADBLOCK TO UNITY IN IRAQ

(By Trudy Rubin)

BAGHDAD, IRAQ.—The air-conditioning has been broken for three months in the cavernous convention center where Iraq's national assembly meets, so the members were sweating profusely in the 115-degree heat.

Male delegates in Shiite turbans or the flowing robes of sheikhs or shirts and slacks, along with women in enveloping black chadors and colorful Kurdish dress—and a few females with uncovered hair—gathered in clusters Sunday as they waited for the session to begin.

This was supposed to be the meeting that finally confirmed the key members of an Iraqi government, five months after elections last December. This is supposed to be the national unity government of Shiites, Kurds—and Sunnis—on which the Bush administration counts to undermine the Sunni-led insurgency. The success of this national unity government is a key to bringing American troops home.

The delay in forming this government has sparked the worst chaos in Baghdad since Saddam Hussein fell. So delegates were eager for Prime Minister Nouri al-Maliki to keep his pledge to name the ministers of interior and defense. Those ministers are essential to restoring some security to Iraq.

Suddenly a buzz rippled through the hall.

The session had been canceled.

Squabbles among fellow Shiites over who should get the ministries had prevented Maliki from keeping his promise. That day painted a stark picture of the challenges confronting this national unity government, on which Iraqi and U.S. hopes hang.

Rather than bring Iraqis together, this government has reflected Iraq's fragmentation. The situation may be salvaged, but it will take determined leadership from a handful of key Iraqi politicians, as well as from the U.S. ambassador to Iraq, Zalmay Khalilzad.

Maliki tried from the start to act like a leader. He promised a new plan to secure Baghdad and flew to the key oil city of Basra to try to halt wars between Shiite militias and gangs. He made the pledge to name the ministers.

But Iraq's new constitution keeps the prime minister impossibly weak—a reaction to the Hussein dictatorship. And the Iraqi political culture ties him in knots.

In order to choose his two ministers, Maliki first had to get seven Shiite factions to agree among themselves on the names (they couldn't), then win over Sunnis and Kurds and Khalilzad. The prime minister lacks the power to take decisions on his own.

"We all feel sympathy for the prime minister," I was told by Adnan Ali al-Kadhimi, an adviser to the former prime minister, Ibrahim al-Jaafari. "The constitution puts too many ties on the prime minister, and political leaders give themselves too many privileges."

Indeed, the current system, in which ministries are doled out like fiefs to ethnic and

religious parties, has led to incredible corruption.

“Political position in Iraq has become a way to steal money and then leave the country,” says one official in the defense ministry, where tens of millions of dollars vanished. With few exceptions, the new crop of ministers, also picked by party, does not appear much better than the old.

This system has made many Iraqis sour on democracy quickly. They are hungry for strong leadership. Over and over, I’ve heard Iraqis say Hussein could have restored order in two weeks.

This is why it is so crucial for Maliki to be able to act as a national leader who stands above the interests of sectarian parties. But it isn’t easy for Maliki to make that leap. For one thing, he has virtually no experienced staff; much of what he does have is limited to his Shiite religious party, the Dawa.

I asked one of the bright lights in the new government, Deputy Prime Minister Barham Salih, what was to be done. Salih, a Kurd whom I met over a kebab feast in his garden with his peshmerga (Kurdish militia) guards, manages to combine ethnic loyalty with a commitment to building an Iraq for all its people.

“Prime Minister Maliki says he wants to transcend his Shia affiliation and act as a national leader,” Salih said. “It is incumbent on all of us in Iraq and Iraq’s friends in the international community to help us realize that objective.”

It is unclear how or if that can be done. But the prospects for Iraq and for U.S. troop withdrawals depend on whether Maliki can lead.

The SPEAKER pro tempore (Mr. MACK). 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.)

□ 2215

ALTERNATIVE FUELS RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. GOODE) is recognized for 5 minutes.

Mr. GOODE. Mr. Speaker, I rise tonight to tell the House and the United States that leading edge research into the development of alternative fuels is happening as we speak in the Fifth District of Virginia at the Institute for Advanced Learning and Research in Danville, Virginia. The institute is a mission of Virginia’s land grant institution, Virginia Tech. The institute anchors the technology economy of southside Virginia, and one of its research initiatives focus on sustainable and renewable resources.

In particular, the scientists working in this field are directing their efforts toward generating alternative energy from renewable resources such as switchgrass and hybrid poplars. The scientists believe that these renewable resources can be used in biofuels, biodiesels and bioenergy. The research being conducted at the institute is not

just laboratory work, it is applied research. In that light, the institute has formed a partnership with Wendy Acres Nursery in Gretna, Virginia, also in the Fifth District. At Wendy Acres, they are growing species of switchgrass and hybrid poplar which have a low ash content when processed. This characteristic makes these plants better suited for bioenergy and biofuels. These species are being bred and investigated for use in short-rotation woody plant species and herbaceous perennials as feedstocks by the Institute for Sustainable and Renewable Resources to determine the most efficient production of bioenergy and biofuels.

Mr. Speaker, I have here a container of wood chips. I also have a container of switchgrass. What the scientists have come up with is this biofuel. This is just steps away from being able to be utilized in vehicles all across this Nation. I look forward to the day when we have no dependence on Venezuela and Mr. Chavez for our oil needs. I look forward to the day when we have no dependence on the Middle East and sheiks there for our oil needs. I look forward to the day when we are free of foreign fossil fuel. And I hope all across America we can do as they are doing in Danville and other places, making our own fuel and giving us energy independence.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AMERICA’S AGRICULTURE

Mr. ROSS. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. ROSS. Mr. Speaker, I come to the floor tonight deeply concerned about the future of our Nation’s farm economy and the well-being of our farmers and ranchers. America’s farm families provide the most safe, reliable and abundant source of food and fiber in the world. The security of our Nation’s domestic food supply is critically important to the security of our homeland. We must continue to provide our farm families with the tools and resources necessary to continue producing our food and fiber to ensure we never become as dependent on foreign countries for our food as we are for our oil today.

I was extremely disappointed in this Republican Congress and their decision to cut agriculture disaster funding during conference committee negotiations of the emergency supplemental appropriations bill last week. I was also struck by the fact that the administra-

tion even weighed in by threatening its first veto ever of this supplemental if it contained disaster assistance for our farm families. Making these cuts on the backs of our farmers and ranchers when they are struggling to make ends meet is unconscionable.

Mr. Speaker, it is about priorities, and the decision made by this Republican Congress and administration does not reflect the commonsense priorities and values that many Arkansans and I were raised on and still believe in.

Agriculture is Arkansas’ largest industry and ranks among the top 10 States in the production of rice, poultry, cotton, catfish and baitfish. In fact, one in every five Arkansas jobs is directly related to agriculture. According to a forecast by USDA’s Economic Research Service, farm income is estimated to decline by \$16.5 billion in 2006 as a result of increased production costs and reductions in market assistance. Reduction in farm income, combined with the hardships experienced during the 2005 crop year, will lead our Nation’s farm economy into the worst decline of the 21st century.

As you can see from the poster here, Mr. Speaker, the red line, the top line, indicates the amount of money that it costs our farmers to grow crops. The bottom line demonstrates the amount of money they have received. They are losing money. In 1985, farmers spent anywhere from \$80,000 to \$85,000 on a new tractor. Today, a farmer will spend anywhere from \$140,000 to \$150,000 on a new tractor.

As the chart shows, our farm families have seen a steady increase in the cost to produce their crops, while at the same time the prices they receive for their crops remain the same and are lower than they were 10 years ago. In fact, in 1980, cotton was going for 60 cents a pound. Today, it is 42 cents a pound. Rice was going for \$11.50 per hundred weight. Today, it is \$7 per hundred weight. Soybeans, in 1980, \$5.71 a bushel. Today, just a slight increase, at \$6.09 a bushel.

In 2005, our Nation’s farm families faced severe droughts, hurricane damaging winds and other natural events causing damage and devastation to their crops and livestock. Americans have been hit hard by the drastic increase in gasoline, diesel and natural gas prices. Our Nation’s farm sector relies heavily on diesel fueled farm equipment to plant, harvest and transport their products to market. Increased fuel, fertilizer and other record high input costs have pushed many farmers out of business altogether, forcing them to auction off their family farms.

I have been urging this Republican Congress and administration to pass disaster assistance for our farm families since September of last year. I stand here tonight holding this binder, a binder recently presented to me by Ken Shea of Dumas, Arkansas. It is filled with farm auction after farm auction, fliers, notices of bankrupt

farm families from Arkansas. Even if a disaster bill was passed today, it would be too late for these farm families and many others who are trying desperately to avoid bankruptcy. Every day that passes without providing disaster assistance, more families are auctioning off their farms.

I am a cosponsor of H.R. 3702, an agriculture disaster assistance bill which was introduced in September of last year.

Mr. Speaker, I stand here tonight urging the Republican leadership to give us a hearing and a vote on this bill.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRESSIONAL CONSTITUTION CAUCUS' CONSTITUTION HOUR—CONSENT DECREES

Mr. GARRETT of New Jersey. Mr. Speaker, I rise to claim my time out of order.

The SPEAKER pro tempore. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GARRETT of New Jersey. I do thank you, Mr. Speaker.

Tonight, I come here as we do each week as members of the Constitutional Caucus come here on a regular basis to present a series of 5-minutes following the day's activities and the day's votes. We do so tonight to focus on really one of the most important and significant issues dealing with our Constitution and threats to our constitutional rights as well.

Before I do that, let me just say this, that I wish to show my utmost appreciation earlier this evening for the majority whip coming out and joining us to discuss a piece of his legislation that goes to this very fundamental issue and also for his efforts to work to protect those basic liberties of every American.

The threats that I am referring to is our Founding Fathers' principles of self-government and the jeopardy that comes in the form of consent decrees. For those of you who are not familiar with exactly what consent decrees are, in essence, they are simply this. They are judicial actions that are entered into between opposing parties, in this case by the party bringing the action, private individuals, usually, and State or local entities. State or local governments are basically compelled at the end of a court case to enter into these agreements. They are then, therefore, called consent decrees. In their name and on their face, they sound innocent enough. In reality, they simply can be because they are protecting rights of some sort or the other. But they can

also have in the long-term a cumulative effect, a threat to the legislative process and also to the hardworking American taxpayer who supports it as well.

These decrees have resulted in judges engaging themselves in affairs outside of their constitutional job description, outside of the very framework of the protections that we have established in our documents of checks and balances. I say that their intents are noble and good in many cases, and that is to protect our rights, but by engaging in such blatant activism, they are actually threatening self-government itself, rights outside what our Founding Fathers intended.

I agree with what the majority whip had indicated before. This is not simply a case of dealing with judicial activism because it really goes beyond that and does not engage in that at all times. It is an understanding that our Founding Fathers had, and we have reminded those who have listened to these programs, listened to us coming to the floor each week to discuss constitutional issues, that we must be very mindful always of protecting those rights set forth by the Fathers, especially the rights of States as established in the 10th amendment. All rights not specifically delegated to the Federal Government are retained by the people and the States, respectively.

Consent decrees, therefore, can place an undue burden on the States and local officials. They can last literally for decades, long after the local officials or State officials who may have been involved with those cases in the first instance have long since left office. Newly elected officials may have come into place to find they are bound by those previously entered into decrees. They are now unable to place in policies that could rectify the situation, unable to put in policies that could solve the situation for future generations, and unable to put in policies that basically could save the taxpayers money at the end.

Judges have already tried to engage in other ways in activism, obviously of taking away our rights as we have discussed before, taking away our property rights and the democratic right to construct our marriage institutions.

But consent decrees go one step further. They chip away at the authority of our local officials, allowing judges and not the people who were democratically elected to represent them. This is not just a decision and opinions of Members of Congress. The Supreme Court has also spoken on this. In fact, in a unanimous decision back in 2004, the U.S. Supreme Court called for limiting these types of decrees in the case of *Frew v. Hawkins*. The court proclaimed there that Federal consent decrees could encroach on State and local power. They continued that these decrees may "improperly deprive future officials of their designated and executive powers." They may also lead "to Federal court oversight of State pro-

grams for long periods of time even absent an ongoing violation of the law."

Mr. Speaker, for these reasons, I am more than proud to support my good friend from Missouri and his legislation, H.R. 1229, the Federal Consent Decree Fairness Act. This is legislation that would provide relief to newly elected mayors and other State officials who inherit these overly broad and outdated decrees. It would limit their ability to govern. And it would be able to respond to priorities of their constituents for the future.

This legislation will put term limits on existing decrees while setting out guidelines for the future. We must ensure that they are limited in nature, not opening the doors for future violations. Again, I commend the gentleman from Missouri.

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.)

RED INK CONTINUES TO PILE UP

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to reclaim my time and to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from Ohio is recognized for 5 minutes.

There was no objection.

Ms. KAPTUR. Mr. Speaker, the red ink continues to pile up, both in our budget deficit and in America's trade deficit. The Commerce Department reported on Friday that the trade deficit is rising again, pushed up by oil prices and a flood of more imports from China. With oil imports over \$70 a barrel, we know this trade deficit is going to swell as the year proceeds. The Commerce Department reported that the gap between what the United States sells abroad and what it imports rose to \$63.4 billion in April, 2.5 percent higher than the March imbalance of \$61.9 billion. We know that the trade deficit in both February and March just fell a tad, but it had hit an all-time high this January of \$66.2 billion. And while economists noted that the April deficit was smaller than the \$65 billion that had been expected, it is still the sixth largest trade deficit on record.

□ 2230

This is a chart that takes a look at what has been happening ever since this Congress unfortunately passed NAFTA back in the early 1990s, followed by permanent normal trade relations with China, and what could be normal about that? Every single year the red ink gets deeper.

Through the first 4 months of this year, the trade deficit is running 1.9 percent above the same period a year ago putting our country on track to

run up a record deficit again for a fifth straight year. Last year's deficit, as this chart indicates, was three-quarters of \$1 trillion, three-quarters of \$1 trillion.

To cover this red ink, we have to borrow. We have to import capital to offset what we are not exporting in goods. America is in uncharted waters. We have never, ever experienced this situation before. Some people have commented that our country is handing over \$2 billion a day to foreigners to cover this trade gap. The increase in the April trade deficit reflected a .7 percent rise in imports which climbed to \$179.1 billion, the second highest level on record. In other words, the trend is in the wrong direction.

In addition to higher oil bills, imports of autos and auto parts were up and shipments of consumer goods from China such as furniture, televisions, video recorders and toys all rose. More imports coming in, fewer imports going out. Major U.S. companies like La-Z-Boy are having trouble in the market, because products are coming in from China where workers make pennies a day.

We have lost our entire television industry. Not a single television is made in this country any more. Companies in the automotive parts industry like Delphi are trying to struggle to hang on.

We are living through the hollowing out of our country. We are propping up this loss of real wealth and production capacity with borrowed capital. We are in uncharted waters. America has never been here before.

The markets are reflecting it. Today, in the New York Times, major headline: Broad economic worries drive global sell-off. What is happening is there are huge drops in the market. Standard & Poor 500 stock index fell 1.3 percent, erasing all of its gains for this year and closing at its lowest level since November. The NASDAQ fell more than 2 percent and the Dow Jones Industrial Average fell almost 1 percent. Damage was far worse in markets around the world.

American manufacturers claim, well, you know, the problem is just with China that their currency is undervalued by as much as 40 percent. But I can remember when they said that to me about Japan 16 years ago. MARCY, when the yen-dollar relationship comes into balance, we will have a trade surplus with Japan. No, no.

No trade surplus with Japan because they still have a closed market, and we act like they don't. So we take their products, but they don't take our products. So Japan has now become our largest financier, and every day we pay them interest on their greater and greater loans to us.

Mr. Speaker, America cannot continue on this course. In fact, analysts are saying the deficit will set an even higher record this year, probably close to \$1 trillion, if we keep going at the rate that we are going today. The def-

icit with Japan rose by 2.8 percent in April to \$7.8 billion.

The deficit with Canada rose 16.3 percent to \$6.1 billion in April, while our imbalances with Mexico, with Korea, well, gosh, with about every other country in the whole world, just kept going up. The sad thing for our country is it looks like this year will be the first year in our history we will import more agricultural goods than we export. This is not the America we should be leaving to our children and grandchildren.

Let's elect people to this Congress and to this Presidency who will put America's financial house in order and make us independent again.

[From the New York Times, June 13, 2006]

BROAD ECONOMIC WORRIES DRIVE A GLOBAL SELL-OFF

(By Vikas Bajaj and Jeremy W. Peters)

Fears about higher interest rates, rising inflation and a slowing economy sent stocks sharply and broadly lower yesterday, with emerging markets taking the biggest hit.

In the United States, the Standard & Poor's 500-stock index fell 1.3 percent, erasing all of its gains for the year and closing at its lowest level since November. The Nasdaq fell more than 2 percent and the Dow Jones industrial average fell almost 1 percent.

But the damage was far worse in some other parts of the world. Trading at the Colombian stock exchange was briefly halted after its benchmark index fell more than 10 percent. Mexico's benchmark stock index fell 4.3 percent, its biggest one-day decline in more than 3 years. Markets in India, Brazil and Hungary also tumbled.

Emerging markets had enjoyed a strong surge in recent years because low interest-rate policies around the world pumped cheap money into the global economy, analysts said.

"Global liquidity has helped drive a lot of these risky assets," said Larry Adam, chief investment strategist at Deutsche Bank Alex Brown. "And now you are seeing this flight to quality," including cash and investments in developed countries, he said.

At first glance, stocks in the United States and Western Europe do not appear to have benefited from the emerging-market retreat, but money coming out of emerging markets may be helping to cushion the blow, Mr. Adam said.

Yesterday's sell-off started early and gathered pace throughout the day. Some analysts suggested that a major catalyst was a speech by the president of the Federal Reserve Bank of Cleveland, Sandra Pianalto, in which she said that inflation was higher than her "comfort level."

Ms. Pianalto was the latest Fed official to express concerns about inflation in the last several days, a drumbeat that many investors think is a not-so-subtle message that the central bank will raise short-term interest rates, now at 5 percent, at its next meeting on June 29. Earlier, the Fed had indicated that it might pause in its two-year campaign of raising rates.

The Fed is "adding to a little of this hysteria that is building," said James W. Paulsen, chief investment strategist at Wells Capital Management.

To be sure, Ms. Pianalto, who is one of the 11 officials who vote on Fed's interest rate policies, said that inflation, though worrisome, was not an ominous threat to the economy.

"Measures of long-term inflation expectations have been mixed lately, but, on the

whole, I regard them as remaining contained," she said to a gathering of the Broadcast Cable Financial Management Association in Florida. The challenge of Fed policy makers, she said, "is to make sure that they stay contained."

The government will issue reports on wholesale and consumer inflation today and Wednesday. Excluding energy and food prices, economists expect both the producer price and consumer price indexes to have risen 0.2 percent in May, a rate considered to be modest by most experts.

The biggest loser yesterday, as in the last few weeks, was the technology industry. Many large technology companies, struggling to match past growth as they mature, have been lowering their profit projections.

For the second quarter, the technology area's profits are expected to fall 2 percent from the same period last year while the overall increase in the S. & P. 500 is expected to be 10 percent, noted Howard Silverblatt, senior index analyst at Standard & Poor's. "This is supposed to be a growth industry," he said.

The Nasdaq was led downward by Qualcomm, the maker of wireless technology, which fell 5 percent yesterday after it filed a complaint against its rival Nokia as part of a lengthy patent fight.

Shares of Apple fell almost 4 percent, apparently reflecting investors' concerns about efforts by some European countries to force the company to open up its music software to devices other than the iPod.

One of the few exceptions to yesterday's broad sell-off was General Motors, which rose 43 cents, or 1.7 percent, to \$25.78. It was the Dow's biggest gainer. The shares moved higher as the president of the United Automobile Workers, the company's biggest union, told members that the union would have to rethink its traditional positions to ensure the domestic automobile industry's survival.

The stock also appeared to be reflecting investors reaction to news of an agreement late Friday that could avert a costly strike at G.M.'s largest supplier, Delphi.

Many market experts remain convinced that the recent correction in stock prices will prove temporary and will be contained to a few areas. They note that inflation, though rising, remains low by historical standards.

But the market's volatility has intensified and will probably remain high, analysts say.

"It is a retrenchment," Mr. Silverblatt said. But "companies are still in good shape."

The Dow fell 99.34 points, to close at 10,792.58, its lowest level since Feb. 7. The S & P 500 declined 15.90 points, to 1,236.40. The Nasdaq fell 43.74 points, to 2,091.32. The Russell 2000 stock index of smaller-capitalization companies, fell 18.2 points, or 2.6 percent, to 683.19. Declining issues led advancing stocks by 3½ to 1 on the New York Stock Exchange.

Treasuries fell slightly. The price of the benchmark 10-year note fell ½¢, to 101¼¢. The yield, which moves in the opposite direction of the price, rose to 4.98 percent, from 4.97 on Friday.

Here are the results of yesterday's auction of three- and six-month Treasury bills:

[000 omitted in dollar figures]

	3-Mo. Bills	6-Mo. Bills
Price	98.786	97.510
High Rate	4.800	4.925
Investment Rate	4.926	5.121
Low Rate	4.760	4.880
Median Rate	4.780	4.905
Total applied for	\$39,754,505	\$34,750,526
Accepted	\$22,838,196	\$20,264,834
Noncompetitive	\$2,150,786	\$1,697,043

Both issues are dated June 15, 2006. The three-month bills mature on Sept. 14, 2006 and the six-month bills mature on Dec. 14, 2006.

THE FAVORITES—STOCKS HELD BY LARGEST NUMBER OF ACCOUNTS AT MERRILL LYNCH

Stock	Close	Change (%)	
		Day	2006
AT&T Inc	26.66	+0.2	+8.9
Avaya	11.31	-1.6	+6.0
BkofAm	48.41	-0.8	+4.9
Chevron	57.59	+0.1	+1.4
Cisco	19.48	-2.5	+13.8
Citigroup	49.33	-0.9	+1.6
Comcast	32.47	-0.6	+25.3
ExxonMob	58.24	-1.0	+3.7
GenElec	33.87	-0.6	-3.4
Home Dep	36.26	-1.9	-10.4
Intel	16.86	-1.7	-32.5
IBM	77.02	-0.8	-6.3
JPMorgCh	41.60	-1.2	+4.8
JohnJn	61.38	*	+2.1
Lucent	2.41	-1.6	-9.4
Microsoft	21.71	-1.0	-17.0
Pfizer	23.29	-1.0	-0.1
ProctGam	54.31	-0.3	-6.2
TimeWarn	17.20	-0.9	-1.4
VerizonCm	31.33	-0.5	+4.0

LIMITING CONSENT DECREES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate joining the majority whip, Mr. BLUNT of Missouri, as well as the chairman of the Constitution Caucus, Mr. GARRETT of New Jersey. For several weeks now we have tried to come before this body and talk about issues in which the Federal Government in its effort to be helpful has actually caused greater harm than good.

We have talked about the significance of sunset reviews, reviewing administrative decisions, mandates, States that would put on specific pieces of legislation that would help solve some of those problems. Again we come before you today, and I am grateful to be able to talk with these good gentlemen about once again the Federal Government, in an effort to be helpful, not malicious but helpful, tipping the balance of power with the net result that people are harmed, not by design, but that is the way that has happened.

Consent decrees, which shift the horizontal balance of power, have had the net effect of actually harming individuals. It is something that is a phenomenon that every State has experienced. Federal consent decrees are enforced in all 50 States, which end with judges running prisons, schools, welfare agencies, health care systems and on and on, usually on decisions that are based upon the advice of the advocates who brought original lawsuits in the first place.

It has been mentioned there have been a couple of Supreme Court decisions that have talked about these phenomena. The case of Jenkins v. Missouri is one of those great ones in which the Kansas City school district was taken over by a Federal judge. In an effort to try to improve the school system, not only did they use the executive authority to control hires and fires as well as curriculum, they assumed the legislative authority by actually advancing a property tax on the

citizens of Kansas City, Missouri, in an effort to try to improve the education system. At least at that time the Supreme Court said in a 5-4 decision that they had gone too far.

That kind of usurpation of other authorities does not actually produce the better result. In the case that Mr. GARRETT spoke about, Frew v. Hawkins in 2004, the Supreme Court once again said this can lead to the Federal court's oversight programs for long periods of time, even when there is no violation of the law still in effect.

Now what does this do for individuals? Let me give you a couple of examples. In a west coast city, they recently entered into a 5-year consent, actually in 2001 they went to a 5-year consent decree, in which certain practices would be done by the police department of this particular city. They recently conducted an independent review on how they had done in compliance with the consent decree.

The consent decree had said that every time a police officer uses non-lethal force such as perhaps twisting an arm of a suspect to handcuff him, the captain or above has to write a report of the incident within 14 days. There was a 94 percent compliance with that provision, but not enough to satisfy the consent decree.

The police commissioner was supposed to report within 45 days the quarterly discipline report. He actually took 15 days longer than that and was once again out of compliance. The department took 21 days rather than 7 days to send in its audit report to the Inspector General and was therefore out of compliance.

In fact, it would be possible to comply with all the decisions of this consent decree if the police department actually hired more personnel to keep the paperwork going. In fact, that is exactly what they did. They did hire more personnel to do the paperwork that was necessary to fulfill the details of the consent decree.

One article in the National Review talks about how the city's police department and their supervisors would meet to discuss the issues of the police department, and their topics of conversation tend to go almost universally to how to fulfill the provisions of the consent decree.

If I could quote from one article, they said for more than 2½ hours they gathered captains, sergeants lieutenants, and detectives spoke of nothing but processing the paperwork. Not a single word was uttered about reducing crime or otherwise how to improve the quality of life of people in the area in which they serve. The supervisor who attended this meeting simply called the process pathetic.

Oddly enough in the report of how they were doing in fulfilling their consent decree, it also mentioned that what the city needed were more personnel on the street and more supervisor oversight for the officers in the field, which oddly enough, in one of

those ironies of life, they could have done had they not spent their money to hire the personnel to do the paperwork for the consent decree.

In New York City, they have had, since 1974, a consent decree mandating bilingual education in some of the city schools that has now been going on for 30 years, well past the original intent of it, even though the parents do not want to participate in this particular program.

Another west coast city was issued a consent decree in 1991 for their school districts, again claiming there were too few experienced teachers. Again the court stepped in increasing the taxes of these individuals by \$11 million a year, and now, 15 years later, finally, the judge declared herself satisfied and declined to extend this decree for yet another 5 years.

The problem with consent decrees is very simple. Once entered into, those who are subject to those decrees have no recourse. There is no balance, there is no kind of protective area in which to go, in which case in that particular situation it is why the majority whip has asked us to introduce this piece of legislation to put a time limit on consent decrees.

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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE 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 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 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS 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 (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE 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 North Carolina (Ms. FOX) is recognized for 5 minutes.

(Ms. FOX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for half the remaining time until midnight as the designee of the majority leader.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the opportunity once again to come before the House. I want to thank the leadership and the conference for their providing us the opportunity to come and talk this evening for a while and share some views with the Members of the House about a very important topic.

We have coined this on occasion the Official Truth Squad. This is the House Official Truth Squad, the Republican conference Official Truth Squad that grew out of a general frustration on the part of many Members of the freshmen class, 25, 26 strong, who are now about 18 months into our first term in Congress.

And after about 6 months, we met and shared conversation and thoughts about the House of Representatives and where we are going as a Nation. There was some real concern about what we sensed as the politics of division and the politics of deception that seemed to be practiced by many here in this Chamber and across the land, frankly.

So we organized what we called the Official Truth Squad and come to the floor of the House on many occasions, as often as possible, at least try to do it at least once a week. We broadened that participation in the Official Truth Squad, Mr. Speaker, because I think other Members of the conference felt that was an appropriate thing to do, to try to bring some light, shed some light and truth on the issues that we talk about here in the United States House of Representatives, because it is so doggone important to make certain that we have truth and facts when we are talking about issues. Because if you don't have the right facts, the truth of the matter is, it is tough to get to the appropriate solution.

□ 2245

We have adopted a slogan or a quote that we like to call on by the late Sen-

ator Daniel Patrick Moynihan and he had a quote that he used often. He said everyone is entitled to their own opinion, but they are not entitled to their own facts, and I think that kind of crystallizes the genesis of the Official Truth Squad and why we felt it was so important to come to this floor and talk about various issues.

So, Mr. Speaker, tonight is a topic that is extremely important, and it is a discussion that is important, and it is a topic that demands the truth.

Tonight, we are going to talk a bit about the war on terror, and it is one of those areas where, yes, people can have their own opinions, and it is important but it is also important to make certain that we think and talk about the facts of the war on terror.

I am going to be joined by a number of colleagues this evening, but I wanted to start off by outlining or by citing actions, events that have occurred in the war on terror. And many people have differing opinions as to when the war on terror actually began, when did the terrorism begin to threaten us. I think it probably was in 1979, and we will talk about that a little bit, but I want to just highlight a list of terrorist activities that I think bring real focus to the war on terror and that, Mr. Speaker, are terribly sobering, but I think they are important as we kick off this discussion about the war on terror.

There are literally tens, if not hundreds, of events that one could cite as being associated with the acts of terrorism around the world, but I would like to just highlight a number of them here.

I am going to go in chronological order. I am going to start in 1961 when the first U.S. aircraft was hijacked on May 1, 1961.

A number of events occurred over the next decade, but we all remember the Munich Olympic massacre on September 5, 1972.

The ambassador to the Sudan was assassinated on March 2, 1973, U.S. ambassador to Sudan Cleo Noel. Other diplomats assassinated at the Saudi Arabian embassy in Khartoum.

There was the attack and hijacking at the Rome airport in December, December 17, 1973.

The United States ambassador to Cyprus, Rodger Davies, and his Greek Cypriot secretary were shot and killed on August 19, 1974.

Ambassador to Afghanistan was assassinated on February 14, 1979, and of course, the Iran hostage crisis began in November of 1979 when Iranian radicals seized the U.S. embassy in Tehran and took 66 American diplomats hostage, holding 53 of them for 444 days.

Grand mosque seizure, November 20, 1979, in Mecca.

U.S. installation bombing, August 31, 1981 in Ramstein, West Germany.

Assassination of President Sadat, the Egyptian President, on October 6, 1981.

Murder of missionaries on December 4, 1981 in El Salvador.

The bombing of the U.S. embassy in Beirut, April 18, 1983. Sixty-three people, including the CIA's Middle East director, were killed. Islamic Jihad claimed responsibility.

Naval officer assassinated in El Salvador on May 25, 1983.

Bombing of the marine barracks, Beirut, October 23, 1983. There were simultaneous suicide truck bomb attacks made on American and French compounds in Beirut, killing 242 Americans and 58 French troops killed when a 400-pound device was deployed at a French base. The Islamic Jihad claimed responsibility.

Facts, Mr. Speaker.

Naval officer was assassinated in Greece, November 15, 1983.

Kidnapping of an embassy official and the murder of political officer William Buckley in Beirut, Lebanon, March 16, 1984.

Restaurant bombing in Spain, April 12, 1984. Eighteen U.S. servicemen were killed, 83 people injured.

TWA hijacking June 14, 1985.

Achille Lauro hijacking, October 7, 1985.

Aircraft bombing in Greece, March 30, 1986.

Berlin discotheque bombing, April 5, 1986, two U.S. soldiers killed and 79 American servicemen injured.

Bus attack, April 24, 1987, 16 U.S. servicemen riding in a Greek air force bus near Athens were injured.

Kidnapping of William Higgins on February 17, 1988. He was kidnapped and murdered by Iranian-backed Hezbollah.

Naples USO attack on April 14, 1988.

Attack on U.S. diplomat in Greece, June 28, 1988. Defense attache to the U.S. embassy in Greece was killed when a car bomb was detonated outside his home in Athens.

Pan Am 103 bombing, December 21, 1988. Pan Am 103 was blown up over Lockerbie, Scotland, by a bomb believed to have been placed by Libyan terrorists, 259 people killed.

And then of course, Mr. Speaker, the first World Trade Center bombing, February 26, 1993, when a car bomb, planted by Islamic terrorists, exploded in an underground garage leaving six people dead and 1,000 people injured.

Something we oftentimes forget or very few people talk about, there was an attempted assassination on President Bush by Iraqi agents on April 14, 1993.

Saudi military installation attacked November 13, 1995.

Khobar Towers bombing June 25, 1996, in Dhahran, killing 19 U.S. military personnel, wounding 515 persons including 240 U.S. personnel.

Empire State Building sniper attack in February of 1997.

The murder of a U.S. businessmen in Pakistan, November 12, 1997.

U.S. embassy bombings in east Africa. August 7, 1998, a bomb exploded at the rear entrance of the U.S. embassy in Nairobi, Kenya, killing 12 U.S. citizens and 32 foreign service nationals

and 247 Kenyan citizens. Almost simultaneously a bomb detonated in Tanzania, killing 7 foreign service nationals, 3 Tanzanian citizens and injuring 1 U.S. citizen and 76 Tanzanians.

It is sobering, Mr. Speaker.

Attack on USS *Cole*. October 12, 2000, a small dinghy carrying explosives rammed the destroyer USS *Cole* killing 17 sailors.

Manila bombing in December 2000.

Philippines hostage incident, May 2001.

And then the attack on September 11, 2001, on the U.S. homeland, four planes, two colliding with the twin towers in New York, one crashing in a field in southern Pennsylvania and one crashing into the Pentagon, 3,025 United States citizens and other nationals killed.

Mr. Speaker, you can have opinions about what is going on here, but you cannot dispute the facts. That the war on terror should have begun long ago. The terrorism has plagued our Nation for years. This is a long, long battle, and it is a real war.

So to talk about some of those facts tonight I am pleased to be joined by some very good friends and colleagues. Representative ERIC CANTOR is the deputy majority whip from the State of Virginia, and he joins us this evening to talk a little bit about the war on terror and to share some perspective during this week when we have had actually some very, very good news and some very good facts come out on the war on terror.

I am pleased to yield to my good friend from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Georgia, and Mr. Speaker, I want to commend the gentleman for his meticulous research in recounting the numerous incidents of terrorist acts against American citizens over the last several decades, and I think that the gentleman makes a point that will really be the focal point, the central point of the debate of the floor of this House on Thursday, and that is, that the war in Iraq, the war in Afghanistan and all of the other incidents that the gentleman speaks of is part of a greater war against terrorists.

I want to respond to a statement that was made earlier from a colleague from the other side of the aisle. He ended his remarks by mentioning the war in Iraq and portraying it as a vicious war we should never have been in anyway.

I think, Mr. Speaker, that the gentleman from Georgia has just laid out the facts as they are. We did not ask for this war. The terrorists started this war. We must respond in order to secure our citizenry, in order to secure America.

I would, however, like to pick up from where the gentleman left off and the fact that we have experienced some victories over the last week, one in which we saw the killing of Zarqawi who was a leader in a terrorist activity in Iraq against American citizens and

others, and it demonstrated, Mr. Speaker, that we are making progress, that we are able to penetrate and begin to dismantle this terrorist infrastructure that frankly has identified Iraq as the front in their war against America.

I would also like to call the House's attention, Mr. Speaker, to another victory that we experienced last week.

On June 8, which was Thursday, Mr. Speaker, the guided missile destroyer USS *Cole* joined two Iwo Jima Expeditionary Strike Group on their way to the Middle East. This marked the USS *Cole*'s first return to Middle Eastern waters since the October 12, 2000, surprise terrorist attack on the ship while it refueled in Aden Harbor, Yemen.

On a somber note, this viscous, unprovoked terrorist attack by al Qaeda terrorists on this U.S. warship claimed the lives of 17 U.S. sailors. Among these brave sailors was Hull Maintenance Technician 2nd Class Kenneth Eugene Clodfelter who was a constituent of mine.

His loss will forever be felt and his service never forgotten by any of us, by the citizens of his home county, Hanover County, Virginia, and in fact, the entire Nation.

It is a fitting tribute that the ship on which Kenneth served and gave his life returns to those same waters, reborn, resilient and again ready to bring the fight to the enemy, the Islamic fascist terrorists who seek only death and oppression.

Mr. Speaker, I believe this statement by the USS *Cole*'s newest commanding officer, Commander Bradley Roberson, says it best, and Commander Roberson said: "We draw strength from this being a very stout and resolute hull. The crew reflects that and the fighting spirit of the navy. I think the ship symbolizes America, its determination, its fortitude and the resolve that we will be around no matter what."

Mr. Speaker, I would also like to take a moment to commend and honor the thousands of Virginian National Guard and Reserve soldiers, sailors, airmen and marines who have served in our struggle to rid the world of Islamic-fascist terror.

As we speak, more than 1,000 brave men and women in dozens of Army Reserve, Army National Guard, Marine Corps Reserve, Navy Reserve, Air National Guard units from central Virginia continue in this struggle.

So, Mr. Speaker, I would again like to thank the gentleman from Georgia for his leadership, not only on the Official Truth Squad, but on this very, very important topic of the war against the terrorists, a war against an enemy that frankly harbors a view of the world very different from those of us in this country and one in which we will not stand down.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman for his comments and his keen perspective and dedication to the support of our men and women in the military who are waging this incredibly important battle and

incredibly important war. Thank you so much for your participation tonight in bringing a little light, a little vision and a little truth to the discussion.

We are also joined tonight by Congresswoman MARSHA BLACKBURN from Tennessee who is almost a regular on the Official Truth Squad that brings some truth and light to so many topics, and she has a clear vision as well and a great perspective on the importance of truth in this discussion but also the importance of waging this war on terror, and I am happy to yield to my good friend from Tennessee.

□ 2300

Mrs. BLACKBURN. I thank the gentleman from Georgia for yielding. He is so appropriate in his remarks this evening as we talk about the big picture of what is happening with the war on terror and reminding us that this is not something that happened last week, last month, last year, or just within the last decade. This is something that started happening four decades ago and has grown more and more and more repetitive in attacks and actions and outward expressions of aggression as we have moved through the past four decades.

Yes, what has happened is we have moved from responding to these terrorist attacks as acts of civil disobedience to getting to the point after September 11 that we said, no, this is not just civil disobedience, this is an act of war. This is now a global war on terror and, indeed, it is important, it is imperative that we win in the battles in Afghanistan and that we win in the battles in Iraq. And as the gentleman from Georgia has mentioned, this is not something that is going to be quick and easy. This is going to be a long fight and a long struggle.

We must be certain that we all realize that our enemy is not an enemy that is located in one single place. There are terrorist cells all around the globe. At this point, yes, indeed, primarily they are drawn into Iraq because of the battle that is there, and that is one of the reasons it is important that we fight and that we win.

As the gentleman from Georgia knows, Mr. Speaker, we are winning. And we hear this from our men and women in uniform. We hear it from them in the stories that they recount to us. We hear it from their families. And we are very, very grateful to every one of these families and every man and woman in uniform who stands and fights and who understands the mission of why we fight.

Mr. PRICE of Georgia. If the gentleman will yield.

Mrs. BLACKBURN. I would be glad to yield to the gentleman.

Mr. PRICE of Georgia. A couple of points you make are so important for this discussion. One is about the quality and nature of our enemy. It is unlike any enemy we have ever faced because it is not an enemy who is attaining ground or territory. This is an

enemy that hates us because of who we are, what we are, and what kind of government we have. They clearly have stated that democracy is their enemy. It is not a territory.

And you mentioned about the troops being behind our actions virtually 100 percent. I was so heartened to see the President in Baghdad earlier today in the tape we saw and the welcome he received from our U.S. troops. It was just incredibly moving to see our President visit our troops there and to visit the new government in Iraq.

I yield back.

Mrs. BLACKBURN. Indeed, it is heartening to see that. And what a source of encouragement for those men and women in uniform to be in their day working in Baghdad and all of a sudden they receive the news that their Commander in Chief has flown through the night to come and say thank you to them for that work; thank you for what they are doing for this country.

And as the gentleman just mentioned, we fight because we have an enemy that would destroy what this country is built on. It would destroy what we stand for. It is imperative that we win so that we continue with America as we know America, so that we continue to live our lives in freedom, so that our children go to school not in fear but go ready to learn and with a sense of security, so that we live in our homes, so that we go to work, so that we have our daily life and carry on our business and do it without the fear of being interrupted by terrorist threats, by terrorist strikes, by terrorist fighting that would take place in our streets, in our cities here in America.

Mr. PRICE of Georgia. If the gentleman will yield once again.

Mrs. BLACKBURN. Be happy to.

Mr. PRICE of Georgia. I think it is important because when we talk about opinions and facts, a lot of people have their opinions about the nature of our enemy and what their goal is, but the fact of the matter is you don't have to look too far because you can look to their words. You can look to their words, and we have a quote here from al-Zarqawi, who was finally brought to justice in the past couple of days, and what he said in January of 2005.

These are his words, now. These are not our words but his words: "We have declared a fierce war on this evil principle of democracy and those who follow this wrong ideology." That is the nature of our enemy. That is why it is unlike any enemy that we have ever, ever had before.

And I yield back to the gentlewoman.

Mrs. BLACKBURN. The gentleman is so correct in that, and for them it is a fierce war to bring down the pillars of free enterprise, to bring down those underpinnings of democracy that allow us to be a productive society, that allow us to be a free society.

I know that I join the gentleman from Georgia in looking forward to the debate we are going to have in this body this week, and I want to again

thank the leadership for setting aside this time for us to focus once again on why we fight and why we must win and why it is imperative that we have a democratic ally in the Middle East and that we break apart the stranglehold that terrorism has had on that region of the world.

I thank the gentleman for the time, and I yield back to him.

Mr. PRICE of Georgia. I appreciate so much your participation tonight, and I join you in looking forward to our discussion and our debate on Thursday. We will spend the majority of the day here in the United States House of Representatives talking about the war in Iraq and talking about the war on terror and the importance of it and bringing a perspective that I think is so needed for the American people to see and appreciate as we recognize the longevity of the battle that has occurred already and the challenges that we have before us.

I am so pleased to be joined by my colleague from Georgia this evening, Congressman PHIL GINGREY, my good physician colleague from Georgia and also congressional colleague from Georgia. He is an individual also who recognizes the extreme importance of the support of our military forces and the gravity of the war in which we are engaged now, this war on terror.

I am pleased to have you join us tonight and yield to you.

Mr. GINGREY. I thank my colleague from Georgia for yielding. I certainly, certainly appreciate, Mr. Speaker, the Official Truth Squad that the gentleman has led, and particularly tonight in regard to this subject.

The gentleman spent 10 or 15 minutes actually going through a historical perspective, taking us, Mr. Speaker, all the way back to the 1960s, as he outlined the attacks that have occurred against this country, and made the point that this policy that we have had heretofore prior to our President's response to 9/11, on September 11, 2001, this so-called policy of containment that has proven itself to be a dismal failure because of these attacks, one right after another, as the gentleman pointed out, Khobar Towers, U.S.S. *Cole*, first attack on the World Trade Center, and finally leading up to the horrendous killing of over 3,000 people on September 11.

We didn't start this fight, Mr. Speaker; and I think that is the gentleman's point. It was just astounding to me to hear someone from the other side earlier this evening imply that we started this battle, that we have got no business defending freedom and standing up for the rule of law.

Edmund Burke once said that "all that is necessary for the triumph of evil is that good men do nothing." And quite honestly, Mr. Speaker, over the last 40 years, as the gentleman from Georgia has pointed out, we basically did nothing. It was like turning the other cheek, or I dare you to do that again, or I double dog, even triple dog

dare you to strike at us again, and on and on and on. And finally this President and this Congress had the courage to stand up and take it to the enemy. And I would point out that at that particular time, Mr. Speaker, this battle was not against any one individual but this was a long slog, that it was going to be tough, that the global war on terrorism would not end with just one battle.

It is so interesting, as we hear from the other side, that finally the tracking down and the killing of Zarqawi was almost a nonevent. It doesn't matter. They are going to replace him with someone just as terrible and we won't even notice the difference. That would be like saying that Knute Rockne was going to be replaced at Notre Dame, or a Lou Gehrig was going to be replaced by the New York Yankees and nobody would know the difference.

This guy was the worst of the worst. And I think that what we have done last week in killing Zarqawi is a tremendous accomplishment for our military, for the Iraqi people, for the intelligence that was brought to bear that led to the success and also, Mr. Speaker, in regard to the Iraqi Government finally, very carefully vetting individuals to place as ministers of defense, ministers of interior, and minister of their national security. These are huge items of success.

I want to say to my colleagues on the other side that we will, as the gentleman from Georgia has pointed out, we will discuss this thoroughly, and every Member in this body will have an opportunity to have their say about what we are trying to do and whether we support continuing this battle or whether we decide that it is time that, as the gentleman from the State of Washington said earlier this evening, to bring our troops home. I think it is very simple. I hear the Members on the other side of the aisle saying, well, the American people are against this, the American people have turned against this. Well, if that is the case, when we have this simple resolution on Thursday or Friday morning, then they will have an opportunity then to vote the way they think the American people want.

I, Mr. Speaker, refute that. I think the American people stand strong and understand that when you are in a contest, you don't say, we are going to play the game for 60 minutes, but if it happens to go into overtime then we are going to pull our team off the field because we don't want to go any further. This is what this is all about.

And, again, I want to thank the gentleman from Georgia for leading the Official Truth Squad. As he said at the outset, you are entitled to your own opinion, but you are not entitled to your own facts, and these are the facts that Congressman PRICE has brought to us as he outlined what has happened over the last 40 years.

It is time that we stood up. We are going to win this battle, and we want

to make sure that every Member of this body has an opportunity to vote yea or nay. So I commend the gentleman from Georgia, and I yield back to him.

Mr. PRICE of Georgia. I thank the gentleman for joining us tonight, and I appreciate your perspective and your commitment to our servicemen and -women and for the sober reflection that you gave on the situation that we find ourselves in today and the importance, the real importance of this war. And it is a real war. It is a real war, and you know and understand that as well as anybody.

I also appreciate your reminding folks again that on Thursday we will be spending time on this floor discussing the war on terror and the importance of it and why America has found itself in this situation, why it is important that we respond in the way that we have.

When I am at home, I hear people talk about the war in Iraq. And whenever I discuss this with some of my constituents, I oftentimes will say it is important for us to remember that this war in Iraq is really just the battle in Iraq in the larger war on terror. And the gentleman from Georgia just described it extremely well, that the policy of containment that we had used in the past, prior to 9/11, was a dismal failure. And so this is truly a war. It is a real war. It is a real war in which we must engage, and it wasn't of our choosing, and it wasn't of our choosing, Mr. Speaker.

I want to spend the final few moments that I have to talk about an issue that is related to the war on terror and the battle in Iraq that we have right now, because you hear so many people say, how are we going to know when it is over? How are we going to know what victory is? How will we know when we win?

It is difficult. I understand that. It is difficult because this, again, is a war unlike any war we have ever had. Victory in Iraq will not come in the form of our enemy surrendering, because our enemy doesn't hold any territory. It is not like they can say, okay, I give up, I am not going to fight any more. And it won't be signaled by a single particular event.

For folks who remember past wars and past ends to past wars, there will be no Battleship *Missouri* signing. There will be no Appomattox signing. The ultimate victory in the battle in Iraq will be in stages. And I think it is important to point out that these stages have been defined by members of the military and members of this administration and have been articulated by the administration as well as members of the United States House of Representatives leadership and others.

□ 2315

And they have been defined in the short term, in the medium term and in the long term. I would like to run through those briefly because I think it

is important for the American people to appreciate that yes, indeed, there are benchmarks that one can follow, and that we have made incredible progress, not just in the war on terror but in the battle in Iraq.

In the short term, we have an Iraq that is fighting the terrorists and neutralizing the insurgency, meeting political milestones, which they have done to a remarkable degree, building democratic institutions and standing up robust security forces. We hear over and over that those security forces number around 250,000, which is truly remarkable. They are destroying terrorist networks and maintaining security and tackling key economic reforms to lay the foundation for a sound economy.

So in the short term, those are the kinds of benchmarks that we should be looking at. Many of them have been accomplished.

In the medium term, an Iraq that is in the lead defeating terrorists and insurgents and providing its own security with a constitutional, elected government in place. Mr. Speaker, that is a medium-term goal that has been described for a number of years and in fact has now been accomplished, providing an inspiring example to reformers in the region, and well on its way to achieving its own economic potential.

And then in the longer term, Mr. Speaker, we will know that victory in Iraq has been obtained when an Iraq has defeated the terrorists and neutralized the insurgency, an Iraq that is peaceful and united and stable and democratic and secure where Iraqis have the institutions and resources that they need to govern themselves justly and to provide security for their own country, and an Iraq that is a partner, a partner in the global war on terror and the fight against the proliferation of weapons of mass destruction, integrated into the international community and an engine for regional economic growth and proving the fruits of democratic governments to the region.

Mr. Speaker, those are the kinds of benchmarks we ought to be looking at. There won't be a surrender. There won't be a signing. There won't be a waving of the white flag certainly by our enemy. We just hope Members in this body and across the Nation do not wave the white flag. This is an important battle. It is a part of the war on terror. It is imperative that we wage this with the vigor and enthusiasm and the spirit that we saw on the faces and heard in the voices of American soldiers as they greeted President Bush as he made his visit to Baghdad.

Mr. Speaker, America is a wondrous and a glorious nation. Freedom's light is strong here. We are a vessel of liberty and a beacon of hope to so many people around the world. The work that we do here is so important as we continue to provide that American leadership, international leadership, and show that light, show that light of freedom.

I am so proud to have the opportunity to stand here with my colleagues and to highlight some of the truthful and honest efforts that this government, this administration, this House of Representatives is taking to make certain that that vessel of liberty and that beacon of hope rings true around the world.

CROSSROADS IN IRAQ

The SPEAKER pro tempore (Mr. MACK). Under the Speaker's announced policy of January 4, 2005, the gentleman from Missouri (Mr. SKELTON) is recognized for the remaining time until midnight as the designee of the minority leader.

Mr. SKELTON. Mr. Speaker, tonight I wish to speak about Iraq, a separate and distinct war from the war on terrorism. Those who are terrorists with their genesis in Afghanistan have a goal of creating a fundamentalist Muslim caliphate all across the Middle East. The insurgents are Baathists and Sunnis in Iraq who have as their goal a separate and distinct one of toppling the government that is there and creating their own.

My friends on the other side of the aisle wish to confuse the battle against terrorists and the battle against insurgents in the country of Iraq. Tonight I wish to speak about Iraq because we are at a strategic crossroads as a Nation regarding that war.

I wish to speak about the health of our military that is being drained by the war in Iraq. As a matter of fact, we are sustaining a battalion's worth of casualties every month wounded and killed in Iraq and Afghanistan. The number of attacks on the American and allied forces is at the highest level since the insurgency began despite the increase of America combat operations and the introduction of some 40 new Iraq security forces and battalions.

An ABC poll shows that 60 percent of Americans disapprove of the situation in Iraq. What is responsible for us arriving at this point? I have to say a lot of good words about our military, the finest we have ever had, they are doing a superb job. I am proud of them, and every American should be. But there have been operational strategic mistakes sadly made by the administration that has brought us to this point at a crossroads in Iraq.

First, allowing the looting; second, not having a plan for the aftermath, although duly warned; by dismissing the Iraqi Army rather than giving them a paycheck and a shovel; failure to plan and have American civilian professionals from the State Department, Transportation Department, Agriculture Department, and Judiciary with the right skills to advise the Iraqis when they took over their governmental ministries; the failure to react to the wartime collapse of the Iraqi military and security police forces; and the decision to disband the Army, as I mentioned; failure to have a

sufficient number of American troops at the beginning and later as General Eric Shinseki warned.

This is a year of transition in Iraq. The bill that we passed last year, the defense bill, stated that calendar year 2006 should be a period of time of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of the United States forces from Iraq.

If we are not able to redeploy our forces from Iraq, the health of our military will be seriously endangered. We are wearing the troops out. Not just the troops, but the equipment. As a matter of fact, Mr. Speaker, 13,849 members of the selected reserves have had three deployments, and 10,408 have been deployed more than three times. Well, where do we go from here?

We have to do our best to train those Iraqis, let them and their government know that the ball is in their court. We have to make sure they are properly equipped, and I might also say that the equipment of the Army and Marines Corps ground equipment is wearing out. Some of it is wearing out from two to nine times the peacetime rate.

We have global interests, potential threats from elsewhere, North Korea, Iran, Taiwan Straits and the like. We must be prepared for any future threat. That is why it is important that this be a transition year, 2006.

Mr. Speaker, at this time I yield to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank the gentleman for yielding and I want to commend his efforts as the ranking Democrat on the Armed Services Committee for making sure, as other Democratic members have, that the men and women who serve this country get the equipment that they need to succeed. Many of us were stunned to see so many of our men and women put into harm's way without having enough uploaded Humvees and Kevlar vests.

I also want to acknowledge the gentleman for considering the casualties that we are taking. I believe the gentleman said a battalion per month. A battalion per month.

What effect is this going to have on the long-term implications for national security and our military? One of the things a country has to do in a time of war is tell the truth about what is happening in Iraq and Afghanistan. Yet the administration continues to think that the American people cannot handle the truth or do not want the truth. We experience setbacks. We have strategies that do not work. They continue to tell us we should stay the course and everything will be all right. We have no accountability on the part of the Congress, either the House or the Senate, to hold the administration accountable for what their policies are or aren't.

Members of the Armed Services Committee tonight, Democrats on that

committee that have served on the committee traveled, I think every Democrat has been to Iraq at least twice, will follow me and tell you that the administration is simply not being candid, honest and truthful with the American people about the situation in Iraq. As Mr. SKELTON indicated, we went into Iraq without enough troops. General Shinseki told us we were going to need a few hundred thousand troops. What did they do at the Pentagon, they put him out to pasture as if he did not know what he was talking about.

The reality is that the situation in Iraq is deteriorating. Mr. SKELTON talked about the insurgency in Iraq. Ninety to 93 percent of the insurgents in Iraq are from within Iraq. There is an outside group of somewhere between 8 and 10 percent terrorists that have come over the border. It makes you wonder why the President said to every terrorist in the world, Bring it on. Bring it on.

There are more attacks today in Iraq by the insurgency than ever. The situation is growing worse because the insurgency is growing stronger. Sectarian violence is becoming more common, and violent crime is on the rise. I am not just saying these things, the facts support these things. Despite the claim that the available combat power of the Iraqi security forces is increasing and the operational tempo has significantly stepped up, violent insurgent attacks have increased every month this year. That is a fact.

Violent crime in Baghdad is at its highest level since August 2003. That is a fact.

Insurgent attacks have increased every month this year, and that is a fact. But we keep hearing about how things are getting better. Insurgency is as large today as it has been at any point in Iraq. That is a fact.

The administration has been stressing to us that reconstruction is going well and that progress is being made, and certainly in some parts of the country that is true. But you cannot look at the totality of the circumstances and say that the administration is being honest or truthful with the American people.

While we debate here tonight, residents of Baghdad receive 3.9 hours of electricity per day. Let me repeat that: 3.9 hours of electricity per day. So it is great that those satellite dishes are up, but people are unable to use them. Before the war, people in Baghdad could depend on 16 to 24 hours a day of electricity, and this past month, it is only 17 to 20 percent of the prewar output.

It is really hard to focus on democratization when you live by candlelight and cannot store your food. Drinking water is not readily available either. Back in 2003, the Coalition Provisional Authority stated that the goal was to have 23 million of the 26 million Iraqis with access to potable water.

□ 2330

Do you know where we stand today in that goal? Just a little over 8 mil-

lion Iraqis have safe access to drinking water. This is significantly lower than pre-war levels and about a third of what the CPA was aiming at. We have failed to do our jobs in terms of providing electricity, providing the water, providing the economic development, providing jobs. Any country in the world with a 40 percent unemployment rate is going to have an insurgency.

Now, maybe the administration could point to success in building a train station, but we can't have success without providing the necessities of life. So the administration talks about how much safer things are. But the reality is, if you look at the facts, you see that staying the course is just not an option for the United States. We have to look at the facts. We have to look at the fact that the challenges in Iraq are growing every day. Our military is stretched to the limits. 20,000 Americans, brave American soldiers have either been injured, seriously injured, or have been killed. So what we would like is a debate on Iraq, not some kind of political statement that merges Iraq with Afghanistan, with Spain, with London, and put it all together and call it the war on terror and say we support our troops. We all want to win the war on terror. We all want to make sure that we support our troops. But we really ought to have a discussion of what is going on in Iraq. And there are members of the Armed Services Committee who have been trying to get that discussion, trying to get that accountability who are here today. And I want to yield to the gentlewoman from California to continue this discussion.

Mrs. TAUSCHER. I thank the gentleman for yielding. I think many of us find ourselves deeply distressed that we are here to talk about a so-called week about the war on terrorism when we were promised months ago by the majority leader a debate on Iraq.

There is a convergence here of themes that have been deeply disappointing to me for well over the last 2 years, as I saw the administration begin to use terms like the "global war on terror" to begin to cover for what has clearly been a mistake in Iraq. I am here tonight because I believe it is high time for a change of direction in Iraq.

I honor the sacrifice of our fighting men and women and their families. With 2,498 American deaths in Iraq today since the beginning of the military operations, it is time that the Bush administration finally levels with the American people. I think we first have to go back to where, the beginning, to when, after the September 11 attacks and after this House, Democrats, Republicans, along with the Senate and the American people, agreed that we had to topple the government, the Taliban government in Afghanistan that had harbored the al Qaeda terrorists that had attacked us on September 11.

And after we took that government out and began to move that operation

toward, hopefully, a successful Afghanistan, we began to hear the drumbeat of talk out of the administration that Iraq was a big threat to us, that we had mushroom clouds in our future, that this was a country with a leader in Saddam Hussein who was an imminent threat to the United States. Many of us in the post-September 11 time believed that we had to do something more than just fly flights over Iraq and deal with those issues that we had to really move and to do things to create the kind of coalition of not only the willing but the capable that we had when George Bush's father went after Saddam Hussein in the first gulf war.

The real issue right now is what have we done in Iraq to make sure that we can actually succeed. And I think that what we have, unfortunately, has been a number of mistakes by the civilian leadership in the Pentagon. We have heard them all before. The litany is long and getting longer. It begins with not really understanding the context of Iraq. It begins with not really understanding that we needed more troops on the ground after we took Saddam Hussein's government down than we actually need to do the taking down of the government.

It began with not really understanding the context and the construct of those, the sects in Iraq and the enmity and the fear and the kind of reprisals that you would see if the Sunni minority that had been in power during the Saddam time actually had the Shia come back into power and realized how badly they had been treated for 25 years. We have had multiple governments in Iraq, and this mission has morphed and constantly been redefined by the administration to fit the latest catastrophe.

What I really hope we can do over the next few days is have a Democratic position begin to emerge. Our friends on the other side like to talk about truth. And Daniel Patrick Moynihan did have that great saying about people can have their own opinion, but they can't have their own set of facts. Well, my grandmother from Ireland used to tell me that saying it doesn't make it so. And what is really clear is that we have to have a movement forward by this administration to not only admit the mistakes that have been made, but to be sure that we actually can bring our troops home sooner and safer. We want to honor the sacrifice of our troops, but at the same time we want to bring them home sooner and safer.

I am happy to yield to my colleague from New Jersey who is going to continue this conversation, Mr. ANDREWS.

Mr. ANDREWS. I thank my friend for yielding. The job of the American troops in Iraq is to fight for the cause for which we have sent them to fight, and they are doing an honorable and brave and magnificent job; and we are all proud of them and we all support them. The job of the President, as the leader of the executive branch and the Commander in Chief is to make policy

decisions as to how and where to use those forces. And we have grave doubts about whether he has made the right decisions in Iraq. In fact, the record shows he has made a series of poor decisions that put the country in great trouble.

But the job of the Congress is to oversee and ask the questions as to whether the policymakers in the executive branch, from the President on down, are doing the job that we want them to do. This Congress, this majority in Congress has failed to do that job, has failed to ask the questions that need to be asked:

Why did the Pentagon ignore the advice of the Chief of Staff of the Army, General Shinseki, and send fewer than half the number of troops that he recommended? Why did the administration ignore the advice of their own State Department experts and immediately disband the Baathist Party, the whole thing? Why did they further ignore the advice of those experts and disband the Iraqi Army, the whole thing?

Why did they not guard the ammo dumps that are now providing the fire power that is making IEDs that are killing Americans every day? Why did they not properly set up supervision of the prisons so that we have the national scandal of Abu Ghraib and the grave damage it has done to the reputation of this country around the world?

And I think the central question that vexes us tonight is why have we still not organized our intelligence functions on the ground such that we can't predict and stop the actions of maybe 25,000 people in a country of 24 million people? Why is it that the resistance is always a step ahead, that the ability to stop them is a rare occurrence? The fact of the matter is the Congress hasn't done the job that it needs to do because the majority is serving as a rubber stamp for the policies of the administration, rather than as a coequal branch asking the tough questions that ought to be asked.

Let's start with these: Do we have the intelligence forces on the ground to figure out where the resistance fighters are, who the resistance fighters are, and what they might do next? Have we reached out to our allies in the Arab and Muslim world who deal with this problem on a daily basis to get the best of their practices and the best of their advice? The numbers of Iraqi forces, we were told before the 2004 election in this country, that several hundred Iraqi security forces were trained and ready to step up and defend their own country. Rather than growing, it seems that number is shrinking. It dropped precipitously after the 2004 election in this country. It has never been predictable. It has never been stable. It has never been measurable.

The job of the Congress is to ask the hard questions and come up with the right answers. But if you deny the fact that the questions have to be asked, as

the majority has, you will never come up with the right answers. You will lose the faith of the American people, and you will undercut the mission of those in the field. We support, respect, and admire the efforts of those in the field. That is why we should be asking the hard questions.

I would like to yield to my friend from California who is not only asking good questions but providing some of the answers, my friend Mrs. DAVIS.

Mrs. DAVIS of California. I want to raise an issue that I think has really not gotten a lot of attention, and that is the fact that our troops have been asked to play roles that they really didn't train for. One moment our troops are being asked to work with civilians in Iraq and with the local governments. They are being asked to teach them negotiating skills. And then in the next minute, they are being asked to go outside and control the chaos that is swarming in the streets. Well, you know what? We know that our soldiers have answered these calls, and they do it better than anyone could have ever expected them to. But the fact that they have had to perform these different roles is disturbing evidence of the way the President and his civilian leaders have planned so poorly for this war and the aftermath that we are still in today.

But don't listen to me. Listen to General McCaffrey who has made numerous trips to Iraq and to Afghanistan and he has publicly stated that that critical interagency coordination that was really important to get the kind of provincial reconstruction themes are just beginning to emerge now up and running. What disturbs me is not just the fact that our military has been asked to perform those tasks; but in the place of people who should have been performing those tasks, we have very inexperienced and young individuals who really have never played that role before.

So just now we see some changes; we see that they are trying to put together the right Foreign Service officers in the field. Even today, Secretary Rice said she is still struggling to do that in many cases. What was needed was a plan for post-occupation Iraq that honored the sacrifices of our troops. And instead they have been given this burden unnecessarily and at great cost.

I join in applauding my colleagues, as we all are, trying to raise the facts and the realities of Iraq today. And I yield to Mr. SKELTON.

Mr. SKELTON. I thank the gentlewoman from California. This is the year of transition. It is up to the Iraqi people. It is up to the Iraqi Government. It is up to the Iraqi forces. They are going to have to take it upon themselves with the assistance of the wonderful Americans that are there to make this transition work.

I yield to the gentleman from Arkansas, Dr. SNYDER.

Mr. SNYDER. Last week, Mr. Speaker, all 28 Democrats of the House

Armed Services Committee signed a letter to Chairman DUNCAN HUNTER asking for the reinstatement of the Subcommittee on Oversight and Investigations. Now why do we do this? Because 10 years ago when the Republicans took over control of Congress that subcommittee on the House Armed Services Committee was eliminated and the intent was that oversight, bipartisan oversight was to be conducted by the other subcommittees. That has been a failure and we have seen that as members of this committee, some of us for almost a decade now. It has been a failure particularly during this time that our Nation is at war.

Our troops deserve the kind of effective government oversight that they deserve. So what are we talking about? We have had corruption, we have had fraud, we have had gross mismanagement; and it undermines the war in Iraq. Anthony Cordesman, the noted expert from CSIS, concluded that we have wasted about half of the \$22 billion of U.S. funds that have been spent so far in reconstruction, and much of the \$34.6 billion of Iraqi funds. The Special Inspector General for Iraq reconstruction concluded that "corruption is another form of insurgency in Iraq." So what are we talking about? We have spent about \$1.8 billion on electricity reconstruction projects, but the pre-war capacity has not yet been reached for electricity generation.

We have spent \$650 million of USAID money on oil production infrastructure, but we still have not reached the pre-war level production capacity. We have spent about \$690 million of U.S. dollars on water and sanitation projects in Iraq, and yet the percentage of Iraqis with access to drinkable water has fallen to 32 percent from the pre-war level of 50 percent, and the percentage of Iraqis with access to sewer and sanitation has dropped from 24 percent to 20 percent.

Here is the problem: our troops are dying and bleeding to give the Iraqi people a chance to do well for themselves and their family, to have drinkable water, to have a safe place to raise children, to have the kind of electricity and the kind of things they need for modern civilization. And yet, because of the inadequacies of the way the administration is conducting the war and monitoring the payments of these monies, that work is not getting done and the Democrats on the House Arms Services Committee are saying tonight we have got to do better.

I would now like to yield to Mr. RICK LARSEN from the State of Washington, also a member of the House Armed Services Committee.

Mr. LARSEN of Washington. I rise today as we reexamine why Congress and the administration diverted attention from our fight against terrorists and terrorism in order to invade Iraq.

□ 2345

The current administration has gotten too many things wrong in Iraq and

has totally misinterpreted the lessons of the post-9/11 world. It is up to Democrats to get things right in Iraq so we can refocus our military efforts to fighting terrorists around the world who want to harm us.

Today I ask my colleagues: Will we realistically confront terrorists and terrorism with all the elements of our national power, or will we continue to ignore a proven approach to follow a shop-worn, idealistic approach that drains our military of its resources and America of its good will with the very partners that we need to fight terrorism? That is the choice our country faces.

The administration has made countless mistakes since the start of the war in Iraq. As Congress looks to clean up the mistakes that have been made, Democrats must speak out against this administration's tendency to overlook problems and instead push for a policy that centers on oversight of U.S. taxpayer dollars. We must respond to the public's frustrations by creating a secure future for our military and reestablish a foundation for American efforts to fight terrorists and terrorism around the globe.

We can only do that by confronting and repairing the waste, fraud, and abuse that plagues our efforts in Iraq. We need to emphasize that our commitment to U.S. taxpayers is equally as important as the commitment we have made to the Iraqi people.

I ask the American people to consider the legacy this administration has handed us in the defense budget as we spend billions of U.S. taxpayer dollars without the tools and ability to track these dollars. Will we tolerate the squeeze that will force choices between weapons and warriors because of a lack of administration foresight and lack of congressional oversight? I believe the answer is no.

We must consider the legacy of waste, fraud, and abuse in Iraq. Why are we not getting results for our taxpayer dollars? We do not know because the institution endowed by the Constitution that is responsible for protecting your taxpayer dollars is practicing overlook instead of oversight. Parents who are monitoring their children on the Internet are providing more oversight than the United States Congress.

We learn of events and stories through the media once the waste, fraud, or abuses have reached comic proportions. We know that Halliburton has overcharged both the U.S. Government and the Development Fund for Iraq by over \$260 million. The Department of Justice brought criminal indictments against a former CPA contracting official and a contractor for a series of frauds costing taxpayers \$13 million, and the CPA lost control of \$19.6 billion in Iraqi oil funds.

As Congress overlooks expenditures of billions of U.S. taxpayer dollars in Iraq, it ignores responsibility to provide a secure future for our military.

Just in closing, I join my colleagues in commending our U.S. military working in conjunction with Iraqi security and Iraqis themselves for locating and eliminating Abu Musad al-Zarqawi. His terrorist violence is gone. But we have learned in Iraq that fighting a "classic guerrilla-type war" means that a victory like killing Zarqawi cannot be celebrated too long. Much remains to be done in Iraq, and Democrats have to make right where the administration has gone wrong. Our obligations compel us to ask the tough questions that are currently ignored.

Mr. SKELTON. Mr. Speaker, at this time I yield to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I thank my friend, the gentleman from Missouri, for yielding.

This is a very, very important subject. We, the members of the House Armed Services Committee, support our troops and we are for victory in Iraq, Afghanistan, and in the global war on terror. We welcome the recent good news. We are glad that they took out Zarqawi. But there is more work to be done.

I also serve on the House Committee on the Budget. I am particularly interested that we pay for this war, that we do not borrow the money to support our troops from China and Iran and nations like that because those nations are increasingly large creditors of our country at a crucial time when we do face a global war on terror.

And where are we getting so much of this money to fund this war? From foreign nations. Where are the war bonds for this war? Where are we borrowing from our own people to pay for this war? What are we paying with for our troops? It is simply not being done by this administration.

But I am joined tonight by two outstanding military veterans who are also members of the House Armed Services Committee. First to speak is the gentleman from Texas, Mr. SOLOMON ORTIZ, who has got terrific experience not only in the military but in preparing our troops for war.

Mr. ORTIZ. Thank you so much, JIM.

Tonight we want to begin an honest discussion about where this Nation stands in the war that we are prosecuting. And I think that we owe this to the young men and women whose lives are on the line each day, their families, their futures.

Supporting the troops has got to mean more than bumper stickers on pickup trucks, my friends. We need to give them what they need. You know, it wasn't too long ago when my good friend Congressman REYES and I and about eight other bipartisan Members took a trip to visit 25 military bases around this country. In 4 days we visited 25 bases that were in deplorable condition. We were here in this facility on 9/11 having a press conference to let the American people know where we stood and the conditions of the bases that we inspected, the infrastructure.

A few minutes after that, a plane struck the Pentagon. We never were able to give the American people the conditions of the military bases.

I have been to Afghanistan, and I have been to Iraq. But nobody has been to Iraq more than my good friend Congressman REYES. And I would like for him to give us an assessment. He is a veteran. He has been to Iraq more than any other Member. My friends, let us be honest with the American people and tell the American people what we need to do.

Mr. REYES. Mr. Speaker, tonight we start what I hope is the first of a series of honest discussions with the American people, something we have been unable to do up to now.

There are a number of issues, a number of problems with where we find ourselves as a Nation tonight. One of the biggest problems is we have not shared the sacrifice.

As we speak here tonight, 2,498 of our Nation's finest have been killed in Iraq and Afghanistan; 18,000 have been wounded with over 8,500 unable to return back to duty.

Do we honor and revere and love our troops? Absolutely. Do we respect and honor the sacrifices that their families have made and are making? Absolutely. Are we concerned about those that are yet to fall, those that are yet to come back with wounds? Absolutely.

Part of the debate that we want to have on this particular issue is to make sure that we do not debate other auxiliary things except Iraq. Iraq is the area, ground zero, for the kinds of issues that we are dealing with, the kinds of things that my colleagues have spoken about tonight. The kinds of things we have failed to do as a Congress in exercising our oversight responsibilities.

I have been to Iraq six times, to Afghanistan 12. I have visited with our troops. I have seen them. I have shared the environment that they share. As a veteran who served 13 months in Vietnam, which seems like in a different era, I can relate to the kinds of things that are going on in the theater of combat. But the one thing that has been missing for us, in my opinion, has been the ability of this Congress to hold the administration accountable, to do the oversight that is necessary and so vitally important. That is the debate that we want to have on this very important topic.

So with that, my good friend and colleague, a member of the Armed Services Committee, Congressman UDALL, will now speak.

Mr. UDALL of Colorado. Mr. Speaker, I know the hour draws near, and we have to conclude the day's business. And I want to join my colleagues from across the country who serve with me on the Armed Services Committee to make the point that this is just the beginning of this discussion. We have not had time tonight to talk about recruiting and retention and the developments that have occurred in those

areas. We have not talked about equipment and the need to replenish the equipment that not only the active duty force is using and leaving behind but the National Guard as well.

I know my colleague Mr. COOPER from Tennessee hears, as I do, from returning soldiers and marines about all the equipment that is not coming home that would be available in my part of the country to fight fires and respond to natural disasters, to help on our border in the southern regions. Just recently I had a chance to visit with the Marine Corps leadership; and if I am not mistaken, the number that they shared with me that is necessary to replenish all the equipment that the Marine Corps is leaving behind is on the order of \$5 billion, a very significant number.

So I know we want to leave a little bit of time for Mr. SPRATT and Mr. SKELTON to conclude, but I hope that this discussion will continue, particularly that we can focus on the real changes we face when it comes to retention and recruiting; and I know my good friend Mr. SKELTON is well aware of this in the part of our country in the Midwest.

Mr. SKELTON. Mr. Speaker, I thank the gentleman.

Victory in Iraq is of primary importance. But it is really up to the Iraqi Government, the Iraqi security forces, and the Iraqi people. We are and we have been doing and, of course, we will continue to be of great assistance. The primary importance is that the Iraqis assume more and more of their own security and of their own destiny.

Mr. Speaker, I now yield to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I thank Mr. SKELTON for yielding.

Mr. Speaker, the mission in Iraq has been plagued from the start by poor intelligence, by poor planning for the post-war, and by disdain for the advice from our allies and even our officials. Ignoring the Army's Chief of Staff, the Secretary of Defense deployed too few troops, failing to foresee the insurgency that followed the war. Many of those deployed were not properly equipped with body armor or armored vehicles, forced to improvise in the field. The troops were assigned duty that they were not trained for. But let me add here they have performed magnificently. They rose to the challenge. They showed they still have that GI genius for field expedience. They improvised.

But the lack of planning and the lack of preparation has cost us dearly; 2,514 Americans have paid the ultimate price; they have died. 17,774 have been seriously wounded.

Since this is the end of the debate, let me go to the bottom line. First of all, let me say the most important cost we have incurred is for the precious lives that were lost, 2,514; 1,774 who were wounded. But the costs also are considerable. They are not a deter-

minant, obviously. We have troops in the field and are unstinting in our support of them. But when the costs run into hundreds of billions of dollars, they have to be considered.

Here is what the cost of the first Persian gulf war was: \$61 billion. Of that our allies chipped in in kind \$10.6 billion, in cash \$48 billion. The total cost to the United States out of pocket was \$2.1 billion. That is what happens when you form a real coalition and have allies and do not go it alone.

Here is what happens when you go it alone. This has been the ascending cost of the war in Iraq, Iraqi Freedom: starting out at \$51 billion, it rose to \$77 billion in 2004, to \$87 billion in 2005, and to \$100.4 billion this year, the estimated cost. And here is what the cost per month is: \$8.4 billion. That is what the current cost works out to. That is a burn rate in Pentagon jargon; \$8.4 billion a month is the cost of the war currently.

Finally, adding all of that up, through the year 2006, you can see that the cost of Operation Iraqi Freedom has been \$318.5 billion. The cost is not the determinant. We can afford whatever it takes to defend this country. We want to be, as I said, unstinting in support of our troops. But when the cost gets to be \$318 billion, \$8.4 billion a month, it has to be a consideration. And that is similarly what we are saying tonight.

The President spoke several weeks ago and said that probably his successor in 2010 would be the person who decides whether or not and when American troops would be redeployed. He did not even mention the cost of the current undertaking. It is not just a dollar cost. It is an opportunity cost. For every dollar consumed here is a loss of dollars otherwise that could be spent on modernization and on the transformation of our forces.

Last year when we passed the Defense Authorization Act for 2006, the House and Senate, and the President by signing the bill, enacted a provision that 2006 would be the year of transition, when Iraqi troops would begin to take primary responsibility.

This is simply what we are calling on the President to do, to begin moving us in that direction as we resolved we should have done last year, particularly in view of the cost.

Mr. SKELTON. Mr. Speaker, I thank the Speaker for allowing us to speak tonight. This is a very, very important debate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MANZULLO (at the request of Mr. BOEHNER) for today and June 12 on account of wife's surgery.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for June 12 on account of a travel delay due to a mechanical malfunction.

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 Mrs. TAUSCHER) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. EMANUEL, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. ROSS, for 5 minutes, today.
Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.
(The following Members (at the request of Mr. HAYES) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, June 20.
Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

ADJOURNMENT

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

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, June 14, 2006, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

BRIAN P. BILBRAY, California, Fiftieth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8014. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Mortgagee Time Limits for Supplemental Claims for Additional Insurance Benefits [Docket No. FR-4957-F-02] (RIN: 2502-AI31) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8015. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Change in Default Reporting Period [Docket No. FR-4916-F-02] (RIN: 2502-AI20) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8016. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Truth in Savings (RIN: 3133-AC57) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8017. A letter from the Chief, U.S. Army Freedom of Information Act and Privacy Office, Department of Defense, transmitting the Department's final rule — The Freedom of Information Act Program (RIN: 0702-AA45) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8018. A letter from the Acting Senior Procurement Executive, (OCAO), GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-09; Introduction [Docket FAR-2006-0023] received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8019. A letter from the Regulatory Contact, National Archives and Records Administration, transmitting the Administration's final rule — National Historical Publications and Records Commission Grant Program (RIN: 3095-AB45) received May 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8020. A letter from the Chairman, National Indian Gaming Commission, transmitting the Commission's final rule — Freedom of Information Act Procedures (RIN: 3141-AA21) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8021. A letter from the Acting Director, Office of Government Ethics, transmitting the Office's final rule — Revisions to the Executive Branch Confidential Financial Disclosure Reporting Regulation (RIN: 3209-AA00) (RIN: 3209-AA09) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8022. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2004-19680; Directorate Identifier 2003-NM-215-AD; Amendment 39-14558; AD 2006-08-04] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8023. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200C and -200F Series Airplanes [Docket No. FAA-2005-22423; Directorate Identifier 2005-NM-068-AD; Amendment 39-14556; AD 2006-08-02] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8024. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Air-

planes Powered by Pratt & Whitney Engines [Docket No. FAA-2004-19140; Directorate Identifier 2004-NM-84-AD; Amendment 39-14548; AD 2006-07-21] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8025. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146-RJ Airplanes [Docket No. FAA-2006-23840; Directorate Identifier 2005-NM-232-AD; Amendment 39-14549; AD 2006-07-22] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8026. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2005-22471; Directorate Identifier 2005-NM-142-AD; Amendment 39-14550; AD 2006-07-23] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8027. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 and -300 Series Airplanes [Docket No. FAA-2005-20688; Directorate Identifier 2004-NM-165-AD; Amendment 39-14551; AD 2006-07-24] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8028. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes, Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-50, -60, -60F, -70, and -70F Series Airplanes; Model DC-9-10, -20, -30, -40, and -50 Series Airplanes; Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) Airplanes; and Model MD-88 Airplanes [Docket No. FAA-2005-20797; Directorate Identifier 2004-NM-256-AD; Amendment 39-14552; AD 2006-07-25] (RIN: 2120-AA64) Received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospaciale Model ATR42 Airplanes [Docket No. FAA-2006-23816; Directorate Identifier 2005-NM-247-AD; Amendment 39-14553; AD-2006-07-26] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. FAA-2004-19866; Directorate Identifier 2004-NM-25-AD; Amendment 39-14541; AD 2006-07-14] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8031. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2006-23798; Directorate Identifier 2005-NM-162-AD; Amendment 39-14543; AD 2006-07-16] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727, 727C, 727-100, 727-100C, and 727-200 Series Airplanes [Docket No. FAA-2006-23672; Directorate Identifier 2005-NM-237-AD; Amendment 39-14544; AD 2006-07-17] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8033. 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-120, -120ER, -120FC, -120QC, and -120RT Airplanes [Docket No. FAA-2006-23674; Directorate Identifier 2005-NM-234-AD; Amendment 39-14545; AD 2006-07-18] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8034. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospaciale Model ATR42 Airplanes and Model ATR72 Airplanes [Docket No. FAA-2006-23635; Directorate Identifier 2005-NM-245-AD; Amendment 39-14546; AD 2006-07-19] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Makila 1 A2 Turboshaft Engines [Docket No. FAA-2006-24239; Directorate Identifier 2006-NE-09-AD; Amendment 39-14547; AD 2006-07-20] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-24252; Directorate Identifier 2006-NM-062-AD; Amendment 39-14528; AD 2006-05-11 R1] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2005-21593; Directorate Identifier 2002-NM-328-AD; Amendment 39-14537; AD 2006-07-10] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8038. A letter from the Deputy Chief Counsel, Regulations, Department of Homeland Security, transmitting the Department's final rule — Air Cargo Security Requirements [Docket No. TSA-2004-19515; Amendment Nos. 1520-4, 1540-7, 1542-2, 1544-5, 1546-2, and 1548-2] (RIN: 1652-AA23) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

8039. A letter from the Director, Regulatory Management Division, Office of Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Changes to the Procedures for Notifying the Public of Premium Processing Service Designations and Availability [DHS Docket No. USCIS-2005-0038; CIS No. 2367-05] (RIN: 1615-AB40) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

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. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 372. Resolution recognizing the 50th Anniversary of the Interstate Highway System; with amendments (Rept. 109-499). Referred to the House Calendar.

Mr. OXLEY: Committee on Financial Services. H.R. 5117. A bill to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students (Rept. 109-500). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINCOLN DIAZ-BALART of Florida. Committee on Rules. House Resolution 865. Resolution providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109-501). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REYNOLDS (for himself, Mr. ENGLISH of Pennsylvania, Mr. HAYWORTH, Mr. WELLER, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. LINDER, Mr. SWEENEY, Mr. MCCOTTER, Mr. WILSON of South Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. SCHWARZ of Michigan, Ms. HARRIS, Mr. TIBERI, Mr. FERGUSON, Mr. MCHUGH, Mrs. DRAKE, Mr. GARRETT of New Jersey, Mr. GILLMOR, Ms. GINNY BROWN-WAITE of Florida, Mr. CONAWAY, Mr. KINGSTON, Mrs. MYRICK, Mrs. BONO, Mr. SESSIONS, Mr. WESTMORELAND, Ms. JACKSON-LEE of Texas, Mr. KUHLE of New York, Mr. SIMMONS, Mr. SMITH of Texas, Mr. WICKER, Mrs. KELLY, Mr. KLINE, Mr. KENNEDY of Minnesota, Mr. MURPHY, and Mrs. BIGGERT):

H.R. 5590. A bill to amend the Internal Revenue Code of 1986 to provide individuals relief from the alternative minimum tax; to the Committee on Ways and Means.

By Mrs. TAUSCHER (for herself and Mr. GEORGE MILLER of California):

H.R. 5591. A bill to name the national cemetery being constructed in Dixon, California, as the "Solano National Cemetery"; to the Committee on Veterans' Affairs.

By Mr. WELLER:

H.R. 5592. A bill to amend the Energy Policy Act of 1992 to direct the head of each Federal agency to ensure that, in areas in which ethanol-blended gasoline is reasonably available at a generally competitive price, the Federal agency purchases ethanol-blended gasoline containing at least 10 percent ethanol rather than nonethanol-blended gasoline, for use in vehicles used by the agency that use gasoline; to the Committee on Government Reform.

By Mr. SMITH of Texas (for himself, Mr. BERMAN, and Mr. CONYERS):

H.R. 5593. A bill to amend title 17, United States Code, to provide for the partial distribution of royalty fees in certain circumstances; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. UDALL of Colorado, Mr. WAMP, Mr. EHLERS, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. BACHUS, Mr. DOGGETT, Mr. SIMMONS, Mr. MCCAUL of Texas, Mr. BARTLETT of Maryland, Mr. CARDIN, Mr. BASS, Mr. HAYWORTH, and Mr. BUTTERFIELD):

H.R. 5594. A bill to direct the Secretary of Energy to establish a photovoltaic demonstration program, and for other purposes; to the Committee on Science.

By Mr. FOSSELLA (for himself, Mr. CROWLEY, and Mr. REYNOLDS):

H.R. 5595. A bill to authorize the Urban Areas Security Initiative Grants Program of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. GILLMOR:

H.R. 5596. A bill to provide for a special enrollment period in 2006 for enrollment under the Medicare prescription drug program; 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. GREEN of Wisconsin:

H.R. 5597. A bill to amend the Immigration and Nationality Act to render deportable all aliens convicted of a criminal offense resulting in a sentence of incarceration, and for other purposes; to the Committee on the Judiciary.

By Mr. GUTIERREZ (for himself, Mr. MORAN of Virginia, Mr. HONDA, Mr. FARR, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. FRANK of Massachusetts, Mrs. CAPPS, Ms. LEE, Mr. MILLER of North Carolina, Ms. WOOLSEY, Mr. MCGOVERN, Mr. STARK, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. MEEHAN, Mr. CROWLEY, Mr. NADLER, Ms. SCHAKOWSKY, Mr. WYNN, Mr. BROWN of Ohio, Mr. JEFFERSON, and Mr. LARSEN of Washington):

H.R. 5598. A bill to prohibit departments, agencies, and other instrumentalities of the Federal Government from providing assistance to an entity for the development of course material or the provision of instruction on human development and sexuality, if such material or instruction will include medically inaccurate information, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on 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. HERSETH:

H.R. 5599. A bill to require the Government Accountability Office to submit a report to Congress on the compliance of the United States Postal Service with procedural requirements in the closing of the postal sorting facility in Aberdeen, South Dakota, and for other purposes; to the Committee on Government Reform.

By Mr. PASCARELL (for himself, Mr. DOYLE, Mr. KUCINICH, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. CLEAVER, and Mr. WYNN):

H.R. 5600. A bill to amend the Internal Revenue Code of 1986 to reduce the earned income threshold applicable to the refundable portion of the child tax credit, to increase the age limit for such credit, and to impose an individual income tax surcharge; to the Committee on Ways and Means.

By Mr. PASCARELL (for himself, Mr. DOYLE, Mr. CLEAVER, Ms. NORTON, Mr. PAYNE, and Mr. WYNN):

H.R. 5601. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Mr. THOMPSON of California, Mr. RYAN of Wisconsin, Mr. KLINE, Mr. McDERMOTT, Mr. WELLER, Mr. HERGER, Mr. JEFFERSON, Mr. EVANS, Mr. BLUMENAUER, Mr. MEEKS of New York, Mr. CROWLEY, Mr. CARDOZA, Mr. CASE, Mr. CUELLAR, Mr. DICKS, Mr. EMANUEL, Ms. ESHOO, Mr. HINOJOSA, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LEACH, Mrs. BIGGERT, Mrs. JOHNSON of Connecticut, Mr. McCRERY, Mrs. TAUSCHER, Mr. LEWIS of Kentucky, Mr. KOLBE, Mr. MATHESON, Mr. BOSWELL, Mr. CRAMER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MALONEY, Mr. SERRANO, Mr. SKELTON, Mr. BRADY of Texas, Mr. DREIER, Mr. DAVIS of Alabama, Mr. KIND, Ms. HOOLEY, and Mr. GILCHREST):

H.R. 5602. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Ways and Means.

By Mr. BUYER:

H. Con. Res. 427. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs; to the Committee on House Administration.

By Mr. McCOTTER (for himself, Ms. ROS-LEHTINEN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. ENGEL, Mr. MACK, Mr. FLAKE, Mr. SMITH of New Jersey, Ms. WASSERMAN SCHULTZ, Mr. ROHR-ABACHER, Mr. CHABOT, Mr. ROYCE, Mr. WEXLER, Mr. ACKERMAN, Mr. PENCE, Mr. GALLEGLY, and Mr. FOLEY):

H. Con. Res. 428. Concurrent resolution expressing the sense of Congress in support of United States diplomatic personnel stationed at the United States Interests Section in Havana, Cuba; to the Committee on International Relations.

By Mr. MEEKS of New York (for himself, Mr. OWENS, Ms. MOORE of Wisconsin, Ms. KILPATRICK of Michigan, Mrs. CHRISTENSEN, Mr. SCOTT of Georgia, Mrs. MALONEY, Mr. HINOJOSA, Mr. KUCINICH, Mr. CLAY, Ms. MILLENDER-MCDONALD, Mr. WYNN, Mr. JEFFERSON, Mr. CLYBURN, Mr. DAVIS of Alabama, Mr. THOMPSON of Mississippi, Mr. DAVIS of Illinois, Mr. BUTTERFIELD, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. WATT, Mr. FORD, Mrs. JONES of Ohio, Ms. WATSON, Mr. CLEAVER, Ms. WATERS, Mr. MEEK of Florida, Mr. BISHOP of Georgia, Mr. GUTIERREZ, Ms. MCCOLLUM of Minnesota, Mr. RUSH, Mr. AL GREEN of Texas, Mr. TOWNS, Ms. LEE, Ms. CORRINE BROWN of Florida, Mr. RANGEL, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mr. CONYERS, Mr. PAYNE, Mr. CUMMINGS, Mr. BACA, Mr. PASTOR, Ms. VELÁZQUEZ, Mr. CROWLEY, Mr. ISRAEL, Mrs. LOWEY, Mr. ENGEL, Mr. LARSON of Connecticut, Ms. MCKINNEY, Mr. McNULTY, Mr. ACKERMAN, Mr. LANTOS, Mr. WU, Mr. SCOTT of Virginia, Mr. WEINER, Mr. GONZALEZ, Ms. SOLIS, Mr. FILNER, Mr. HINCHEY, Mr. LYNCH, Mr. DELAHUNT, Ms. CARSON, Mr. FATTAH, Mr. ROTHMAN, Mr. HIGGINS, Mrs. MCCARTHY, Mr. CAPUANO, Mr. FRANK of Massachusetts, Ms. EDDIE

BERNICE JOHNSON of Texas, Ms. WASSERMAN SCHULTZ, Mr. MOORE of Kansas, Mr. GRJALVA, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. REYES, Mr. BECERRA, Mrs. NAPOLITANO, Ms. NORTON, and Mr. CUELLAR):

H. Con. Res. 429. Concurrent resolution recognizing the low presence of minorities in the financial services industry and minorities and women in upper level positions of management, and expressing the sense of the Congress that active measures should be taken to increase the demographic diversity of the financial services industry; to the Committee on Financial Services, 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. GILLMOR:

H. Res. 866. A resolution recognizing Sam Hornish, Jr. for winning the 90th running of the Indianapolis 500; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

347. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 147 urging the Congress of the United States to authorize and appropriate funds to allow all members of the armed forces reserve component to access the Tricare Program; to the Committee on Armed Services.

348. Also, a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution No. 1618 memorializing the President of the United States and Congress of the United States regarding federal funding of education; to the Committee on Education and the Workforce.

349. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 104 urging the President of the United States and the Congress of the United States to provide states with the necessary funding to implement the goals of the No Child Left Behind Act of 2001 and other education-related programs and to offer states waivers or exemptions from related regulations when federal funding for elementary and secondary education is decreased; to the Committee on Education and the Workforce.

350. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 105 urging the Congress of the United States to support changes to the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

351. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 15 supporting the goal of eliminating suffering and death from cancer by the year 2015; to the Committee on Energy and Commerce.

352. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 741 urging the President of the United States and the Congress of the United States to take immediate action in assisting with the peacekeeping mission and efforts to resolve the conflict in the Darfur region of Sudan; to the Committee on International Relations.

353. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2002 urging the Congress of the United States to authorize funding for

the Navajo Health Foundation/Sage Memorial Hospital; to the Committee on Resources.

354. Also, a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5037 memorializing the Congress of the United States to extend certain provisions of the Voting Rights Act of 1965; to the Committee on the Judiciary.

355. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial No. 2011 urging the Congress of the United States to permanently repeal the death tax, to dissolve United States membership in the United Nations and to remove specific areas relating to faith from the jurisdiction of the United States Supreme Court; to the Committee on the Judiciary.

356. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 523 encouraging the Congress of the United States to take action on federal immigration reform, which would provide for family unification as part of comprehensive immigration reform; to the Committee on the Judiciary.

357. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 578 urging the Illinois Congressional Delegation and all of Congress to support "the Secure America and Orderly Immigration Act of 2005"; to the Committee on the Judiciary.

358. Also, a memorial of the House of Representatives of the State of Missouri, relative to House Resolution No. 1475 encouraging the Missouri federal delegation to support the Constitutional Restoration Act (CRA) that is pending before the Congress of the United States; to the Committee on the Judiciary.

359. Also, a memorial of the Legislature of the State of Oklahoma, relative to Senate Concurrent Resolution No. 39 commending the Republic of China (Taiwan) for its close ties with the State of Oklahoma and calling for enactment of a free trade agreement between the United States and the Republic of China (Taiwan); to the Committee on Ways and Means.

360. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 6 urging the President of the United States and the Congress of the United States not to privatize social security; to the Committee on Ways and Means.

361. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1003 urging the Congress of the United States to reject attempts to lower the mortgage index deduction from the Internal Revenue Code; to the Committee on Ways and Means.

362. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2007 urging the Congress of the United States to repeal the federal excise tax on telecommunications; to the Committee on Ways and Means.

363. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 188 memorializing the President of the United States and the Congress of the United States to use flexibility in the implementation of rules to allow use of an enhanced drivers license under the Western Hemisphere Travel Initiative which requires all citizens of any age of the United States, Canada, and Mexico, and Bermuda to have a passport or other secure documentation to enter or re-enter the United States; to the Committee on Homeland Security.

364. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 170 requesting the

the House of Representative of the United States support and pass H.R. 4259, "the Veterans' Right to Know Act"; jointly to the Committees on Armed Services and Rules.

365. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 114 requesting that the House of Representatives of the United States support and pass H.R. 4259, "the Veterans' Right to Know Act"; jointly to the Committees on Armed Services and Rules.

366. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 727 urging the Congress of the United States to extend the Medicare Part D prescription drug deadline to December 31, 2006; jointly to the Committees on Energy and Commerce and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. CHANDLER.
 H.R. 328: Ms. CARSON.
 H.R. 389: Mr. GORDON.
 H.R. 503: Mr. KUCINICH.
 H.R. 550: Mr. THOMPSON of Mississippi.
 H.R. 615: Ms. CARSON.
 H.R. 697: Mr. FITZPATRICK of Pennsylvania.
 H.R. 865: Mr. INGLIS of South Carolina.
 H.R. 899: Mr. NADLER.
 H.R. 1155: Mr. MEEHAN and Ms. MATSUI.
 H.R. 1167: Mrs. MILLER of Michigan.
 H.R. 1241: Mr. DELAHUNT.
 H.R. 1246: Mr. ORTIZ, Mr. PICKERING, Mr. KENNEDY of Minnesota, and Mr. ROTHMAN.
 H.R. 1298: Mr. ROSS and Ms. LORETTA SANCHEZ of California.
 H.R. 1329: Mrs. CAPPS.
 H.R. 1384: Mr. LARSEN of Washington, Mr. AKIN, and Mr. BILIRAKIS.
 H.R. 1816: Mr. HEFLEY.
 H.R. 2037: Mr. WELDON of Florida.
 H.R. 2061: Mr. ROSS and Mr. FORTENBERRY.
 H.R. 2178: Mrs. TAUSCHER.
 H.R. 2238: Mr. SHAW.
 H.R. 2646: Ms. LORETTA SANCHEZ of California.
 H.R. 2682: Mr. STUPAK.
 H.R. 2730: Ms. LINDA T. SANCHEZ of California and Mr. BLUMENAUER.
 H.R. 3197: Ms. HARMAN and Mr. MEEK of Florida.
 H.R. 3318: Ms. HERSETH.
 H.R. 3360: Mr. WELLER.
 H.R. 3559: Mr. ENGEL and Mr. GOHMERT.
 H.R. 3760: Mr. CLEAVER and Mr. ROTHMAN.
 H.R. 3882: Mr. BOSWELL.
 H.R. 3883: Mr. BOYD.
 H.R. 4033: Mr. LATOURETTE, Ms. SLAUGHTER, and Mr. RYAN of Ohio.
 H.R. 4157: Mr. BOUSTANY, Mr. FITZPATRICK of Pennsylvania, Mrs. BIGGERT, Mr. NUNES, Mrs. BLACKBURN, and Mr. HEFLEY.
 H.R. 4212: Mr. YOUNG of Alaska.
 H.R. 4341: Mr. HAYWORTH and Mr. CAMP of Michigan.
 H.R. 4384: Mr. LANTOS.
 H.R. 4403: Mr. ROTHMAN.
 H.R. 4542: Mr. KENNEDY of Rhode Island.
 H.R. 4547: Mr. BACHUS and Mr. BILIRAKIS.
 H.R. 4703: Ms. BORDALLO.
 H.R. 4736: Mr. GONZALEZ.
 H.R. 4761: Mr. AL GREEN of Texas and Mr. FLAKE.
 H.R. 4806: Mrs. MUSGRAVE.
 H.R. 4913: Mr. WELDON of Pennsylvania.
 H.R. 4993: Mr. WAXMAN.
 H.R. 5005: Mr. REYNOLDS and Mr. BACHUS.
 H.R. 5017: Mr. BROWN of Ohio.
 H.R. 5081: Mr. PETERSON of Minnesota, Mr. BROWN of Ohio, and Mr. WOLF.
 H.R. 5099: Mr. SANDERS.

H.R. 5106: Mr. VAN HOLLEN, Mr. STARK, and Ms. MATSUI.

H.R. 5150: Mr. CHANDLER, Ms. SOLIS, and Ms. ZOE LOFGREN of California.

H.R. 5185: Mr. WEXLER and Mr. HINCHEY.

H.R. 5189: Mr. RUPPERSBERGER.

H.R. 5204: Mr. LOBIONDO and Mr. JACKSON of Illinois.

H.R. 5206: Mr. SOUDER.

H.R. 5249: Mr. CARNAHAN.

H.R. 5250: Mr. PUTNAM.

H.R. 5289: Mrs. JO ANN DAVIS of Virginia.

H.R. 5315: Mr. MICHAUD and Mr. DAVIS of Tennessee.

H.R. 5334: Mr. DAVIS of Florida.

H.R. 5337: Mr. GARRETT of New Jersey, Mr. REICHERT, Ms. WASSERMAN SCHULTZ, Mr. BISHOP of New York, Mr. CLEAVER, Mr. GUTIERREZ, Ms. LEE, Mr. MEEK of Florida, Mr. LUCAS, Mr. LYNCH, Mr. MILLER of North Carolina, Mr. GILLMOR, Mr. PRICE of Georgia, and Mr. LATOURETTE.

H.R. 5361: Mrs. BLACKBURN, Mr. CARTER, Mr. FORD, and Mr. HYDE.

H.R. 5405: Mr. SHADEGG.

H.R. 5420: Mr. LAHOOD.

H.R. 5455: Mr. PETERSON of Minnesota and Mr. GOODE.

H.R. 5457: Mrs. MYRICK, Mr. KINGSTON, Mr. GOHMERT, Mr. SULLIVAN, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 5466: Mr. SHUSTER.

H.R. 5472: Mr. REYES, Mr. UPTON, Ms. SOLIS, Ms. WOOLSEY, Mrs. BLACKBURN, Mr. KILDEE, Mrs. CHRISTENSEN, Mr. LEACH, Ms. KILPATRICK of Michigan, Mrs. JO ANN DAVIS of Virginia, Mr. DELAHUNT, Mr. VAN HOLLEN, Ms. JACKSON-LEE of Texas, Mrs. LOWEY, and Ms. MATSUI.

H.R. 5473: Ms. JACKSON-LEE of Texas, Mr. CLEAVER, Mr. RAHALL, Mr. BUTTERFIELD, Mr. BROWN of Ohio, and Mr. WYNN.

H.R. 5476: Mr. FEENEY.

H.R. 5523: Mrs. MYRICK.

H.R. 5536: Mr. SWEENEY.

H.R. 5542: Mr. DAVIS of Tennessee.

H.R. 5550: Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. PASCRELL, Mr. STARK, Mr. GONZALEZ, and Ms. HARMAN.

H.R. 5557: Mr. FRANK of Massachusetts and Mr. MORAN of Virginia.

H.R. 5563: Mr. NADLER.

H.R. 5588: Mr. FRANK of Massachusetts, Mr. DINGELL, Ms. PELOSI, Mr. MICHAUD, Mr. CAPUANO, Mr. BROWN of Ohio, Mr. GONZALEZ, and Mr. LANGEVIN.

H.J. Res. 88: Mr. BARROW, Mr. BURGESS, Mr. GOHMERT, Mr. MCCAUL of Texas, Mrs. NORTHUP, Mr. OSBORNE, Mr. PETERSON of Minnesota, Mr. TURNER, and Mr. WOLF.

H. Con. Res. 172: Mr. MOORE of Kansas.

H. Con. Res. 235: Mr. HONDA.

H. Con. Res. 391: Mr. WU.

H. Con. Res. 415: Mr. WOLF, Mr. WELDON of Pennsylvania, Mr. WEXLER, and Mr. BISHOP of New York.

H. Res. 20: Mr. DENT.

H. Res. 461: Mr. BERMAN, Mr. LANTOS, Mr. BLUMENAUER, and Ms. WATSON.

H. Res. 745: Mr. RUPPERSBERGER, Mr. MEEHAN, and Mr. FITZPATRICK of Pennsylvania.

H. Res. 759: Mr. WOLF, Mr. MCCAUL of Texas, and Mr. ISSA.

H. Res. 779: Mr. DOOLITTLE.

H. Res. 800: Mr. JENKINS, Mr. MEEKS of New York, and Mr. WYNN.

H. Res. 822: Mr. JACKSON of Illinois.

H. Res. 825: Mr. GORDON.

H. Res. 841: Mr. CRAMER, Mr. COSTA, Mr. ROSS, Mr. BOREN, Ms. HARMAN, Mr. SALAZAR, Mr. THOMPSON of California, Ms. HERSETH, Mr. BARROW, Mr. BOSWELL, Mr. MELANCON, Mr. MICHAUD, and Mr. COOPER.

H. Res. 858: Mr. AL GREEN OF TEXAS, Mr. ANDREWS, Mr. BISHOP of New York, Mr. WEXLER, Mr. SAXTON, Mr. FRANK of Massachusetts, Mr. WEINER, and Mr. ETHERIDGE.

H. Res. 863: Mr. HONDA, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, and Mr. CAPUANO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2048: Ms. SOLIS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

119. The SPEAKER presented a petition of the Board of Commissioners of the County of Saginaw, Michigan, relative to Resolution C supporting the increase in the minimum wage at both the state and federal levels; to the Committee on Education and the Workforce.

120. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 169 requesting the Congress of the United States and the President of the United States to enact legislation to protect wetlands by defining same as one acre or more in size or bodies of water adjacent to protected water ways; jointly to the Committees on Resources and Transportation and Infrastructure.

121. Also, a petition of the City of Miami Commission, Florida, relative to Resolution No. R-06-0214 supporting the legalization, not criminalization, of immigrants in the United States and urging the Congress of the United States to reconsider House Bill 4437 and instead adopt the Senate Judiciary Committee's bill; jointly to the Committees on the Judiciary and Homeland Security.

122. Also, a petition of the Milwaukee County Board of Supervisors, Wisconsin, relative to a resolution urging the passage of a comprehensive U.S. immigration reform law known as The Secure America and Orderly Immigration Act; jointly to the Committees on the Judiciary, Homeland Security, International Relations, Energy and Commerce, and Education and the Workforce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5576

OFFERED BY: Mr. JINDAL

AMENDMENT No. 4: Page 100, after line 7, insert the following new paragraph:

Notwithstanding any other provision of law, after providing a first right of return to all households in the St. Bernard, Orleans, Plaquemines, Jefferson, and St. Tammany Parishes eligible for project-based housing assistance under this heading and under this heading in division B of Public Law 109-148, owners may then offer remaining available dwelling units to city and parish employees and volunteers from those parishes for a period of not to exceed 24 months: *Provided*, That workers or volunteers engaged in recovery activities, employees or volunteers of the site, as well as workers or volunteers providing healthcare and/or other home and community-based services to seniors—and the return of such housing to the affordable housing stock when no longer needed as temporary housing.

H.R. 5576

OFFERED BY: Mr. KING OF IOWA

AMENDMENT No. 5: At the end of the bill (before the short title), insert the following: SEC. ____ None of the funds made available in this Act may be used for the construction, expansion, renovation, or building of the Los Angeles Gay and Lesbian Center.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT No. 6: At the end of the bill (before the short title), insert the following: SEC. ____ . None of the funds made available in this Act may be used by the Federal Highway Administration to implement contracting practices based upon racial preference.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT No. 7: Page 205, after line 8, insert the following:

REDUCTION OF FUNDS

The amounts otherwise provided in this title for "Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund" and "Environmental Dispute Resolution Fund" are hereby reduced to \$0.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT No. 8: Page 204, strike line 13 and all that follows through page 205, line 3.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT No. 9: Page 205, strike lines 4 through 8.

H.R. 5576

OFFERED BY: MR. LIPINSKI

AMENDMENT No. 10: At the end of the bill (before the short title), insert the following:

SEC. ____ . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Treasury—Departmental Offices—Salaries and Expenses", by reducing the amount made available for "Internal Revenue Service—Business Systems Modernization", and by increasing the amounts made available for the Secretary of Transportation, for carrying out the Rail Line Relocation Projects as authorized by section 9002 of SAFETEA-LU, by \$10,000,000, \$20,000,000, and \$30,000,000, respectively.

H.R. 5576

OFFERED BY: MS. HARRIS

AMENDMENT No. 11: Page 100, line 18, after the dollar amount, insert the following: "(increased by \$12,000,000)".

Page 102, line 3, after the dollar amount, insert the following: "(increased by \$3,000,000)".

Page 111, line 3, after the first dollar amount, insert the following: "(reduced by \$12,000,000)".

Page 195, line 4, after the dollar amount, insert the following: "(reduced by \$3,000,000)".

H.R. 5576

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT No. 12: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used to apply the assumption contained in section A150.101(d) of title 14, Code of Federal Regulations.