

## NAYS—10

Blumenauer	Lee	Schakowsky
DeFazio	Lewis (GA)	Stark
Honda	McDermott	
Kucinich	Miller, George	

## NOT VOTING—25

Beauprez	Istook	Payne
Bilirakis	Johnson, Sam	Rangel
Doyle	McKinney	Sánchez, Linda
English (PA)	Miller (FL)	T.
Evans	Miller, Gary	Slaughter
Gallegly	Nadler	Strickland
Green (WI)	Nunes	Towns
Green, Gene	Nussle	Young (AK)
Harris	Oxley	

□ 1522

So the motion 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. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Thursday, September 7, 2006. As a result, I was not recorded for rollcall votes Nos. 430, 431, 432, 433, 434 and 435. Had I been present, I would have voted "aye" on rollcall Nos. 430, 433, 434, and 435. I would have voted "no" on rollcall Nos. 431 and 432.

## PERSONAL EXPLANATION

Mr. BILIRAKIS. Mr. Speaker, I was absent from votes on September 6 and 7, 2006, due to personal illness. As a result, I was not recorded for a series of votes. Had I been present, I would have voted "yea" on rollcall votes 427, 428, 429, 430, 433, 434, and 435.

On rollcall votes 431 and 432, I would have voted "no."

## PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. speaker, I was unable to be present for rollcall votes 434 and 435. Had I been present, I would have voted "yea" on rollcall vote 434 and "yea" on rollcall vote 435.

## LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come, and I yield to my friend, Mr. BOEHNER, the majority leader.

Mr. BOEHNER. I want to thank my colleague from Maryland for yielding.

Mr. Speaker, next week the House will convene on Tuesday at 12:30 for morning hour and 2 p.m. for legislative business.

We will consider a number of measures under the suspension of the rules next Tuesday. We expect to have a final list of those measures to Members' offices by tomorrow afternoon.

For the balance of the week, the House will consider on Wednesday the

5-year anniversary of 9/11, and we will have a resolution on the floor, and we will also begin consideration of H.R. 2965, the Federal Prison Industries Competition in Contracting Act.

On Thursday and Friday, we will complete consideration of the Federal Prison Industries bill, and we will consider a House resolution amending the House rules on earmark reform. I would also note that conference reports may be brought up at any time, and hope to see H.R. 5122, the Sonny Montgomery National Defense Authorization Act for fiscal year 2007 conference report and I hope to see it passed next week. At this point, Members should anticipate that we will have votes on Friday.

I also have an announcement in terms of the schedule. Members have a schedule through September. It is expected that the House will not be back in session until the week of November 13. I do want Members to know that the House will be in session that week. I expect we will have votes on Monday the 13th and through that week. Anything further on the schedule beyond that time, I wish I could tell Members, but I don't know.

Mr. HOYER. I thank the gentleman for bringing us up to date.

Am I to take it that when the gentleman indicated that the 29th would be the last day prior to the election, Members can still rely on that representation?

Mr. BOEHNER. That is correct.

Mr. HOYER. I thank the gentleman for that comment because there has been some discussion there may be another week, and we are glad to advise Members.

Mr. BOEHNER. Somebody else was having those discussions with themselves, not with me.

Mr. HOYER. That happens, I have noticed.

With respect to the schedule that you have just announced, would it be fair to conclude that if we do not have additional conference reports, and you indicate that you will take conference reports if they are available, which I understand, but if there were not additional conference reports beyond those which you have referenced in your announcement, that the probability of Friday is not as great as it otherwise would be? What I am saying, before you respond, is essentially it would appear to me that based upon what has been noticed, that that work would probably be accomplished within the Tuesday, Wednesday, Thursday period.

Mr. BOEHNER. If the gentleman will yield, it is possible that the House could complete its work by Thursday night. It is possible. But I don't want to mislead Members. At this point, I believe that Members should expect votes on Friday. If it becomes clear during the week that we will be able to complete our work, I will give Mem-

bers as much notice as possible. But I don't want to promise something that we can't deliver.

Mr. HOYER. I understand.

On the following Friday, the 22nd, as the gentleman knows, Rosh Hashanah begins at sundown on that day. That is the first day of Rosh Hashanah. One of the problems, as you know, that we have is Members getting back to the West Coast in time to observe Rosh Hashanah appropriately. Friday the 22nd is currently on the schedule. Can you comment on that?

Mr. BOEHNER. I will work with you to accommodate our Members who want to observe this religious holiday. I do understand the problem for Members on the West Coast. We will work with you to come to some resolution. We don't want to put any Members in a difficult travel position when it comes to observance of their religious holidays.

Mr. HOYER. I thank the gentleman for that, and we look forward to discussing that with you.

You note in the announcement of the 9/11 resolution, and I was asked by the press, were we going to do something on issues that appear to be partisan, and I said no. On September 11th, we will not be here; we will be in our home districts, and it should be a day of remembrance and resolve; remembrance of the heroism of that day and remembrance of the loss of life on that day, and resolve to defeat terrorism and to defeat those who would put our country at risk and put our people in harm's way and at risk. I believe we are united on that.

I just saw the resolution, and I have not had a chance to read the resolution, nor as I understand it have we worked with your side on the resolution.

Mr. Leader, I would hope perhaps we could come together before the resolution is finally introduced. We passed last year's resolution with over 400 votes, very few "no" votes. I ask if we could work on this together to ensure that we have that kind of unanimity which I think is appropriate and would help to bring us together.

Mr. BOEHNER. I have not had a chance to read the resolution either, and you have not read the resolution. All I do know is that both Democrats and Republicans have worked closely together to develop the resolution. Again, I will be happy to take a look at it. And I would suggest to the gentleman, if you have any suggestions or concerns, let me know.

□ 1530

Mr. HOYER. I thank the leader for that. And I did not know whether our Democrats had worked with people on your side of the aisle. If that is the case, then when I read the resolution, I am sure I will be pleased. But if there are questions, I will bring them to the attention of the leader.

Mr. Leader, of course we have next week's schedule. Next week's schedule does not include the only appropriation bill that we have not yet passed. As you know, we have passed 10 out of the 11 appropriations bills. The Labor-Health bill was passed through the House Appropriations Committee and ready to report in June. So it has now been pending for approximately 60, 75 days.

Do you have any expectation that the Labor-Health bill will be brought to the floor within the foreseeable future?

I yield to my friend.

Mr. BOEHNER. The issue is under discussion. As the gentleman knows, there are a number of issues in that bill that have caused concern amongst Members. And while one of those appears to have been resolved, there are a number of other issues remaining there. There have been several discussions this week and I think there will be several more discussions next week about how to deal with that particular bill.

Mr. HOYER. I thank the gentleman for that observation. He refers to one or two of the issues in the bill. Obviously, one of the issues is the so-called Hoyer amendment, the Miller bill, which raises the minimum wage. We would hope that that would be brought to the floor. As you well know, we considered it with another bill. A number of items included in it. It went to the Senate. It didn't pass. We believe that the 6.6 million people on the minimum wage are hopeful that we will act before we leave here for the election.

I am very hopeful and I know our side is very hopeful that we could bring that bill to the floor with that amendment protected, voted up or down. If the Members think that we ought not to do it, fine. If the Members think we ought to do it, fine. And pass that bill to the Senate so we can complete the appropriations process.

Mr. BOEHNER. I think the gentleman is well aware that in July before the House went on its August district work period, the House voted to raise the minimum wage, and this bill is pending in the Senate and I am hopeful that the Senate will see fit to deal with it.

Mr. HOYER. Reclaiming my time, Mr. Leader, of course I appreciate your reiterating what we did and we all understand what we did. There are different perspectives on what we did. But I would reiterate this side's strong desire and hope that we would consider the issue of minimum wage on its own merits, as was done in the committee. As you know, it was passed in a bipartisan fashion in committee with one-fourth, I think, or maybe one-fifth of the Republicans in the committee voting for it.

Mr. BOEHNER. Will the gentleman yield?

Mr. HOYER. I would be glad to yield to my friend.

Mr. BOEHNER. We have rules in the House about legislating on an appropriations bill, and it is clear that the intent of the author was to legislate on an appropriations bill. I think the majority did the right thing by moving the authorizing language for the minimum wage through the Rules Committee and brought it to the House floor.

So, again, the House has dealt with this. I am hopeful that the Senate will deal with it soon.

Mr. HOYER. I thank the gentleman for his comment. I understand what the rules are, and both sides have relatively regularly waived those rules when it wanted to do something. And if we want to raise the minimum wage for our workers, we can do it. That is our perspective. But I certainly appreciate the gentleman's further education on what the rules require.

Let me ask you this. It is not on the schedule for next week. Do you anticipate any additional legislation prior to the 29th of September which would further implement the recommendations of the 9/11 Commission? As you know, there are some 19 recommendations which Governor Kean and Congressman Hamilton have observed we have not acted on. Can you tell us whether there is any anticipation of scheduling action on those issues?

I yield to my friend.

Mr. BOEHNER. Over a year ago, the House worked to implement the recommendations of the bipartisan 9/11 Commission. And I believe that Members on both sides of the Capitol, on both sides of the aisle, decided to accept those recommendations that we thought would be helpful. Not all of the recommendations of the 9/11 Commission have, in fact, been adopted because, as I understand it, Members on both sides of the aisle and on both sides of the Capitol have rejected some of the ideas that they put forth.

As we all know, some of these independent commissions get established. They can make recommendations, but the real decisions about what we should enact into law should be left to the Members, and I think the Members have made their decisions very clear.

Mr. HOYER. I thank the gentleman for his observations, while I think we disagree on the substance of the reports and the merits of the recommendations that have not yet been passed. I know on our side, Mr. THOMPSON, who is our ranking member on the Homeland Security Committee, and others are very hopeful that we can move forward on those. But I understand what the gentleman has said.

I will not ask the gentleman further questions. But, Mr. Speaker, under my reservation I would say that we on this side of the aisle are very hopeful that we can consider legislation before we

break on the 29th of September which would give the Secretary of Health and Human Services the authority to negotiate lower prescription drug prices for our seniors. We would hope that we would see legislation which would restore the deep cuts in college tuition assistance that were included in the deficit reduction bill that we passed some months ago and that we would reconsider the tax cuts that we gave, deep tax cuts, that we gave to oil companies apparently to spur further investment in exploration for new sources of oil. A worthy objective. But I think, happily or unhappily, depending upon your perspective, whether you are an oil company or whether you are a driver of automobiles and have to pay the gasoline prices, the companies are making great profits and could have great incentive because of those great profits to develop further sources of energy.

I would conclude by saying that we would hope the majority would seriously consider bringing to the floor all of those issues prior to the 29th.

Mr. BOEHNER. Will the gentleman yield?

Mr. HOYER. I yield to my friend, the majority leader.

Mr. BOEHNER. Just so the gentleman understands, and I appreciate his yielding, I am happy to come here and have this colloquy with you about what is going to be on the floor and give you as much information as I can.

Now, I see that my friend from Maryland today has decided to employ a new tactic in bringing campaign themes to the floor during the colloquy. Now, I would be happy to engage in those, but it is not what the colloquy is for. And so I would be happy to engage the gentleman.

The Medicare drug bill has produced premiums for seniors far below, far below, any number that anyone ever expected. And what got us those low drug premium prices was the competition that was created in the creation of the program.

Secondly, when it comes to the college loan program that the gentleman referred to that there were cuts, if the gentleman would look at the bill, he will realize that we widened the ability of more students to get to college under this program than we have ever had. The fact is there are higher numbers for grant programs, higher numbers for what you can borrow from the program, and it could not be working any better. And as a result, the Deficit Reduction Act that we passed last year did, in fact, save \$12.5 billion that came out of the hides of the lenders who were involved in the program.

So, again, I would be happy to engage you in this conversation, but we could probably do it under a Special Order rather than during the colloquy.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman for his

observations, and perhaps I will take him up on that offer. That might be instructive for both of us and perhaps for the American people as well. I understand the gentleman's perspective. We differ. That is not surprising, I am sure, to the viewers.

But I will say this, Mr. Leader, if I can, that this is about discussing the schedule. We have a very short time frame. We have 14 days left that are scheduled in this session before the election, and we are coming back for a lame duck session. I understand that. But I was simply inquiring of you whether or not those matters which we believe are important might be on the schedule. I am not debating their merits or demerits at this point in time. I can do that and, as a matter of fact, look forward to discussing that in a Special Order with you. But we do believe it was in the realm of a discussion about what might be scheduled.

And I yield to my friend.

Mr. BOEHNER. I thank my colleague. And while we may differ on whether the glass is half full or half empty, I do have great respect for my colleague from Maryland.

Mr. HOYER. I thank the gentleman

**HOUR OF MEETING ON TOMORROW  
AND ADJOURNMENT FROM  
FRIDAY, SEPTEMBER 8, 2006,  
TO TUESDAY, SEPTEMBER 12, 2006**

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 12, 2006, for morning hour debate.

The SPEAKER pro tempore (Mr. CAMPBELL of California). Is there objection to the request of the gentleman from Ohio?

There was no objection.

**DISPENSING WITH CALENDAR  
WEDNESDAY BUSINESS ON  
WEDNESDAY NEXT**

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

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

There was no objection.

**AMENDMENT PROCESS FOR CON-  
SIDERATION OF H.R. 2965, FED-  
ERAL PRISON INDUSTRIES COM-  
PETITION IN CONTRACTING ACT**

Mr. GINGREY. Mr. Speaker, the Committee on Rules may meet the week of September 11 to grant a rule which could limit the amendment proc-

ess for floor consideration of H.R. 2965, the Federal Prison Industries Competition in Contracting Act.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Rules Committee in room H-312 of the Capitol by noon on Tuesday, September 12, 2006. Members should draft their amendments to the bill as ordered reported by the Committee on the Judiciary, which was filed with the House on July 21, 2006.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format, and they should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

**APPOINTMENT OF CONFEREES ON  
H.R. 5122, G.V. "SONNY" MONT-  
GOMERY NATIONAL DEFENSE  
AUTHORIZATION ACT FOR FIS-  
CAL YEAR 2007**

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. HUNTER, WELDON of Pennsylvania, HEFLEY, SAXTON, MCHUGH, EVERETT, BARTLETT of Maryland, THORBERRY, HOSTETTLER, JONES of North Carolina, RYUN of Kansas, GIBBONS, HAYES, CALVERT, SIMMONS, Mrs. DRAKE, Messrs. DAVIS of Kentucky, SKELTON, SPRATT, ORTIZ, TAYLOR of Mississippi, ABERCROMBIE, MEEHAN, REYES, SNYDER, SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mrs. TAUSCHER, Mr. BRADY of Pennsylvania, and Mr. ANDREWS.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Mr. HOEKSTRA, Mr. LAHOOD, and Ms. HARMAN.

From the Committee on Education and the Workforce, for consideration of sections 571 and 572 of the House bill, and sections 571, 572, 1081, and 1104 of the Senate amendment, and modifications committed to conference: Messrs. MCKEON, KLINE, and GEORGE MILLER of California.

From the Committee on Energy and Commerce, for consideration of sections 314, 601, 602, 710, 3115, 3117, and 3201 of the House bill, and sections 332-335, 352, 601, 722, 2842, 3115, and 3201 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, GILLMOR, and DINGELL.

From the Committee on Government Reform, for consideration of sections 343, 721, 811, 823, 824, 1103, 1104, and 3115

of the House bill, and sections 371, 619, 806, 823, 922, 1007, 1043, 1054, 1088, 1089, 1101, and 3115 of the Senate amendment, and modifications committed to conference: Messrs. TOM DAVIS of Virginia, SHAYS, and WAXMAN.

From the Committee on Homeland Security, for consideration of section 1026 of the House bill, and section 1044 of the Senate amendment, and modifications committed to conference: Messrs. KING of New York, REICHERT, and THOMPSON of Mississippi.

From the Committee on International Relations, for consideration of sections 1021-1023, 1201-1204, 1206, title XIII, sections 3113 and 3114 of the House bill, and sections 1014, 1021-1023, 1054, 1092, 1201-1208, 1210, 1214, title XIII, sections 3112 and 3113 of the Senate amendment, and modifications committed to conference: Messrs. HYDE, LEACH, and LANTOS.

From the Committee on the Judiciary, for consideration of section 1021 of the House bill, and sections 666, 1044, 1086, 1089, 1091, and 1094 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, COBLE, and CONYERS.

From the Committee on Resources, for consideration of sections 601, 602, and 1036 of the House bill, and section 601 of the Senate amendment, and modifications committed to conference: Messrs. POMBO, WALDEN of Oregon, and GRIJALVA.

From the Committee on Science, for consideration of sections 312 and 911 of the House bill, and sections 333, 874, and 1082 of the Senate amendment, and modifications committed to conference: Messrs. BOEHLERT, SODREL, and GORDON.

From the Committee on Small Business, for consideration of sections 874 and 1093 of the Senate amendment, and modifications committed to conference: Mr. MANZULLO, Mrs. KELLY, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of sections 312, 551, 601, 602, and 2845 of the House bill, and sections 333, 584, 601, 1042, 1095, 2842, 2851-2853, and 2855 of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, LOBIONDO, and OBERSTAR.

From the Committee on Veterans' Affairs, for consideration of sections 666, 682, 683, 687, 721, and 923 of the Senate amendment, and modifications committed to conference: Messrs. BUYER, BOOZMAN, and Ms. HERSETH.

There was no objection.

□ 1545

**HONORING THE AHWATUKKEE ALL-  
STARS**

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