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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KLINE) at 5 o'clock and 17 minutes p.m.

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

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 857 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 857

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

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

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and insert tabular and extraneous material on the resolution.

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

There was no objection.

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

Mr. Speaker, on Friday the Rules Committee met and reported a rule for consideration of the conference report of H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006. The rule waives all points of order against the conference report and against its consideration. Additionally, it provides that the report shall be considered as read.

Mr. Speaker, H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, is intended to fully fund our forces overseas and at home.

Mr. Speaker, at a time when our sons and daughters are deployed overseas in

a wartime environment, this legislation provides critical funds that will be used to conduct ongoing operations in the global war on terror.

Unlike other wars, this war is one where terrorists are having a critical impact and one that requires the perpetual vigilance of not only our forces but the American people. To our forces' credit, just last week they were successful in killing Abu Musab al-Zarqawi, one of the critical players among the nonstate terrorist actors. This success required professionalism, perseverance, and tenacity, qualities our military has in abundance.

It is worth noting that if we were not in Iraq we would never have killed al-Zarqawi. However, it is also fair to observe that al-Zarqawi was dedicated to pursuing and killing Americans around the globe. If we had not found him, he surely would have found and attacked us.

Mr. Speaker, the Iraqis also deserve to be commended for their efforts in this struggle. During this war, they have held three elections, written a constitution, and just last week formed a permanent government. They played a key role in locating al-Zarqawi and are assuming an increasing role in defending their own country. They are watching what we do here today. They require and request our continued support as they move forward in their efforts to build a new and better Iraq. The passage of this rule and the underlying legislation is an important sign that this country and this Congress will keep its commitment to Iraq as it strives to create a future of hope and promise.

But, Mr. Speaker, real challenges remain, and it is these challenges that require our action today. Our military, our sons and daughters, need these funds immediately. They require our support and we must give it to them.

Mr. Speaker, I am aware that some may question the cost of the global war on terror. Some may question its worth. But, Mr. Speaker, today is not September 10 of 2001. We know what terrorists are capable of doing. Our enemies have chosen to make Iraq the central theater in the global war on terror. They seek to do to us what their predecessors did to the former Soviet Union in Afghanistan, and that is a triumph which we must deny our enemies for our own sake as well as that of the Iraqi people.

This war is a generational test, one that will affect not only our children and grandchildren but our great grandchildren as well. We cannot fail in our objectives. We chose this path as a Congress in 2002, and now we must stay on the hard road to its completion. We must support our forces now by passing this rule and the underlying legislation.

Mr. Speaker, many may wish to raise extraneous policy issues in this debate.

Some may want to discuss issues that, however important, are superfluous to the question at hand. Frankly, I welcome the debate today and later this week; however, now is the time to support our sons and daughters deployed overseas in the field of battle. Now is the time to accept the true challenges we face. We can do so by passing this rule and the underlying legislation.

Before I close, Mr. Speaker, I wish to note that this supplemental has another purpose. It contains funds that are badly needed by our fellow Americans on the gulf coast as they are still recovering from the devastating effects of Hurricanes Katrina and Rita. Our fellow citizens need and deserve our support. I am proud that we are responding as we have twice before. This, like the war on terror, is a national priority. These twin issues, the war on terror and recovery of the gulf coast, demand and will receive resources from the Congress on a bipartisan basis.

However, I am pleased to note that in our negotiation with the other body our conferees have kept their focus on the challenges at hand. They have not allowed the generous impulses that underlay this legislation to be perverted into a reckless spending spree on other items. For that they are to be commended. They have given us a bill that meets the needs at hand, yet remains fiscally responsible. That is no small accomplishment. This legislation deserves support from all Members.

Mr. Speaker, to that end I urge support for the rule and the underlying bill.

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

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague for yielding, and I yield myself such time as I may consume.

Mr. Speaker, 3 months have gone by since the House last met to pass new funding for one of the greatest challenges our Nation faces today: the ongoing war in Iraq.

It is clear that so long as our soldiers are in harm's way our financial support for them must continue. But writing checks is not enough. All the money in the world cannot produce a positive change if it is squandered and misappropriated.

What our troops in the field and our citizens at home need is for this body to recommit itself to real oversight of our government and its actions. What we need is the return of accountability to the House, and it is that above all else which has yet to transpire here.

I would ask my friends on the other side of the aisle to focus their gaze half a world away. The past 90 days has seen victories and defeats in Iraq, reasons for hope and reasons for grave concern, and the outcome is still far from certain. And yet the overwhelming majority of our troops routinely carry out

acts of most remarkable personal courage. Their very existence is in constant danger, and yet they press onward.

Contrast that courage, Mr. Speaker, with the lack of courage displayed by the majority of the House. It is a lack of courage that has proven as persistent as the problems it has perpetuated. I should first say that the very idea that we are once again funding the conflict through a supplemental spending bill is both dishonest and dishonorable. It is part of a massive effort to hide the true cost of the war from the public because supplemental spending bills are not counted in the budget. They, therefore, do not increase our national deficits on paper even though they do increase them in reality.

If this Congress believes that funding the mission in Iraq is necessary, it should have the courage to fund it through an official appropriations bill. Then the financial cost to the Nation should be clear then for all to see and the American people could better judge for themselves how much we are willing to devote to it.

As important as this is, it pales in comparison to the importance of overseeing how our money is being spent in Iraq. Events move so quickly in that country and every action taken possesses such a great consequence that Members of this body should demand nothing less than full accountability of how the U.S. funds are being spent.

Three months ago I repeated the calls of JOHN TIERNEY for the creation of a congressional commission to oversee the reconstruction efforts abroad, one like the Truman Commission, created during World War II by a Congress with the integrity needed to investigate itself. At the time I cited reports claiming that billions of dollars in funds intended for the Iraqi people had gone missing.

Three months later nothing has changed. In fact, just last week the Special Inspector General for Iraq reconstruction issued a report that documented 7 billion more dollars lost in funds for reconstruction, and he has 72 ongoing investigations into accusations of fraud and corruption among contractors. And what is his reward? They are going to take inspection away from him and give it over to the State Department.

Now, I am thankful that this Inspector General has been working hard in the last 2 years and in keeping track of numbers because that document would never have come from this majority. They do not even want to discuss the war in any detail. This week's debate on this war will be the first of its kind and the September 11 anniversary will be 5 years very shortly.

Where is the courage? Where is the resolve? How can they speak day in and day out about our need to support the troops and then refuse to exercise constitutional responsibility to oversee

this, our Nation's greatest foreign project in a generation?

Where there is no oversight, there will be corruption, and in a war zone corruption is not just about money. It is about life and death. If U.S. contractors are not getting what they are supposed to do done, the lives of our troops are put in danger. If reconstruction projects are being hobbled by poor accounting, then the projects will not be completed and Iraqis will continue suffering.

We learned months ago that 80 percent of the Marines who died of upper body wounds would have been saved if only they had not been forced to depend on an unreliable contractor for the body armor. How can we live with that?

I only recently learned that the DOD Inspector General will be looking into these contracts at my request because nobody has looked to see what happened there.

Mr. Speaker, these unjustifiable realities are to a large degree the product of a lack of any real oversight by Congress. And the lack, in turn, has been the province of a majority unwilling to truly reform its ways, even while it lectures people near and far about the importance of reforming theirs.

Mr. Speaker, until this changes, we have no solutions to the self-imposed problems undermining the safety of our citizens here and the success of our troops and their mission abroad, and we cannot afford to waste another moment. Too much is at stake.

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

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

I simply want to note that this supplemental actually addresses many of the gentlewoman's concerns. It includes money for armoring Humvees and truck vehicles. The supplemental makes modifications to requests in order to get the safest, most effective armored vehicles to troops in the field, including the National Guard, in a timely manner. It also adds \$726 million to requests to ensure that Army tracked combat vehicles, such as Abrams tanks and Bradley fighting vehicles, are upgraded and available to the National Guard. There is also in this appropriation additional funds to look after the well-being of the troops.

I think that our House Committee on Armed Services has done an excellent job in identifying problems as they have shown themselves and dedicating resources to them throughout this conflict.

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Certainly more can be done, and it is being done in this supplemental. But I would also point out for the record, while every loss of life, every loss of life is a tragedy and something that

one would prefer not to happen, this is still one of the lowest, if not the lowest, casualty rates in the history of sustained conflict in our country.

So I think, frankly, those in charge of these particular areas have done a commendable job and, frankly, are trying to improve on that job literally on a daily basis. This supplemental is a step in that direction.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin, the ranking member of Appropriations (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this event is a sad day in the history of the House and the country. The fact that this bill is before us today indicates that the President's aim is about as faulty as the Vice-President's.

The fact is that on 9/11 we were attacked by al Qaeda. They were sheltered by the Taliban in Afghanistan. The President correctly responded to that by going after al Qaeda in Afghanistan. But then he slipped off the track and diverted his attention and the country's to an unnecessary war in Iraq against a government that had nothing whatsoever to do with the attack against the United States on 9/11.

We have now spent, in 18 separate actions, we will now have spent \$450 billion on this adventure, when you take into account what will be provided in the defense appropriations bill which will be considered by the full Appropriations Committee tomorrow.

Now, my objection to the way this war is being funded is based primarily on my belief that the country and the Congress has a right to know what the cost of this war is and what we think future costs will be. But because, as the gentlewoman from New York has indicated, because the requests to finance this war have come in the form of supplementals outside the regular appropriation process, the actual cost of the war has effectively been hidden because the administration's plan was to reveal that cost to the American people on the installment plan.

So a little bit at a time they get to understand what the cost is going to be. \$50 billion here. \$50 billion there. As Senator Edward Dirksen said, "Sooner or later that amounts to real money." This is a huge expenditure for a misguided war, in my view.

Mr. Speaker, I would make one other point. My second concern about this bill is not directed at what the bill does contain, but rather what this bill does not contain. The Senate adopted a separate amendment, the Byrd-Gregg amendment, which would have added \$2.5 billion in additional funding for border security and port security.

Unfortunately, the conferees chose to eliminate that funding from the bill. That means that they did not provide the \$1.9 billion that the Senate had

asked us to provide to do things such as replace out-dated aircraft. The P-3 fleet, which serves as border security's primary air surveillance mechanism, is over 40 years old, 20 years beyond the average life of that type of plane. The entire fleet needs to be overhauled to extend the service life. This bill does not measure up to that.

We also have nearly 1,700 vehicles which are unusable due to wear and tear because of the environment, the extreme burden that that environment places on Border Patrol agents' equipment and vehicles. This bill does not provide funding for that.

This bill lacks sufficient patrol aircraft. It lacks sufficient funding for armed helicopters on the border. Also, in addition, I believe the Congress should have provided \$648 million in additional port security improvements.

The Coast Guard has only 34 inspectors to review security plans at foreign ports. We should have provided \$180 million more for customs and border protection, including \$80 million for Border Patrol vehicle replacement, and \$100 million more for border infrastructure and technology.

We should have provided \$50 million more for an upgrade of law enforcement communications. We should have provided \$80 million the Senate requested for Immigration and Customs Enforcement vehicle replacement.

We should have provided the amount that the Senate requested, \$227 million, for additional port security grants.

The Senate also asked us to provide \$211 million in additional funds for rail and seaport inspection equipment. It asked us to provide \$132 million more for radiation portal monitors to accelerate deployment to screen 100 percent of in-bound containers.

Alas, this bill contains none of those items. So I think it is grossly deficient in meeting the needs of border security and port security. I regret that. But unfortunately I cannot do much about it because the majority party was determined to exclude these items.

I was also stunned by the fact that the majority party refused to adopt, or refused to retain, the language that was adopted on the House floor which made clear that the United States had no intention of entering into permanent basing rights agreements in Iraq.

Certainly I recognize that some Members of this House do not want us to leave Iraq anytime soon, but somewhere between leaving immediately and staying forever, we ought to be able to find common ground.

Mr. COLE of Oklahoma. Mr. Speaker, I want to address one of the points that my good friend from Wisconsin made. He used the phrase "unnecessary war in Iraq." I would respectfully disagree with that judgment.

The policy to remove Saddam Hussein was not a policy adopted simply by this administration or this Con-

gress. It was the official policy of the United States under our former President beginning in 1998. Why did we do that? Why did we choose to make the removal of Saddam Hussein a priority in American policy?

You can tick off the reasons. This is the man who launched two regional wars that killed over a million people, and he involved our country in armed conflict in 1991 in Kuwait. This is a man who twice had come close to developing nuclear weapons. First, in 1981, the Israelis took them out. Then he was evidently within 6 months of having nuclear weapons when the Gulf War broke out, according to the United Nations.

You visit Iraq, you can find mass graves everywhere. Tens of thousands, hundreds of thousands of Iraqis killed. This was a person who was financing terrorism up to the moment he was removed from power, offering \$25,000 bounties and rewards to families whose children were killed in terrorist activity.

This is a person who was getting out from under U.N. sanctions, who had already despoiled the Oil-for-Food Program, and who step by step was moving himself toward the ability to be a threat in the region again, or to enhance his threat.

So I think when we actually look at this regime, it is fortunate that it is not there, because, frankly, if it were there today, it would be freer and more powerful and I think more threatening than it was when it was removed.

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

Ms. SLAUGHTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I regard the argument made by my good friend from Oklahoma to be essentially an ad hominem argument. The issue is not whether or not Saddam Hussein was a good guy or a bad guy. He is obviously a bad guy. And it is nice to see that he is gone.

We have other bad guys in the world. We have the guy running Iran right now. We have got the guy running North Korea. I do not see the United States engaging in military action against either of them.

Mr. Speaker, I would also point out, is it not strange that a man who was important enough to remove as head of Iraq by this administration was seen by this President's father and his administration, I am sorry, I got that wrong, was seen by the previous Reagan administration, for instance, as being someone we could do business with, and, in fact, was someone who the United States supported against Iran in a previous military engagement.

So the issue is not whether Saddam is a good man or a bad man. He is obvi-

ously a bad man, and it is good that he is gone. I will grant the gentleman that. But I would also say, it came at a hellacious price. We simply did not have to incur 18,000 American soldiers wounded in order to remove him. We did not need to incur more than almost 3,000 dead in order to remove him. Let's not kid ourselves. We were misled into this war on the basis of manipulated and bad intelligence. We were told by the Vice-president we would be welcomed with open arms. The President landed on that carrier and said "Mission Accomplished."

Well, not so. Unfortunately, not so. So we continue to pay the price, bogged down in the same kind of mess that we were stuck in in Vietnam. And let us face it, there is not anybody in this city from the President on down who has a clue about how to get the United States out of this mess. There isn't anybody in this town who has a clue.

And that is the sad fact we are faced with, as we are forced to continually appropriate more and more funds to support our troops. And then we go back home and say, "Well, we know what we are doing." The fact is, this Congress did not know what it was doing when it gave the President the ability to go to war.

The President did not know what he was doing, the Vice-President did not know what he was doing, and Secretary Rumsfeld has demonstrated that he is both the most arrogant Secretary of Defense since Bob McNamara and the most incompetent Secretary of Defense in the post-Cold War period of this country.

Mr. COLE of Oklahoma. Mr. Speaker, I just want to once again disagree with my good friend. I find, frankly, comparisons between Iraq and Vietnam to be incredibly overdrawn and misplaced.

When we look at the scale of the American involvement in Vietnam, the level of casualties, the fact that there were not democratic elections, that there was not the constitution, that there has not been the progress; frankly, when we look at the threat that was constituted by Saddam Hussein as opposed to North Vietnam, they simply are not on a comparable scale. Saddam Hussein was somebody who tried to assassinate a President of the United States, who drew us into war, who was actively seeking weapons of mass destruction throughout his political career.

I would agree with the gentleman, the fact that we had had a relationship with him was an enormous mistake and bad judgment by the American Government. I would actually concede my good friend's point in that regard.

I am glad in the end we understood who and what this person is. I point out again, that recognition began before this administration ever took office. That began with an act of this

Congress and the preceding administration, the Clinton administration, that declared it was in the interest of the United States to remove this tyrant from office.

I would also point out with respect to the intelligence, while undoubtedly mistakes were made, those were mistakes that were made by the entire planet, and, frankly, I can bring quote after quote out by the preceding administration, by Members of this body that would suggest all of us believed there were weapons of mass destruction.

There is no question that at various points in his career, Saddam Hussein pursued weapons of mass destruction, acquired them and used them. And in a post-9/11 world, there is every reason to believe he would do so again and that that technology, that capability, could easily migrate to our opponents.

The world is safer; Iraq has a chance for a better future because Saddam is gone. That is due to the heroism and the professionalism of the American military.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

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Mr. DELAHUNT. Mr. Speaker, I thank the gentlewoman for yielding.

I just found it somewhat ironic to listen to our friend from Oklahoma when he talks about the search that was conducted by Saddam Hussein for weapons of mass destruction, because it clearly was this administration during the 1980s that aided him in that pursuit.

There is documentation out there that shows the transfer of dual-use technologies to Saddam Hussein by the Reagan-Bush administration. There is also sufficient evidence, and we can say he is a bad guy now, but maybe he was a good guy back in the 1980s, because he was taken off the terrorist list.

In fact, the current Secretary of Defense, Donald Rumsfeld, was a special envoy of the Reagan administration to Saddam Hussein. When Saddam Hussein unleashed the hell of mustard gas on the Kurds in Halabja, it was that administration who said, no, we are not going to allow the U.N. to condemn our pal, Saddam Hussein. So I am glad he concedes that point because it is right and just that he concedes that point.

I find it interesting now that we are embracing other good guys in this world, like Moammar Gadhafi, a great democrat who was taken off the terrorist list. I wonder sometime if we will regret that. But we are not here to talk about that.

I am here because I was to echo the sentiments expressed by the gentlewoman. I don't think they can be repeated often enough, because the reconstruction of Iraq has been plagued

by mismanagement, waste and fraud. The examples are too numerous to list. I would need the entire hour, and I will not burden my colleagues with that.

But let us suffice it to say that the Bush administration cannot account for \$9 billion, that is billion with a B, that it purportedly transferred to Iraqi ministries. But we cannot find it, it is missing.

Let me just cite one specific example about the work of a company called Custer Battles, which I think illustrates the order of magnitude of corruption, fraud and abuse that has been perpetrated on the American taxpayer while we have other pressing needs in this country.

They were retained to provide security at Baghdad International Airport, including personnel, equipment, and K-9 teams to process passengers and cargo. They were totally inept, and they were corrupt. They had a K-9 team that consisted of someone's pet that certainly couldn't sniff bombs. I don't know what they were doing, but they were not sniffing bombs there.

But in any event, the director of airport security wrote this about them. Custer Battles has shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows. Now that is the director of the Baghdad International Airport. It is rife over there with mismanagement, with fraud and abuse.

Now, how do we know these problems? We certainly don't know them from the activities of this institution. I am the ranking member on a subcommittee of the International Relations Committee dealing with oversight and investigations. Last week we had our first oversight hearing into the activities of the administration when it came to the reconstruction phase.

But we do know about these problems, because we know them through the work of the Special Inspector General for Iraq Construction, Stuart Bowen, whose reports have been objective, accurate and hard hitting, giving praise when it is due and giving criticism when it is due. They describe in clear, simple, understandable terms how the administration's incompetence, mismanagement and lack of planning have exacerbated our problems there.

But now this bill, as the gentlewoman said, shifts the oversight responsibility for new Iraq reconstruction funds from the Special Inspector General for Iraq to the State Department Inspector General. Since the Department of State Inspector General has a fraction of the resources that were provided to the Special Inspector General of Iraq and clearly limited experience, this means that oversight of Iraq reconstruction will be drastically reduced. We can't afford that now. We can't afford it. We cannot afford it, and yet this bill does it.

The American taxpayer cannot afford that. It is an egregious error in judgment to remove the Inspector General of Iraq, who is appointed by President Bush, from that oversight role.

Well, I would urge because of those reasons that this rule be rejected.

Mr. COLE of Oklahoma. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I want to begin by expressing my appreciation to my good friend from Oklahoma, who has spent so much time and energy focused on our Nation's security, and it is very appropriate that he manage this rule, which is primarily dealing with that issue.

When we think about the developments that have taken place just within the last week in Iraq, the summit, the meeting that was held at Camp David today with President Bush, we all know, as the President said today, that we have difficult, tough days ahead. We know that we are going to likely see retaliatory action taken by those who would be sympathetic with Abu Musab al-Zarqawi, the butcher who was responsible for countless beheadings, the attack on the United Nations meeting, the bombings at the wedding that took place in Jordan. We can go down that litany of heinous acts perpetrated by Abu Musab al-Zarqawi.

But we have to realize that the action that was taken last week was, in fact, a blow to the issue of terrorism, which is one with which we have to deal with on a regular basis, and daily we have to deal with this. I remember in a meeting with President Bush a couple of months ago when he looked over to a few of us and said every single morning when he wakes up the first concern that he has is the threat of a terrorist attack on the United States or our interests in any other part of the world.

I think that this supplemental appropriations bill, which is designed to deal with that issue, is a very, very good and important step. We also know that dealing with the aftermath of Hurricane Katrina, one of the worst natural disasters that our Nation has ever seen, needs to be addressed, and this bill is designed to do that.

The reason that I really wanted to stand here is to say that this kind of leadership could not have taken place were it not for the actions of the distinguished chairman of the Committee on Appropriations, Mr. LEWIS. We have really seen a revolution take place within the Appropriations Committee. That revolution is focused on the need to vigorously pursue fiscal responsibility while at the same time pursuing our Nation's priorities.

Chairman LEWIS has done an absolutely phenomenal job at doing just that. We have seen a reduction in the

number of so-called earmarks. We have also seen, and the report just came out today, that as we look at the economic growth that has taken place we are also seeing a slowing in the rate of growth of Federal spending. That is because of this appropriations process.

A lot of people say why isn't George Bush out there exercising his right to veto legislation? Well, we all know where we began with this supplemental appropriations bill, slightly below the \$92 billion level. We know that our friends in the other body said it would be \$109 billion. We saw President Bush make it clear that he would veto any legislation that went beyond that level that he had requested, and we now have seen, because of the leadership of Chairman LEWIS, the House and the Senate go through this conference process.

I watched some of it last week. It was on television. We were able to see Chairman LEWIS prevail in ensuring that we would pursue a fiscally responsible supplemental appropriations bill.

You know, we don't always win here in the House of Representatives when we are dealing with our friends in the other body. But Chairman LEWIS has done just that. I believe we owe a great debt of thanks to him for the leadership that he has shown there.

We also need to note that right upstairs in the Rules Committee now we have a hearing, as we proceed, with the Transportation, Treasury, HUD, D.C. appropriations bill. We are looking at trying to get as much of our appropriations work done as we approach the July 4th break. We are on a path towards doing that, having passed out of this House a number of important appropriations bills, many of which have seen, as I said, this dramatic slowing in the rate of growth of Federal spending. Time and time again, we see in the media, and we hear reports, people are saying, oh, Republicans are spending huge amounts of money.

I see my friend from Wisconsin here, the distinguished ranking member of the Committee on Appropriations, and his interests were just represented very well upstairs in the Rules Committee when our colleague, Mr. OLVER from Massachusetts, proposed an amendment that was modeled after the amendment that Mr. OBEY has recommended on a regular basis, that being a tax increase for those who are at the highest ends of the economic spectrum and, in turn, expending, and we have figured it roughly, \$26.1 billion in total through the appropriations process that we have so far.

Now, one of the things that Chairman LEWIS has done is he has been very insistent on keeping that spending level down, but, again, meeting our priorities.

Mr. Speaker, I simply want to extend congratulations to him. I look forward to seeing passage of this conference re-

port, with strong bipartisan support, so that we can continue winning the war on terror, so that we can continue dealing with those victims of this horrible tragedy of Hurricane Katrina, so that we can, in fact, have that additional \$2.3 billion that was provided to ensure that we are taking every step that we possibly can to prevent the threat of avian flu and for the other items that are in there.

So I would simply again extend congratulations to Mr. LEWIS and our colleagues, and I look forward to strong bipartisan support with this measure.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, the gentleman from California, the distinguished chairman of the Rules Committee, has just described what he believes to be fiscally responsible actions taken by the Congress.

Let me simply say that the idea that it is fiscally responsible for this Congress to provide \$40 billion or more in tax cuts to persons making \$1 million a year, paid for with borrowed money, while at the same time refusing to provide \$2.5 billion in essential funding to secure our borders and secure our ports, is, to me, strange logic indeed. I regard that set of priorities to be spectacularly irresponsible.

Mr. COLE of Oklahoma. Mr. Speaker, I yield such time as he may consume to the distinguished majority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, let me thank my colleague from Oklahoma for yielding.

I rise today in strong support of the conference report on the supplemental spending bill. I want to applaud the work of Chairman LEWIS, his cardinals, Mr. OBEY and others, who worked hard to bring this bill together.

They spent countless hours trying to hammer this out, and they did this at the same time when they were also passing seven appropriation bills here on the floor of the House. On behalf of myself and my colleagues, let me just say to Mr. LEWIS, Mr. OBEY, and others, thank you, a job well done.

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Mr. Speaker, our support of this conference report boils down to three groups of people: the first and foremost, our troops. It ensures that our fighting men and women have all the equipment and resources necessary to successfully win the global war on terror. Overall, it provides \$65.8 billion for Operations Iraqi Freedom and Enduring Freedom, and it also provides some \$4.85 billion to train and equip security forces in Afghanistan and Iraq, as well as almost \$2 billion to prevent IED attacks.

Second, the conference report helps those most impacted by last year's devastating hurricane season by providing

\$19.8 billion to rebuild the gulf coast. This is important, and those folks in the gulf coast region that have been devastated by these hurricanes last summer are doing well, they are improving; but they have got a long, long way to go.

Finally, it does all of this by keeping an eye out for the American taxpayer and his or her wallet. At the start of this conference, House Republicans made clear that we would not consider an emergency supplemental package that spends \$1 more than what the President requested. We made good on this promise by rejecting some \$14 billion in unnecessary, nonemergency spending added by the other body.

So, Mr. Speaker, on behalf of our troops fighting in Afghanistan and Iraq, our fellow citizens working to rebuild the gulf coast, and the American taxpayer, I urge all my colleagues to support this bill.

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

Mr. Speaker, I will be asking Members to vote "no" on the previous question. If the previous question is defeated, I will offer an amendment to the rule to instruct the enrolling Clerk to make some very important national security additions to the conference report.

Mr. Speaker, I ask unanimous consent that the text of the amendment and extraneous materials be printed in the CONGRESSIONAL RECORD immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, the items contained in the amendment are not new provisions. They were all included in the Senate version of the supplemental appropriations bill and provide greatly needed funds to increase security at our Nation's borders and ports; but, unfortunately, they were stripped from the final version of the report.

I want to stress that a "no" vote on the previous question will not stop consideration of the report. A "no" vote will simply allow the House to add greatly needed funds to protect our Nation's vulnerable borders and ports.

But a "yes" vote on the previous question will prevent the House from adding the funds to improve our border and port security; and representing a border area myself, I appreciate the importance of it.

So, please, again, vote "no" on the previous question.

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

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

Mr. Speaker, in closing, I would like to say that I believe we have had a

good debate on the rule. I believe the importance and the timeliness of this legislation could not be more self-evident. This bill has been carefully crafted and worked in a way to ensure that our servicemen receive the best equipment when they go to war.

We had an interesting historical discussion and debate here today. It was an interesting debate as to how we got into this war and whether or not Saddam Hussein, it was appropriate to remove him at the time and in the way that we did. I suspect history will vindicate our judgment in that regard. He was a terrorist, he was a tyrant, he was a threat to global peace; and the world is better because he is gone. Iraq has a potential future because he is gone.

However, I would ask Members to remember this is a vote about our willingness to support our service men and women and not about other policy issues. The men and women serving our cause in Iraq ask for nothing more. In good conscience, we should give them nothing less.

It is also a vote about whether or not we will support our fellow Americans on the gulf coast. On that I doubt there is any division in this House.

To close, I would urge my colleagues to support this rule and the underlying legislation.

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

PREVIOUS QUESTION FOR H. RES. 857—RULE ON CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Strike all after the resolved clause and insert:

That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. (a) A concurrent resolution specified in subsection (b) is hereby adopted.

(b) The concurrent resolution referred to in subsection (a) is a concurrent resolution

(1) which has no preamble;

(2) the title of which is as follows: "Providing for Corrections to the Enrollment of the Conference Report on the bill H.R. 4939"; and

(3) the text of which is as follows:

At the end of the conference report, before the short title insert the following:

TITLE —ADDITIONAL BORDER AND PORT SECURITY IMPROVEMENTS
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the "Office of the Secretary and Executive Management" to provide funds for the Office of Policy, \$2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is

designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the "Office of the Chief Information Officer" to replace and upgrade law enforcement communications, \$50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for "United States Visitor and Immigration Status Indicator Technology" to accelerate biometric database integration and conversion for 10-print enrollment, \$60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$446,050,000, of which \$80,000,000 is for border patrol vehicle replacement, \$100,000,000 is for sensor and surveillance technology, \$211,000,000 is for inspection equipment, \$32,000,000 is for supply chain security specialists, and \$23,000,000 is for additional container security initiative personnel: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for "Air and Marine Interdiction, Operations, Maintenance, and Procurement" to replace air assets and upgrade air operations facilities, \$790,000,000, to remain available until expended, of which \$40,000,000 is for helicopter replacement and \$750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for "Construction", \$120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and

the House of Representatives receive and approve a plan for the expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" to replace vehicles, \$80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$23,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements" for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, \$600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", \$227,000,000: *Provided*, That the entire amount shall be for port security grants pursuant to the purposes of 46 United States Code 70107 (a) through (h), which shall be awarded based on risk and threat notwithstanding subsection (a), for eligible costs as defined in subsections (b) (2)-(4): *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for "Research, Development, Acquisition, and Operations" for the Domestic Nuclear Detection Office, \$132,000,000, to remain available until expended for the purchase and deployment of ration portal monitors for United States seaports: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for "Acquisition, Construction, Improvements, and Related Expenses," for construction of the language training facility referenced in the Mater Plan and information technology infrastructure improvements, \$18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent

resolution on the budget for fiscal year 2006.”

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

Ms. SLAUGHTER. Mr. Speaker, 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o’clock and 5 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BRADLEY of New Hampshire) at 6 o’clock and 30 minutes p.m.

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:

H. Res. 794, by the yeas and nays;

H. Res. 804, by the yeas and nays;

H. Res. 608, by the yeas and nays;

H. Con. Res. 338, by the yeas and nays; ordering the previous question on H. Res. 857, by the yeas and nays.

Proceedings on H. Con. Res. 408 will resume tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The other votes in this series will be 5-minute votes.

RECOGNIZING THE 17TH ANNIVERSARY OF THE MASSACRE IN TIANANMEN SQUARE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 794, 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 New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 794, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 362, nays 1, not voting 68, as follows:

[Roll No. 251]

YEAS—362

Abercrombie	Duncan	Kirk
Aderholt	Edwards	Kline
Akin	Ehlers	Knollenberg
Alexander	Emanuel	Kolbe
Allen	Emerson	Kucinich
Andrews	English (PA)	Kuhl (NY)
Baca	Eshoo	LaHood
Baker	Etheridge	Langevin
Baldwin	Everett	Lantos
Barrett (SC)	Farr	Larsen (WA)
Barrow	Fattah	Larson (CT)
Bartlett (MD)	Feeney	Latham
Bass	Ferguson	LaTourette
Bean	Filner	Leach
Beauprez	Fitzpatrick (PA)	Lee
Becerra	Flake	Levin
Berman	Foley	Lewis (CA)
Berry	Forbes	Lewis (GA)
Biggart	Fortenberry	Lewis (KY)
Bilirakis	Fossella	Linder
Bishop (GA)	Fox	Lipinski
Bishop (NY)	Frank (MA)	LoBiondo
Blackburn	Franks (AZ)	Lofgren, Zoe
Blumenauer	Frelinghuysen	Lowey
Boehlert	Garrett (NJ)	Lucas
Boehner	Gerlach	Lungren, Daniel
Bonilla	Gilchrest	E.
Bonner	Gohmert	Lynch
Bono	Gonzalez	Mack
Boozman	Goode	Maloney
Boren	Goodlatte	Marchant
Boswell	Gordon	Markey
Boucher	Granger	Marshall
Boustany	Graves	Matheson
Boyd	Green, Al	McCarthy
Bradley (NH)	Green, Gene	McCaul (TX)
Brady (TX)	Grijalva	McCollum (MN)
Brown (SC)	Gutknecht	McCotter
Brown-Waite,	Hall	McCrery
Ginny	Harman	McDermott
Burgess	Harris	McGovern
Burton (IN)	Hart	McHenry
Butterfield	Hastings (WA)	McHugh
Buyer	Hayes	McIntyre
Camp (MI)	Hayworth	McKeon
Campbell (CA)	Hefley	McKinney
Cannon	Hensarling	McMorris
Cantor	Herger	McNulty
Capito	Herseth	Meehan
Capps	Higgins	Meeks (NY)
Cardin	Hinojosa	Melancon
Carnahan	Hobson	Mica
Carson	Hoekstra	Michaud
Carter	Holden	Miller (FL)
Castle	Holt	Miller (NC)
Chandler	Honda	Miller, George
Chocola	Hoolley	Mollohan
Cleaver	Hostettler	Moore (KS)
Clyburn	Hoyer	Moore (WI)
Cole (OK)	Hulshof	Moran (KS)
Conaway	Hunter	Murphy
Conyers	Hyde	Murtha
Cooper	Inglis (SC)	Myrick
Costello	Inslee	Nadler
Cramer	Israel	Napolitano
Crenshaw	Issa	Neal (MA)
Crowley	Jackson (IL)	Neugebauer
Cubin	Jackson-Lee	Ney
Cuellar	(TX)	Northup
Culberson	Jefferson	Norwood
Cummings	Jindal	Nunes
Davis (AL)	Johnson (CT)	Oberstar
Davis (CA)	Johnson, E. B.	Obey
Davis, Jo Ann	Johnson, Sam	Olver
Davis, Tom	Jones (NC)	Ortiz
DeFazio	Jones (OH)	Osborne
DeGette	Kanjorski	Otter
Delahunt	Kaptur	Owens
Dent	Keller	Pallone
Diaz-Balart, L.	Kelly	Pascarell
Diaz-Balart, M.	Kennedy (MN)	Pastor
Dicks	Kennedy (RI)	Pearce
Dingell	Kildee	Pelosi
Doggett	Kilpatrick (MI)	Pence
Doolittle	Kind	Petri
Doyle	King (IA)	Pickering
Drake	King (NY)	Pitts
Dreier	Kingston	Platts