

Those areas that were steel manufacturing areas, those areas that were coal producing areas, those areas that were basically manufacturing, microcosms if you will, for rust belt America were particularly hard hit during this period; and the need in these areas is for economic diversification. And the gentleman may not have been engaged in that much, but this is a very difficult, hard thing to do.

Federal Government assistance, this appropriation, these earmarks, if you will, in the Small Business Administration go directly to help rejuvenate economies, creating a broader, a more flexible, a more dynamic economy through diversification.

It is not an easy process; and if you have not been involved with it, the gentleman probably is not sensitive to that as he might be. But current economic trends in these areas, in these kinds of areas indicate that the sectors that do have potential growth are the heritage, tourism, regional travel; and this program works with the West Virginia Department of Education Travel and Tourism to promote what is the fastest-growing segment of the economic base.

So that is the purpose of the earmark, and I strenuously oppose the gentleman's amendment.

Mr. FLAKE. Mr. Chairman, all of the descriptions of Arizona make it sound like Shangri-La, that everything is going so well in Arizona that we have no need for any help with the economy or any sector of the economy. That is simply not the case. We are experiencing rapid growth. There are a lot of infrastructure needs that come with that. We are experiencing transition.

I grew up in northeastern Arizona. There are tremendous problems there with drought and other issues.

But I would defy any Member of Congress to say that his district is not in need of something. But if we all said, all right, we are just going to get it all, get it all for our districts, circumvent the authorization appropriation oversight function that Congress has always had and simply say we are going to earmark it and use kind of a spoil system as to who gets the earmarks, then it is simply going to drain the Treasury, and it is not fair to anyone.

I have universities in my district. Many of them compete for educational grants, for research grants, for other grants that are typically available in this appropriation bill and others that are being depleted. Those accounts for research funds are being depleted by earmarks.

Later today I believe we will be voting on an amendment or some clarification of the TEA-LU bill to replenish a research account or some kind of research account on roads whose account was depleted because of earmarks. So people in Arizona or elsewhere are not going to receive the funding that would come by formula back to them, because of the gas taxes they paid in, because of all of the earmarking that is going on.

So this is a problem. It is not a fair system. It is not a transparent system. If it were a transparent system, we would have names next to the earmarks when they come to the floor. We would have the ability to challenge it at any step. You would have language that is such that a limitation amendment could not be ruled out of order.

This is not a fair process. We need to change it.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to fund the Southern and Eastern Kentucky Tourism Development Association.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, this amendment would prohibit funds in the bill from being used for the Southern and Eastern Kentucky Tourism Development Association, which receives a \$1 million earmark in this bill.

The Southern and Eastern Kentucky Tourism Development Association was created in 1987 to promote, expand, develop and market the existing and potential tourism industry in southern and eastern Kentucky.

According to our research, since 1987, the Southern and Eastern Kentucky Tourism Development Association has received more than \$18 million in Federal grants, loans, and earmarks. In fact, last year, in the fiscal year 2006 Science, State, Justice and Commerce appropriation bill, the Southern and Eastern Kentucky Development Association received a \$3 million earmark.

Now I love traveling, as everyone here does; and I am all for seeing Kentucky tourism continue to grow. But

again, here, how do we justify favoring this tourism association and not others?

We have one in Arizona. Virtually every State has one. Many regions in our State have their own tourism associations. How do we decide that one is worthy of earmarks and another one is not?

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment, and I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the chairman for yielding me time.

This association, as the gentleman said, was formed in 1987, this association of 42 of Kentucky's counties covering five out of the six congressional districts.

What sets these counties apart, however, is their extreme poverty. These are rural counties in an impoverished coal mining region of the State who have seen the jobs in the mines disappear through mechanization and otherwise; and these counties are searching for a way to live, to survive. They are too poor to do it on their own, to form an association to try to create tourism, train people, create the small jobs that it takes to run tourism entrepreneurships. So they banded together, 42 of them, into an association where they pool their resources.

The State of Kentucky helps fund this association, as well as the Federal Government and locals. But for this association, these counties would not be able to advertise and attract to the very, very beautiful part of the country, the mountains, the streams and the hills, the history. It is the home of country music. US 23 that runs north and south through eastern Kentucky is known as Country Music Highway, a National Scenic Byway now, thanks to this association.

They are the ones that promoted that National Scenic Byway. There are two others, the Red River Gorge Scenic Byway, National Scenic Byway, and the Daniel Boone Trail. The Cumberland Gap is a part of this area.

□ 1515

So this association works to promote the region. It is providing jobs to those who otherwise would be drawing Federal handouts, Federal welfare. We are trying to work to get people a job rather than take a check from the Federal Government. I look upon this as not a handout but a hand up, and these communities are now beginning to realize income that provides real jobs for people that would otherwise be drawing welfare.

Now, is it unique that we would look to the Federal Government to help a region help itself grow into something better and provide the jobs? No, it is not unique. I would support today the earmarks over the years for the central

Arizona water project that enabled Arizona to grow and prosper and boom as it is now and providing jobs for people. That is what the Federal Government should be doing, and I do not begrudge a minute the gentleman from Arizona and the boom that is occurring in Arizona, but it was caused because the Federal Government over the years earmarked hundreds of millions of dollars to provide water out of the Colorado River so that Arizona in the desert would bloom.

It is a good thing. I would support that and continue to do so, but I would hope the gentleman would realize there are other parts of the country with much much smaller needs but equally as important to the people that live there.

So, Mr. Chairman, I hope we will turn down the amendment.

Mr. FLAKE. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, I thank my colleague, the gentleman from Arizona.

I was sitting in my office watching all these wonderful and heartrending speeches from folks about their economies and iron mills shutting down, steel mills shutting down, industries being totally lost, and now it is up to this Congress to pass through earmark appropriations in some legislative vehicles that are not the appropriate vehicle for it, which is why it is so hard for my friend from Arizona to find out where this money is going and why it is going and who asked for it.

But I am reminded from time to time that this was the same Congress that has passed regulation that has prohibited us in the west, in Idaho, from harvesting trees, from mining minerals, from, in fact, earning a living or even building, as my good friend from Kentucky just said, in talking about building a whole new industry.

Well, we would like that opportunity, too. In fact, we would like this Congress just to keep their promises to us when they shut down our forests and shut down the mining and halted much of the grazing on that land in Idaho and said, we will do this, we will make you PILT payments, payment in lieu of taxes. Because you have so much Federal ground in Idaho, a lot of that property does not render any taxes, and so we will make that payment for you. Well, you are about \$148 million short this year alone.

So I would say to these Members of Congress that have such huge hearts for their own particular little locales and their own particular little projects, that if you are going to do this, for gosh sakes, let those of us that would like to do it without all your help help ourselves.

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

Let me simply make the point, I was not around when the central Arizona project or other water projects in Arizona were approved, but I do know this:

Nobody slipped funding for the central Arizona project in an appropriations bill at the last minute in a conference report. These programs were authorized. There were appropriations. There has been oversight. It is the antithesis of what we are doing here in this bill and in this process this year.

We need to get back to the process of authorization and appropriation and oversight. We seem to have abandoned the outer two bookends, and all we are doing is appropriating, as I would submit, when you have descriptions this vague and you have situations where Members do not even come to the floor to defend it, and we still do not know on one of these that I offered today who the author is. On what I offered last week on two of the earmarks, we still do not know who offered them, but yet we pretend we are offering good oversight? We are really not. We can do a lot better than this.

Mr. Chairman, I yield back my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. 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 Arizona will be postponed.

AMENDMENT OFFERED BY MR. CARDOZA

Mr. CARDOZA. 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. CARDOZA:
At the end of the bill (before the short title), add the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. For "OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE" for the Drug Endangered Children grant program, as authorized by section 755 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177), and the amounts otherwise provided by this Act for "OTHER—SALARIES AND EXPENSES, DEPARTMENTAL MANAGEMENT" (reduced by \$5,000,000) are hereby reduced by \$5,000,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

I would like to start and begin by thanking Chairman WOLF and the ranking member, Mr. MOLLOHAN, for working with me on this amendment. I also want to thank Mr. LARSEN of Washington and Ms. HOOLEY for offering this amendment with me today and for all of their hard work addressing the methamphetamine problem and its effect on children.

I rise today to introduce this amendment to provide \$5 million in author-

ized funding for the Drug Endangered Children Program. This program would provide grants to States for initiatives that help children move from homes in which drug abuse or production takes place and, instead, into safe, permanent homes.

Funding the Drug Endangered Children Program would represent an important step towards helping develop new protocols for law enforcement and child welfare workers to address the special needs of these children displaced by family methamphetamine use, which is a growing problem.

Mr. Chairman, I want to quickly tell you a story about a 12-year-old boy that recently came to see me here in the Capitol. He is from Stockton, California, in my district. His father was arrested for running a meth lab in their home garage, and his mom, a meth addict, abandoned him and his two brothers. In fact, she left them at a phone booth in the community of Stockton, told them that she would be back, and 2 days later, this young, 12-year-old boy took his two brothers to a local police station and turned themselves in to the police so that they could get food and get out of the cold climate that they were in for 2 days.

The system was unable to handle this situation. As a result, he was separated from his two brothers, his only remaining links to his family that he once loved.

He came to see me last year, and he sat in the cafeteria below this Chamber, and he leaned over to me, and he whispered, Congressman, I have had so much pain in my life.

We can do better and we must do better to help these young children. By working with the chairman and his staff, we have reduced the dollar amount in the bill so that this amendment no longer affects the Census Bureau.

Mr. Chairman, this program will make a real difference in the lives of children affected by meth and other drugs. I urge a "yes" vote on the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Chairman, I would like to thank the gentleman from California for offering this important amendment.

The most tragic victims of the meth epidemic are the drug-endangered children. A recent study in Oregon revealed that police find children living on the premises of one out of every four meth laboratories that they break up. These children are exposed to toxic chemicals on a daily basis and face the constant threat of physical, mental and emotional abuse from the nonstop flow of addicts through their home.

The Drug Endangered Children Program provides vital services for these children, ensuring that law enforcement, child protective services, prosecutors and health professionals all work together to get them the help that they need.

From removing and supporting these children as they transition out of these dangerous environments to ensuring that they get medical evaluations, mental health screenings, drug and chemical exposure screenings and addiction treatment, the Drug Endangered Children Program gives children a safe and drug-free environment to live in.

That is why we introduced this legislation. I hope that my colleagues will see fit to appropriate the \$5 million for this appropriate initiative.

Mr. WOLF. Mr. Chairman, we accept the amendment.

Mr. CARDOZA. Mr. Chairman, I want to thank the chairman for accepting the amendment. I yield the balance of my time to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Chairman, I rise in support of this amendment to provide \$5 million for the Drug Endangered Children Program.

I want to thank Chairman WOLF and Ranking Member MOLLOHAN for their work to increase funding for many law enforcement programs and the fight against methamphetamine. I am particularly encouraged by the \$99 million allocated for the Meth Hot Spots Account in this appropriations bill.

I respect the tough job our appropriators have in writing these spending bills. They have admirably allocated dollars to programs that help our law enforcement do their job. However, one authorized program that was not fortunate to receive dollars in this bill is the Drug Endangered Children Program.

Children are too often the silent victims of drug abuse. As a cochair of the House Meth Caucus, I have talked to many social service workers and treatment providers about the risks that drug-endangered children face. I have heard repeated stories of meth users leaving their children unattended for days as they cook and use methamphetamine and sleep off its intense effects.

We have often talked about the need for more money to help local law enforcement to bust the bad guys, but we rarely talk about the impact those busts have on the kids who may be living in drug-infested homes.

So I want to thank the gentleman from California for his work on this amendment, and I urge a "yes" vote, and I want to thank the chairman for accepting this amendment as well.

Mr. CARDOZA. Mr. Chairman, I would like to once again thank the chairman for working with me on this and appreciate his accepting the amendment. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CHOCOLA

Mr. CHOCOLA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CHOCOLA: Page 110, after line 8, insert the following new title:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used by the National Aeronautics and Space Administration for travel policies and practices in contravention of Office of Management and Budget Circular No. A-126.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Indiana (Mr. CHOCOLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

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

Mr. Chairman, I think one of the greatest luxuries in life would be to own your own airplane. In fact, I think maybe one of the greater luxuries would be to have somebody else own the airplane and let you fly on it whenever you want and they pay the bill.

Well, Mr. Chairman, that is pretty much the arrangement that the senior management at the National Aeronautics Space Administration, better known as NASA, has. A recent GAO reports that, over a 2-year period, NASA employees took 1,188 flights on private jets at a cost of \$25 million or five times the cost of commercial tickets.

I understand that at times NASA has appropriate uses for private jets, like when they do aeronautical research, but I do not think it is appropriate for routine visits, meetings, conferences and speeches. The GAO found that 86 percent of the trips taken on these private jets specifically are prohibited by Federal policy regarding aircraft ownership.

Mr. Chairman, that is 1,022 trips on private jets by NASA employees that are specifically prohibited and paid for by the American taxpayers.

Because NASA has been largely unresponsive to previous GAO recommendations to remedy this situation, the GAO has actually asked for congressional consideration of legislation to restrict NASA's ownership of passenger aircraft and funding for passenger aircraft services to those needed solely to meet valid mission requirements.

Mr. Chairman, this position is clearly indefensible. It is time to put an end to unresponsive management violating established policies, flying on private jets at the taxpayers' expense simply for personal convenience.

So I encourage my colleagues to support this amendment to achieve that result, and I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

I rise in strong support of the amendment. I understand the gentleman's amendment is related to the findings of the Government Accountability Office

audit in August of 2005 concerning NASA mission management aircraft.

I also understand that NASA has concurred with the administrative recommendations, meaning they agree with the GAO and the gentleman trying to implement the recommendations made by GAO. NASA is now using a new methodology to justify any passenger travel on its aircraft to match OMB Circular A-126.

Further, OMB has reviewed NASA's revised policy and has no objections with respect to it.

It is a good amendment, and I think it is doubly good because for the first time we have brought a bill to the floor with absolutely no NASA earmarks. The administrator has said this is very good because when you have earmarks, it takes away.

So I strongly support the gentleman's amendment and urge that it be adopted.

Mr. CHOCOLA. Mr. Chairman, I thank Chairman WOLF for his support and for his hard work on this appropriations bill, and in an effort to not talk myself out of a sale, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. CHOCOLA).

The amendment was agreed to.

□ 1530

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRANK of Massachusetts:

Page 110, after line 8, insert the following new title:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used for a manned space mission to Mars.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Massachusetts (Mr. FRANK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 3½ minutes.

This amendment simply says that none of the funds being appropriated to NASA shall be used for a manned space shot to Mars.

We have heard throughout the appropriations debate legitimate complaints from the appropriators that they have too little money to meet various important needs. We are constantly faced with difficult choices on this floor between good programs. NASA itself has objected that it does not have enough money to do all that it is supposed to now do. I think that is right. I think it is terribly unfair and damaging to the

country to give to this important agency more than it can handle with the money it gets.

I would like to be able to appropriate more money, but the budget says we can't do that. So what we can do is, as a Congress, set some priorities. Sending human beings to Mars, in my judgment, is at best a luxury that this country cannot now afford.

We are talking about deficits that we have to deal with. We are talking about Social Security funding that will be needed. We are talking about a shortage within NASA to do everything it wants to do. To go forward with a commitment to send people to Mars, which is not in the arguments of any scientist I have ever heard as the best use of our funding, is a great mistake.

This amendment does not cut a penny out of NASA. Instead, it allows the money to be spent by NASA more wisely. It does not stop them from spending money on their priorities. We have things like aeronautics that have not got enough money, we have other space travel, we have space exploration by instrumentation. Committing and allowing funds to be spent now as a downpayment on sending human beings to Mars is, as I said, at best a luxury that the country ought not to be indulging in.

The justification for sending people to Mars is political, it is psychological, it is cultural, but it is not scientific. And we should also note that if we continue on this path now, so that money is spent to go to Mars, we will be confronted with an additional request at some point in the near future for \$100 billion or more to do this.

We talk rhetorically often about the need to make tough decisions, the need to set priorities. As I listen to the inability to fund important program after important program, the notion that NASA, which as I said tells us they do not have enough money to do everything they would like to do, that some of that should be spent on sending human beings to Mars is the gravest example I can think of of money unwisely spent.

We talk about trying to save money. I don't want to save money on old people who need medical care. I don't want to save money on children who need help with drug abuse. I don't want to save money on protecting the border. I don't want to save money by cutting low-income housing for the elderly or the disabled.

There aren't many areas where we can say, you know what, let us just not spend that money at all. Sending human beings to Mars ought to be of a very low priority compared to everything else we do.

This amendment does not touch the funding of NASA. It does say that, of all of the needs that NASA now has, sending human beings to Mars is sufficiently low that we ought to put it aside, at least for now.

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

Mr. WOLF. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the chairman for yielding, and I actually want to thank the gentleman from Massachusetts for offering this amendment, because I think it is a good amendment for us to discuss.

There is actually very little in this bill that is devoted to the subject he is talking about. The vast majority of the funds go to the continued operation of the space station, the shuttle, and the development of a replacement vehicle, a safer, more reliable, less expensive vehicle for the shuttle.

There is some early money for exploration devoted to returning to the Moon sometime in the next 10 to 15 years, and there is a very small amount of money devoted to the subject of can we put men and women on Mars someday and hopefully do that in a fashion with other countries to help reduce the cost.

I think we should overwhelmingly vote "no" on this, and I will tell you why. This is the United States of America. We are a Nation of pioneers and explorers. When we left the Moon the last time for Apollo 17, I thought we would be on Mars in 10 years. I never would have imagined that 30 or 40 years later we are still debating the subject.

I believe we are destined to explore not just Mars but go on to other stars. It is in our nature as human beings. And for us to say, no, we don't want to do that; we can't afford it; we have too many other problems, I think would be a very unfortunate thing. It would be unfortunate for our kids, who we want to study math and science. And the teachers all tell me the same thing, there is nothing you can do to motivate them more to study math and science than to talk to them about manned space and exploring other planets.

So I have a tremendous amount of respect for the gentleman, but I think he is wrong on this one. I recognize there are costs associated with it, and we are fighting a war, and we have a deficit, but this is a small amount of money, and I think we do need to proceed.

So I would encourage a "no" vote on the Frank amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

This is a Congress and this is a President which has decided we are going to blow \$400 billion on the dumbest war since the War of 1812 in Iraq. This is the Congress that has decided that every other priority has to be scuttled so that we can provide \$50 billion in tax cuts for millionaires this year. And yet there is no room in the Budget Inn for

improving the health care of our people.

We are actually going to be funding fewer grants next year at the National Institutes of Health for medical research than we were 2 years ago. We are squeezing health professions training. We are providing an education budget that is \$1.5 billion below last year in terms of No Child Left Behind education programs. We are cutting law enforcement grants by over \$2 billion below the year 2001. We are providing a squeeze on Legal Services, despite the amendment that was adopted last night. Mr. GILCHREST from Maryland just made a compelling argument about the need to spend a lot more money to protect our oceans.

We don't have money for any of that, and yet, oh, we've got money to go to Mars. I am as excited as anybody else about the prospect of sending a man to Mars. I think that would be wonderful. But not if you have to do it on borrowed money and not if you are putting tax cuts for millionaires ahead of educating kids.

I get excited about the space program, but I get a lot more excited about the prospect of providing clean water for every community in this country. I get a lot more excited about cleaning up school districts and fixing up schools and training teachers so that every kid in America is trained by a competent teacher, rather than having a huge percentage of our kids trained by teachers who were never educated in the field that they are teaching. So I guess it depends on what you are most excited about.

It seems to me that the gentleman is pointing out that we ought to have a little common sense in deciding what ought to be put first in this country. I would prefer that we put Earth-based science ahead of sending somebody to Mars.

If you want to clean up the deficit, if you want to clean up the deficits we have in investments in education and investments in health care, if you want to take care of the fact that 44 million people in this country are without health insurance, you get that done, then, baby, I am all for you if you want to go to Mars.

Until then, I would like to send to Mars every politician that thinks that the existing priorities are the right ones. They are not. They are wacky. This amendment isn't even a close call. We ought to adopt it.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, if this amendment were adopted, it would shut off all funding for all high-technology work that NASA is doing that has multiple applications.

The amendment says, "no money can be spent in support of the manned mission to Mars." There is no manned mission to Mars in this bill. But the technology application, the research work that NASA is doing to develop the next

generation of rocket propulsion, the research work that NASA is doing to develop the next generation of microcomputers, the technology, for example, in this BlackBerry can be used on a manned mission to Mars and also manned missions in low-Earth orbit.

The technology that NASA is developing to fight cancer, any astronaut that goes above the Earth's atmosphere is immediately exposed to a higher risk of cancer, yet the research NASA is doing to protect astronauts in space and low-earth orbit and to travel to the moon, for example, could obviously be used on a mission to Mars. But if the gentleman's amendment is adopted, it would cut off any of that work that is being done right now to help protect our astronauts' lives in low-Earth orbit, because that technology could arguably be used on a mission to Mars.

There is no manned mission to Mars in this bill. The gentleman's amendment is so broadly written, it will have the effect of shutting off most of NASA's research and development work in the cutting-edge technologies that are so essential to the success of the manned space program and to the success of the American economy.

I urge the Members to vote "no" against this shortsighted amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 30 seconds.

Perhaps I should include some instruction in reading. The gentleman has simply not described the amendment. It does not say no money can be used in support of. It says no money can be "used for."

The gentleman from Florida said a small amount of money here is for Mars. It is a small amount of money now. It is a downpayment on a huge amount of money. So this would not prevent any of that spending. You could spend it on the astronaut issue. All it says is you cannot use it, and he said support for. There is a difference between "support for" and "used for." So let us not leave reading out of the curriculum.

Mr. WOLF. Mr. Chairman, I yield to the gentleman from Alabama (Mr. CRAMER) 1 minute.

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

Mr. CRAMER. I thank the chairman of the subcommittee.

I have been a member of this subcommittee since the subcommittee was formed, and I was a member of the VA-HUD Subcommittee before then. And, as a matter of full disclosure, I come from an area that has one of the NASA centers, the Marshall Space Flight Center.

But the gentleman's amendment is not well designed. This would kill, this would kill the core of NASA. This would redefine what NASA is all about, and I urge the Members to oppose this amendment.

We have balanced carefully, the chairman and the ranking member of

this subcommittee, within the confines of this budget, to order what we could do for NASA versus what we could do for COPS programs, Justice programs, and NOAA and other programs in here. This is a good debate to have, because we don't have enough money and we don't have enough room in this budget.

But this is a bad amendment, and I urge the Members to oppose it.

Mr. FRANK of Massachusetts. I yield myself the remaining time.

That argument is further out in space than the Mars shot. The core of NASA is to send people to Mars?

All it says is that you can't use the money for a manned space shot to Mars. You have got the Moon, you have got aeronautics, you have everything else. That simply misstates it.

Here is where we are. Does this House have the right to say that we do or don't want to be committed to going to Mars? Here is what will happen if the amendment is defeated. They will say, well, some money was voted that way; and the defense is, well, we need it to do cancer research, we need it for the Moon, but it will be used as a downpayment for a very expensive mission to Mars.

The gentleman from Florida said, well, we shouldn't say we can't afford this. That would be terrible for America. But we can't afford to pay old people for all of their medical drug bills. There is a doughnut hole. The chairman of the Senate Homeland Security Subcommittee said we can't afford more border guards. We can't afford more beds.

Of course, there are things we can't afford. The notion is not whether or not we should acknowledge what we can't afford but whether we should be sensible about what we can afford and can't afford.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CALVERT).

□ 1545

Mr. CALVERT. Mr. Chairman, I rise in opposition to this amendment. We have laid out a compelling vision and mission for the civil space program to conduct a robust program of human and robotic space exploration.

Last year, this Congress overwhelmingly endorsed the President's Vision for Space Exploration with a vote of 383-15 on the NASA Authorization Act. This amendment would abandon those plans endorsed by Congress.

We cannot turn back NASA's long-range plans. I certainly urge all of my colleagues to oppose this amendment, and let's stay on track.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to this amendment. Just the fact that the gentleman from Massachusetts has spent so much time explaining what his amendment means I think is the best proof that it is so vague that we don't really know what we are not funding with this amendment.

There is \$3.9 billion in the Constellation Systems account. Conceivably, the amendment could prevent any of that spending. All of it, it could be argued, relates to a manned space mission to Mars.

The amendment is so vague that I think that is why everybody is really concerned about it.

It is absolutely true that NASA is having problems. There is no question about it. The President has proposed a space exploration initiative. He calls it a vision, in some ways of course it would be if, if, it were genuinely funded. My concern is that it is not genuinely funded.

There are a lot of problems with NASA funding, but it all has to do with not enough funding to do everything that we want to do. That is evidenced by the myriad of science programs that are either cancelled or cut in the President's budget. It is terrible.

Every scientist that is at all concerned about operating in the NASA camp has expressed how opposed they are to the NASA funding. But this, to me, is not the way to get at that.

What we do need is more money in NASA, and NASA, I think, frankly needs to come forward with a budget that is more specific, one that we can deal with, instead of coming up with these operating plans. That really is a very imperfect way to fund an agency.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I have to say to my friend, I would be impressed if they would come forward and say, yes, we think, as the gentleman from Florida said, we should be able to go to Mars. But to argue that because an amendment which says no money can be used for a manned space mission to Mars, that that means you can't use it for the Moon or anything else simply isn't the English language.

The fact is the amendment is very narrowly drawn. It says you cannot use the money for manned space to Mars or for another purpose.

Mr. MOLLOHAN. Reclaiming my time.

Mr. FRANK of Massachusetts. Can't we get an honest debate about whether or not to go to Mars?

Mr. MOLLOHAN. Not in 5 minutes, unfortunately.

Mr. Chairman, I yield to the distinguished gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. As usual, my friend from Massachusetts raises good points, and, as usual, he is a good watch dog for our Congress. I agree with him; we have to have priorities. But I think he has picked the wrong priority on this occasion.

NASA, as has been said, under the right occasions is underfunded. It is not overfunded. It is an investment in our country. Then so you have to think, okay, within the NASA budget, where do we spend our money?

Let me agree with my friend from Massachusetts that I think that we do need to slow down some of the manned Mars missions and fund other programs. I would like to see more funds then. But if we are not going to have adequate funding, we need to slow it down. But it would be irresponsible to do away with some of the planning in other sorts of areas.

His amendment, I think there are really two main problems: one, that you don't just all of a sudden get in a space capsule and go to Mars. There is a lot of planning that goes before that. Additionally, there is overlap with a lot of the other missions.

Even though I know the gentleman is trying to be clear in what he is doing, it simply doesn't come out that way. It would be a major problem for this country, a major problem for NASA. I will certainly work with him to try to, again, help better prioritize the planning of a Moon-Mars mission.

Mr. FRANK of Massachusetts. Would the gentleman from West Virginia yield?

Mr. GORDON. If there is time left, I would certainly yield to my friend.

Mr. MOLLOHAN. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I do not believe that anybody seriously says that if the bill says you can't spend, an amendment says you can't spend it on a manned mission to Mars, that anybody would then think you had to stop it on the Moon.

Of course, that is one of the arguments you would make beforehand that you would have to disregard after. But let me disagree with my friend from Tennessee. He said, he agrees we should slow it down. What is stopping us? Where is the language that does that?

Mr. GORDON. If you could reclaim your time.

Mr. MOLLOHAN. I yield to the gentleman.

Mr. GORDON. What is stopping us would be this amendment. This amendment simply is not drawn, as much as the gentleman would like for it to be drawn in a narrow sense and as much as he would like for it to be a scalpel, it is not. Maybe, again, all working together in the future, we could come up with a better one. Right now, the intention is not what has resulted.

Mr. HALL. Mr. Chairman, I rise today in opposition to the amendment offered by Congressman FRANK that would put a funding limitation on manned space flight.

NASA is at a critical crossroads. Over the next few years, the agency must complete the International Space Station, retire the Space Shuttle, develop a new space vehicle, and maintain needed science and aeronautics programs. Congress has already spoken in support of a manned mission to Mars with the NASA Authorization bill earlier this year. Disrupting the vision now only sets America back. At a time when the United States is concerned about global competitiveness, cutting NASA funding would send our country in the wrong direction.

Mr. Chairman, NASA is a good investment. Over the last 10 years, NASA's budget has

decreased or remained flat while overall domestic spending grew substantially. Fully funding the space exploration vision represents only 7 percent of the Federal budget and yet this small investment yields large returns in health care, public safety, and telecommunications. Space exploration technologies have produced advanced semiconductors that power our businesses, materials employed by our military to keep our men and women safe, and software that aids our law enforcement personnel in fighting crime and detecting illegal drugs. The Appropriations Committee has done a commendable job balancing our national needs with our budget realities. They have preserved vital funding for critical areas, including science initiatives, and I would urge the House to support the underlying bill and vote against the Frank amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in strong opposition to the Frank amendment to H.R. 5672, which would prohibit funds from being used for a manned space mission to Mars. I believe the amendment should be defeated.

NASA recently announced the work assignments for Exploration Systems' Constellation program at NASA centers. These assignments will ensure that the agency can begin to meet the challenges of the Vision for Space Exploration while maintaining 10 healthy and productive field centers.

NASA's plan to implement the Constellation Program depends upon funds that carry over from fiscal year 2006–2007 into fiscal year 2008–2009. This authority ensures that funding will be available in 2008, when development work begins to ramp up significantly with the Critical Design Review for Constellation's Crew Exploration Vehicle, CEV.

If NASA is unable to secure the necessary resources, the gap between Shuttle retirement and CEV availability will expand. This will increase both the risks and overall costs for bringing the new CEV and CLV systems online, as well as increasing the safety risk of operating the International Space Station. An extension of the gap will also cause an unacceptably high number of departures of our skilled workforce across the NASA Centers, and threaten to erode the Nation's industrial base for human space flight activities. We therefore consider preservation of this funding an important economic issue for our districts, as well as a national priority.

The CEV and the companion Crew Launch Vehicle are once-in-a-generation development efforts. The effective transition from the Space Shuttle to the CEV will be NASA's greatest management challenge over the next several years. NASA's Exploration Systems ought to be fully funded, not cut, to ensure that NASA has the resources it needs when the critical moment arrives.

I urge defeat of the Frank amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

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

Mr. FRANK of Massachusetts. 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 Massachusetts will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. CHOCOLA

Mr. CHOCOLA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CHOCOLA: At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used for business class or first class airline travel by employees of the Department of State in contravention of 41 CFR 301–10.122 through 301–10.124.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Indiana (Mr. CHOCOLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. CHOCOLA. Mr. Chairman, not a day goes by that I am not amazed by the waste of tax dollars by Federal agencies. Sometimes the waste is a result of bad management. Sometimes it is the result of willful violation of established policies, but it is always inexcusable.

A recent GAO report reveals just how bad it can get. In March of 2006, the GAO found that the State Department is wasting nearly \$100 million a year on unauthorized premium travel. In 2004, the State Department spent \$140 million on premium travel; that is usually business class travel, and 67 percent of that travel was either not justified, not properly authorized or both. And that resulted in \$94 million of taxpayer money wasted.

Not only is the fact that the money was wasted troubling, but the management practice of disregarding what it cost when it is not your own money is a cause for great concern. As an example, most of the authorizations for the premium travel came from subordinates of those that were traveling who told the GAO that they were afraid to challenge senior executives of the State Department for violating established travel policies.

It is not just an excusable practice of putting subordinates in intimidating positions at work here; it is also a lack of basic management practices. As an example, GAO also found that although government tickets that are purchased and not used are fully refundable, the practice of the State Department is not to bother to try to reconcile tickets that are purchased and not used, which resulted in a flat-out waste of \$6 million of taxpayer money.

Mr. Chairman, my amendment simply requires the State Department personnel to follow established travel policies, and it is an understatement to say that it is unfortunate that I even have to come to the floor and offer this amendment.

I guess we have to send a clear message to senior State Department officials that when they are traveling on

their own dime, they can sit wherever they want on a plane, but when you are traveling on the taxpayers' dime, you should follow established policies and sit in the back of the plane.

Although I understand that flying coach can be cruel and unusual punishment, I think that those that willfully waste the taxpayer dollars for personal comfort are getting off easy if we pass this amendment.

I encourage my colleagues to support it.

I reserve the balance of my time.

Mr. WOLF. I rise in support of the amendment. It is a good amendment. There has been a government-wide review of the waste, fraud and abuse of the government travel card program. The Government Accountability Office has reviewed the State Department policy and has concluded a similar review of the Department of Defense policy.

The State Department manages the second largest centrally billed travel card program in the Federal Government after the Department of Defense. A GAO audit of the State Department's centrally billed foreign affairs travel found that 67 percent of premium class travel by State and other foreign affairs personnel during most of fiscal years 2003 and 2004 were not properly authorized.

Although GAO found deficiencies in documentation for premium class travel, GAO did not find in any instance travel that was conducted for other than official purposes. GAO has made 18 recommendations to improve the State Department's travel card program. The committee has looked into the issue and understands that, as of June 1, the Department of State has taken action on all the recommendations outlined in the GAO's March 6th report. The Undersecretary of State for Management has made this a top priority for the Department.

I wonder how they even got to this point. I agree with the gentleman, and I want to thank him for that. We must ensure that U.S. taxpayer money is not subject to waste, fraud and abuse, and I strongly, strongly support the gentleman's amendment.

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

Mr. CHOCOLA. Once again, Mr. Chairman, I thank Chairman WOLF for his hard work and his support.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. CHOCOLA).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. WATSON

Ms. WATSON. 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. WATSON:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to negotiate the accession by the Russian Federation into the World Trade Organization.

Mr. SHAW. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from California (Ms. WATSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. WATSON. Mr. Chairman, I rise today with Mr. ISSA, and offer this amendment that disallows the use of taxpayer dollars to negotiate Russia's accession into the World Trade Organization until Russia is removed from the United States Trade Representative's priority watch list for intellectual property violations.

Russia should not be allowed consideration until it takes steps to protect intellectual property before we let them into the exclusive World Trade Organization. The cost of Russian piracy, from the copyright community from the motion picture and recording industry, to software inventors and patent holders, was over \$1.7 billion in 2005, and losses topped \$6.8 billion over the last 5 years.

Russia has been on the USTR's priority list for intellectual property violations for 9 straight years without showing any significant signs of improvement. Delaying Russia's entrance into the WTO until Russia enacts and enforces laws to protect intellectual property rights will send a strong and serious message that the United States values its Nation's ideas and products.

We learned this lesson the hard way with China. Once China became a member of the WTO, it has been a very difficult, time-consuming and expensive task to bring a case against them before the WTO to get them to enforce IP protections.

The time to pressure Russia, to put an end to their egregious intellectual property violations is now, and I urge my colleagues to support the Watson-Issa amendment.

POINT OF ORDER

The Acting CHAIRMAN (Mr. GILLMOR). Does the gentleman from Florida insist on his point of order?

Mr. SHAW. Yes, I do, Mr. Chairman. I raise a point of order against the amendment on the grounds that this amendment violates clause 5(a) of the House rule XXI because it is a tariff legislation not reported by a committee with jurisdiction over revenue measures.

The countervailing duty law provides special treatment to the World Trade Organization members. This amendment would impact Russia's membership in the World Trade Organization and thus impact the tariff treatment of Russia under the countervailing duty law in the Tariff Act of 1930.

The rule referred to is very specific that that is reserved to the House Ways and Means Committee, and the second portion of that rule provides, for purposes of this paragraph, a tax or tariff measure includes an amendment proposing a limitation on funds in a general appropriation of a fund for administration of a tax or tariff.

I insist on my point of order.

The Acting CHAIRMAN. Are there other Members desiring to be heard on the point of order?

If not, the Chair is prepared to rule.

The gentleman from Florida raises a point of order against the amendment offered by the gentleman from California on the ground that it violates clause 5(a) of rule XXI.

As the Chair stated on June 18, 2004, clause 5(a)(2) of rule XXI enables a point of order against limitation amendments addressing the administration of a tax or tariff whether or not the maker of the point of order can demonstrate a necessary and inevitable change in tax or tariff statuses or liabilities or in revenue collection.

The amendment would limit funds for the negotiation of Russia's entry into the World Trade Organization. As argued by the gentleman from Florida, membership in the World Trade Organization as a matter of law effects various changes in the treatment of a country's products under domestic tariff law. An example of such law is Section 1671 of title 19, United States Code. By limiting funds for an activity that, if completed, would engage tariff law, the amendment is a limitation on funds for the administration of a tariff within the meaning of clause 5(a) of rule XXI.

The point of order is sustained, and the amendment is not in order.

□ 1600

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Chairman, it is appropriate that we live under the rules of the House that we have voted in the 108th and the 109th Congress. But I appreciate the opportunity to speak on this important matter.

I appreciate that had the Ways and Means Committee addressed this issue in a timely fashion to make a stronger statement heard to Russia for their misconduct, for the billions of dollars lost to U.S. companies, including the music and television industry and software industries, all of which are very important to California, we would not be here today.

Additionally, it is with regret that I remind the Appropriations Committee that had they simply chosen not to fund this, this amendment would not be necessary, but the not funding by the Appropriations Committee is in order.

So although I don't approve of this rule, in hindsight, I recognize that the time to object to it was at the beginning of the Congress. Before yielding

back, I will, therefore, attempt to have this rule modified in the next Congress so as to allow people to determine where their funds will be spent. Because this rule effectively made it impossible to not fund something simply because in previous Congresses decisions had been made on tariff.

I do appreciate, though, that we will live under the rules of the House; and Congresswoman WATSON and myself will continue to work to make sure that Russia lives up to the standards before entering the WTO.

And, Mr. Chairman, I want to thank you for your kindness in giving me this opportunity to speak.

Mr. WOLF. Mr. Chairman, I yield to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, very briefly, I would like to respond to the gentleman and his comments.

Actually, last month, the committee of jurisdiction, which is the Ways and Means Committee, and the Finance, sent a very strong bipartisan message to the administration, which I am sure you quite approve of, opposing concluding even a bilateral market access deal with Russia until that country meaningfully addresses its rampant IPR piracy problems.

The committee of jurisdiction is monitoring this issue very closely and is consulting with the U.S. Trade Representative at every step. The administration assures us that it will not allow Russia to join the World Trade Organization unless we achieve strong intellectual property rights protection with Russia. The United States will not allow Russia to become a World Trade Organization member until this is confronted.

Simply not negotiating with Russia, however, would be a mistake and would not be productive. Congress will have the opportunity to impact the World Trade Organization accession process because it must pass permanent normal trade relations in order for this to happen.

Mr. WOLF. Mr. Chairman, I yield to the gentleman from California (Ms. WATSON).

Ms. WATSON. In conclusion, I want to thank you, Mr. Chairman, and Mr. ISSA.

When we traveled together to the Duma in Russia, we stated our position very clearly; and at that time there were 57 different locations in Moscow alone that were selling our copied materials. They would go out and close them and they would open right up in another location the next day. So we are acting as the watchdogs. I appreciate the help from the committee in keeping this on front and center and on the table, and we are going to continue to watch.

So thank you so much, Mr. Chairman, for this time.

Mr. WOLF. Mr. Chairman, look what China is doing. I think you are right on doing this. I wish you had actually been successful, from my own perspec-

But look at what China is doing. Windows 95 was available on the streets of Beijing before it was available on the streets of Washington, D.C. So be careful. And I am not sure the administration is going to look out for your best interest on this either.

The CHAIRMAN. Who seeks time?

Mr. WOLF. Mr. Chairman, I move to strike the last word.

I yield to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I rise today to engage the Chairman of the Science, State, Justice and Commerce Subcommittee in a colloquy regarding the importance of the State Department's Bureau of Economic and Business Affairs.

Mr. Chairman, additional funding for the Bureau of Economic and Business Affairs is important to further diplomatic efforts to protect intellectual property rights in countries that are not members of the Organization of Economic Cooperation and Development, or OECD.

Countries that joined the OECD did so because they share a commitment to a democratic government and market economy which depends on adequate protections for intellectual property rights. The non-OECD countries especially need the benefit of United States diplomacy to understand the importance of protecting intellectual property, not just for others' intellectual property but also because it is in the best interest to protect their own ideas and creations with laws and then enforce those laws.

Fighting intellectual property violations in developing countries will take more than cracking the whip on illegal sales. We need to create the political will at the top of the governance structure so we can drive a real impact on the ground.

Mr. WOLF. I would like to thank you for your leadership on our Nation's diplomatic priorities and ask if you would be willing to work with me to provide additional funding for the State Department's Bureau of Economic and Business Affairs to give them the resources to work on developing institutions to enforce intellectual property protections in non-OECD countries.

Mr. WOLF. Reclaiming my time, I thank the gentlewoman; and I will work with her to provide additional resources for the State Department's Economic Bureau to enhance their ability to pursue better enforcement of intellectual property protections in non-OECD countries.

But where is the amendment to put the will, the commitment, the passion? And frankly, we will be glad to do this. But some big law firm down on K Street is going to be retained by some of these people, and they will be coming up here and working the administration and working others. Funding is good, but give me somebody who really cares, really believes, really is committed.

When you have people out there representing the Khartoum Government

in Sudan, when Darfur and China has all these big law firms on retention, just funding this, so unless there is the commitment, the determination, but, yes, we will work with you every way we possibly can.

Ms. WATSON. Mr. Chairman, we are going to see that your passion spreads throughout this House.

And I would like to ask, now, Mr. MOLLOHAN the same question. Would you be willing to work with me to allocate additional funding for the State Department's Bureau of Economic and Business Affairs to give them the resources to work on developing political will to enforce intellectual property protections in the non-OECD countries?

Mr. MOLLOHAN. Yes, I would be pleased to work with the chairman and the gentlewoman; pledge to work to increase resources for the State Department's economic bureau to enhance their ability to improve enforcement of intellectual property protection.

Ms. WATSON. And I want to thank you so much, Mr. MOLLOHAN and Mr. WOLF.

AMENDMENT OFFERED BY MR. CULBERSON

Mr. CULBERSON. 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. CULBERSON:
At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds appropriated or otherwise made available in this Act may be used in contravention of section 1373 of title 8, United States Code.

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, the State of Texas today executed one of the most dangerous, vicious killers in our State's history. Maturino Resendiz was known as the "Railway Killer." He had killed repeatedly. He was a serial killer who had been arrested and deported seven times prior to the murder of Dr. Claudia Benton in Houston.

This individual was present in the United States illegally, but the City of Houston has a policy, in violation of Federal law, that prohibits Houston police officers from asking whether or not an individual they pick up is in the United States illegally.

The Federal law is very clear that local governments, local law enforcement agencies, cannot have any policy that prohibits or restricts the ability of a police officer from determining someone's presence in the country, whether or not they are legal. And my amendment simply enforces existing Federal law and makes it clear that, in order for a local government or police

agency to receive Federal money, they must comply with Federal law and follow Federal law in determining whether or not the person they have detained is here illegally.

The City of Los Angeles has a similar policy. Yet 95 percent of their outstanding warrants for homicide are for illegal aliens. This is a law and order amendment, Mr. Chairman.

I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, I have no objection to the amendment.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is a conflict, and you are conflicted when you come to the floor and a good friend and colleague wants to undermine his own city.

Frankly, I think my colleagues need to understand what this sanctuary means. It is a misnomer. It gives a suggestion that we are, in fact, welcoming and providing a grand parade. What it simply says is that we are going to burden, this amendment is going to be an unfunded mandate on local cities and jurisdictions whose law enforcement officers are busy in various parts of their communities trying to protect Americans from break-ins.

There is no way that you can connect the tragedy and horrificity of this executed individual, which no one has disagreed with, with the policies of individual cities where they make a decision that they are utilizing their police officers to take care of the juveniles who need help, to take care of the victims of rape, unfortunately, who need help, to take care of those who are victimized by homicide who need help.

The City of Houston is on record, the chief of police is on record, and the record is that our officers are there to do the work of the local government. They are not there to do the work of the Federal Government.

I would wish my good friend and colleague would add and join us in reinvesting into border patrol agents and ICE agents. And, by the way, any suggestion that they are not cooperating, I met with the police chief. There is no indication whatsoever in Houston that they are not cooperating with the local law enforcement and ICE.

What you do with this, and I hope my colleagues are listening. I know this sounds like Let's Bash an Immigrant Day. But what you will be doing is you will be cutting off funds from your local jurisdictions. They need to make their own decisions without the punitive measures of this Federal Government, particularly when we have fallen down on the job and not provided the kind of funding that we need for internal enforcement and for law enforcement and for border patrol agents.

So I would hope this distinguished gentleman would understand that you are putting an unfunded mandate on your own city and many other municipalities across America.

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

□ 1615

Mr. CULBERSON. Mr. Chairman, I yield myself 20 seconds to point out that the sanctuary policy my colleague is attempting to protect is a policy designed to protect and shield criminal aliens, and my amendment enforces Federal law. Federal law is intended to uncloak those criminal aliens and allow local law enforcement officers to identify people like the Railway Killer so they can turn them over to Federal authorities.

Mr. Chairman, at this time, I yield 1½ minutes to my colleague from Texas (Mr. MCCAUL).

Mr. MCCAUL of Texas. Mr. Chairman, I would like to thank my friend and colleague from Texas for this amendment.

My hometown of Austin has seen the horrifying effects that a sanctuary policy can have on a community.

Nearly 3 years ago, an 18-year-old woman by the name of Jenny Garcia was found stabbed to death in her northwest Austin home. An illegal alien by the name of David Diaz Morales was one of Jenny's coworkers. He made it clear to her that he wanted to be more than that. When Jenny rejected his advances, this put him into a rage. And on January 26, 2004, Morales broke into Jenny's home, forcefully grabbed her, held her down, raped her and brutally stabbed her to death.

In less than 24 hours, the Austin Police Department arrested this 20-year-old criminal who had absolutely no business being in the United States, let alone Jenny's home.

However, Mr. Morales had no business being free to walk America's streets either. You see, before murdering Jenny, he had been previously arrested for molesting a child in Austin. Travis County District Attorney Ronnie Earle declined to prosecute the case. Morales wasn't deported. Instead, he was released on the streets of Austin, resulting in the murder of Jenny Garcia. Jenny did not have to die that day.

This is one of many horrific examples of the many preventable injustices that have resulted from this irresponsible sanctuary policy. We owe it to victims like Jenny Garcia and so many others to include this language in the underlying bill, and I strongly urge my colleagues to support the Culberson amendment.

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

Mr. CULBERSON. Mr. Chairman, I would like to point out to the House very briefly that the House has already approved this amendment on a vote of 218.

Mr. Chairman, I yield 30 seconds to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I want to thank the chairman of the committee, who, I understand, is going to accept this amendment. I want to thank the author of the amendment.

This has come up time and time again in front of this House. We have cities all over this country that are ignoring the law. It is part of the law today that says you cannot have sanctuary cities, and yet cities are doing it, and they are snubbing their noses at the Federal law. And as a result of it, crimes are being committed. People have been killed as a result of the fact that cities provide sanctuary for people who are here illegally, have come in contact with the police, and the police have refused to make that known to the ICE agency. As a result of that kind of policy, people in this country have died.

I, again, want to thank the author of the amendment and the committee for accepting this amendment.

Mr. MOLLOHAN. Mr. Chairman, I ask unanimous consent to reclaim my time.

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

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would simply like to clarify, I think, the discussion here on the floor, and my deepest sympathy for cases that have been previously cited.

The sanctuary terminology, again, is a misnomer. It is a suggestion that law enforcement has actually put a welcome mat out for criminals. It is well known that any criminal that does a criminal act or is stopped for a traffic infraction is, in fact, taken care of by the local municipality. Where we have had failures is that we have not had sufficient funding for internal enforcement officers and others dealing with immigration issues for these individuals to be transferred.

I cannot stand here on the floor and allow the debate to suggest that local law enforcement, sheriffs, constables, police are letting horrific criminals go. They simply are not. If you do the crime, you will be arrested and do the time if your law enforcement are engaged.

This will punish cities who are not turning their law enforcement, their meager law enforcement resources, into immigration patrols. That is a responsibility of the Federal Government. And to suggest that this amendment is going to stop the railroad killer and others; that was a combination of U.S. Marshals and FBI and HPD and everyone who was focused on finding that killer. No one is letting killers get away. And this particular amendment is not what Members may think it is, a way to get and to stand tall on illegal immigration. This is a way to undermine your respective local jurisdictions who have the responsibility of

the enforcement of the law to protect the citizens of the jurisdiction or this Nation. All this does is jeopardize their funding when one citizen says, "You know what? They let this individual go that looked like they were undocumented, and they were driving a car." This is what this does. And you go to any of your towns and find out that there are individuals whose surnames are other than ours or other than what you would perceive to be a standard name, if you will, and has a Hispanic sound or has some other sound to it and you want law enforcement then to arrest them, and you would suggest that law enforcement is not doing their job if they release them. This is the kind of determination you are going to ask on the streets of your respective cities and counties and jurisdictions when you should be dealing with this from the funding perspective of the Federal Government.

This is a bad provision. Whether it has been voted on before, it is a bad provision, and all it is going to do is hurt the cities. And, clearly, my good friend and colleague knows that this debate is going on in the City of Houston as we speak, and those are the individuals that need to make that decision.

I ask my colleagues to defeat this amendment.

Mr. CULBERSON. Mr. Chairman, I yield 30 seconds to my colleague from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Mr. Chairman, I thank my colleague from Texas for yielding.

Let me make it clear. What this amendment does, which I support, is very simple. There is a Federal law that says you may not prohibit, it does not require you do it, but you may not prohibit local law enforcement officials from cooperating on immigration issues. This amendment simply says you cannot use Federal funds to violate Federal law. Pretty simple. Pretty logical. Do not use Federal funds to violate existing Federal law. You do not have to make them, but do not prohibit your law enforcement from cooperating on immigration issues.

We should pass this amendment.

Mr. CULBERSON. Mr. Chairman, in conclusion, I want to point out that Congress has passed and the President has signed Federal legislation on the books which requires local law enforcement officers to identify a person who is in the country illegally. Local law enforcement needs every tool in their tool kit possible to identify and uncover criminal aliens.

This amendment is aimed at enforcing Federal law, giving local law enforcement the tools they need to identify and uncover killers like the Railroad Killer, who was executed today in Texas.

The sanctuary policy that my colleague from Houston is attempting to defend is a "don't ask and don't tell" policy that prohibits officers from identifying criminal aliens. A vote for

this amendment is to help law enforcement identify and report criminal aliens and enforce Federal law.

I urge a "yes" on the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ETHERIDGE

Mr. ETHERIDGE. 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. ETHERIDGE:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. For the Public Safety Officers' Death Benefits program, as authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, to fund obligations of the Department of Justice resulting from subsection (k) of section 1201 of such part, in addition to amounts otherwise appropriated by this Act under title I for "PUBLIC SAFETY OFFICERS" for payments authorized by such part L and hereby derived from the amount provided in this Act under title I for "GENERAL ADMINISTRATION—SALARIES AND EXPENSES", \$38,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from North Carolina (Mr. ETHERIDGE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

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

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

Mr. ETHERIDGE. Mr. Chairman, Michael Childress, Randelman, North Carolina; Roger Armstrong, Atlanta, Illinois; Steven Rosenfeld, Salem, Virginia; Donald Eugene Ward, Columbus, Ohio; Richard Allen Fast, Alum Bridge, West Virginia.

Mr. Chairman, these are just five of the 135 eligible firefighters who have died in the line of duty since this House unanimously approved the Hometown Heroes Survivor Benefit Act and it was signed by the President into law on December 15, 2003.

The Hometown Heroes Act, which had 281 bipartisan cosponsors, made sure that a public service officer, such as a fireman, law enforcement officer, EMT or other public servant, who died of a fatal heart attack or stroke in the line of duty would receive a benefit.

Since the President signed this bill into law on December 15, 2½ years ago, 135 firefighters have suffered a fatal heart attack or stroke while responding to a call. However, in 2½ years, none of these survivors have received one single penny of these congressionally authorized benefits because the U.S. Department of Justice has not approved the regulations.

I have offered this amendment to highlight the Justice Department's foot dragging and delays. The first delay came when they proposed regulations that were in direct contradiction to the legislation that was passed. They then delayed when they quibbled with the words and phrases. The last excuse is that they are waiting for approval from the Office of Management and Budget.

Mr. Chairman, Members and staff spent countless hours while writing this legislation to clarify what it really meant. During the Judiciary Committee markup on this measure, Chairman SENSENBRENNER stated, "I believe this bill provides the Bureau of Justice Assistance with the direction they require in reviewing and granting these benefits to deserving and qualified public safety officers who dedicate themselves to the public interest and pay the ultimate price for the public good."

Once the President signed the bill into law, we were in constant contact with DOJ, working through the queries.

The brave men and women who serve our cities and towns every day, many of whom are volunteers, do not delay when they are given a call and someone is in distress. They act, and they act immediately.

I call on Attorney General Gonzales to stop making excuses, to end the delays, stop denying these victims and families the benefits they deserve. The brave men and women should not have to wait another day.

Mr. Chairman, I yield 1¼ minutes to the gentleman from Rhode Island (Mr. KENNEDY), who just lost a fireman in his district.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank the gentleman from North Carolina for his work on this issue.

On June 13, Rhode Island and Providence lost Mike Day due to a heart attack just after he had returned from a fire to the fire station. He is the son of a firefighter, and he is one of four brothers who all became Providence firefighters. He was passionate about helping save people's lives and helping to serve people.

Who has he left behind? He has left his wife of 22 years behind, Cynthia, as well as four children, Mike Jr., Amanda, Brianne and Stephanie.

The Hometown Heroes Act was signed by the President 3 years ago. Where is the support for these families who put their lives on the line to save our lives and our communities? The delay out there from the Department of Justice means that these benefit applications of people like Mike Day are waiting, collecting dust in the Department of Justice. This is inexcusable.

Mr. Chairman, I believe our public safety officers need to know that if they lay down their lives for us that we are going to be there to back their families up and make sure those families are supported. The hardship of these families shouldn't wait on the Department of Justice and neither should we

in Congress wait for the Department of Justice.

I urge passage of this amendment.

Mr. ETHERIDGE. Mr. Chairman, I yield 1¼ minutes to the gentleman from New Jersey (Mr. PASCRELL).

The Acting CHAIRMAN. The gentleman from North Carolina has 30 seconds remaining.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from North Carolina.

Mr. ETHERIDGE. Mr. Chairman, I thank the gentleman for the time.

I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

□ 1630

Mr. PASCRELL. Mr. Chairman, Congressman BOB ETHERIDGE should be commended for what he did 3 years ago; and we had an overwhelming vote on the floor of the House of Representatives.

Unfortunately, none of the survivors of the 135 firefighters that he mentioned just a few moments ago and which Mr. KENNEDY mentioned a few moments ago that died have received a single penny of the authorized benefits. This is because the Justice Department has not approved the regulations that would put the provision of the Home-town Heroes Act into effect.

This is unconscionable. This is wholly unacceptable. This is another time where the will of the Congress has not been activated.

This amendment sends a necessary directive to the Attorney General that the families of our Nation's first responders should not be made to wait for what they deserve any longer. This amendment is a clear message that the Congress will no longer allow the Department of Justice to inexplicably harm the families of our Nation's heroes.

This was the right thing to do 3 years ago. It is the right thing to do now, to pass this amendment now. I was proud to stand with the gentleman from North Carolina when we passed this, many of us, all of us, in December, 2003. We want their loved ones to be fully taken care of. This amendment is that message. It is time for us to act, Mr. Chairman.

Mr. WOLF. Mr. Chairman, I understand that the gentleman is going to withdraw the amendment. On page 65 of the report, the subcommittee says the committee expects the Department of Justice to work swiftly toward full implementation of the Hometown Heroes Survivors Benefit Act.

I thank the gentleman.

Mr. ETHERIDGE. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member.

Mr. MOLLOHAN. Mr. Chairman, I was just going to compliment the gentleman from North Carolina for bringing this issue up. I remember when he first brought it to the Congress, and I want to compliment him for bringing this amendment to the floor.

I also want to compliment the chairman for recognizing this has been a problem. It is contained in our report that the Justice Department move quickly. I just want to point out this isn't a hard thing for the Justice Department to do. Rulemaking as simple as this ought to be done in 30 days. Publish the proposed rule, get a few comments and get it out there. It is inexcusable that this program, which is so meritorious, hasn't been implemented for 3 years.

I support the gentleman's effort.

Mr. ETHERIDGE. Mr. Chairman, I thank the chairman for his willingness to work on this and also Ranking Member MOLLOHAN. They are absolutely right. There is no excuse for this. Men and women are doing their job, and we ought to support them.

Mr. Chairman, I ask unanimous consent to withdraw the amendment, with the understanding it is going to be in the report language.

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

There was no objection.

AMENDMENT OFFERED BY MR. CAPUANO

Mr. CAPUANO. 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. CAPUANO:

At the end of the bill (before the short title), add the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. For grants for young witness assistance, as authorized by section 1136 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162), and the amount otherwise provided by this Act for "OTHER—SALARIES AND EXPENSES, DEPARTMENTAL MANAGEMENT" is hereby reduced by, \$3,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Massachusetts (Mr. CAPUANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

Mr. Chairman, very simply, this amendment will help protect young juvenile witnesses who have the courage to do the right thing and stand up and testify against criminals that they have witnessed.

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

Mr. WOLF. Mr. Chairman, I accept the gentleman's amendment. I was waiting to hear his speech. I was listening and settling in. I do accept the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. 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. ENGEL:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used in contravention of section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, I will be brief. I am offering the same amendment that I have offered to almost all the other appropriations bills which have all been accepted, because I think it is so important for the Federal Government to put its money where its mouth is.

We are all running around talking about alternative energy and alternative fuel vehicles. All the while, our Federal agencies are failing to fully implement the 1992 Energy Policy Act which the Congress passed and which the President signed into law.

Seventy-five percent of new vehicles purchased for the Federal fleet should be alternative fuel by now, but it is only about 26 percent. For the major agencies in this bill, the numbers are disheartening. The Department of Commerce has only 32 percent of alternative fuel vehicles, the Department of Justice came in at a paltry 6 percent, and the Department of State was just 9 percent.

We have not only the opportunity to end our addiction to oil, we have the need to do so. Our national security continues to be threatened because we are reliant on undemocratic sheikdoms in the Middle East that funnel money to the terrorists who would do us harm.

Our energy policy and our national security policy are intertwined, and we can start right here by mandating that our Federal agencies look for alternative fuel vehicles, which they have to do by a law that we passed more than a decade ago.

So I urge my colleagues to support this amendment and provide the leadership that is so desperately needed.

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

Mr. WOLF. Mr. Chairman, we accept the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

PARLIAMENTARY INQUIRY

Mr. HINCHEY. Mr. Chairman, before beginning, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HINCHEY. Mr. Chairman, I have two amendments at the desk having to do with the medicinal use of marijuana. I understand that the first one has been allocated 10 minutes and the second one has been allocated 20 minutes, is that correct?

The Acting CHAIRMAN. That is correct.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. 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. HINCHEY:
At the end of the bill (before the short title), add the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the Department of Justice to prevent the States of Alaska, California, Colorado, Hawaii, Maine, Montana, Rhode Island, Nevada, Oregon, Vermont, or Washington from implementing State laws authorizing the use of medical marijuana, and the Attorney General shall transfer from available appropriations for the current fiscal year for the Department of Justice any amounts that would have been used for such purpose but for this section to “Drug Enforcement Administration, Salaries and Expenses”, for the Drug Enforcement Administration to assist State and local law enforcement with proper removal and disposal of hazardous materials from illegal methamphetamine labs, including funding for training, technical assistance, a container program, and purchase of equipment to adequately remove and store hazardous material.

Mr. WOLF. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, the purpose of this amendment was to reallocate funding in this bill away from the prosecution of the use of marijuana for medicinal purposes in those 11 States where either the legislature or the people of those States by referendum have decided that they would like to have marijuana use for medicinal purposes under the supervision of a licensed physician in those 11 States, to have it moved from there to the enforcement of methamphetamine violations.

My understanding is that the chairman is going to insist on a point of order, saying that this is legislating on an appropriations bill. Am I correct about that?

The Acting CHAIRMAN. The gentleman has reserved a point of order.

Mr. WOLF. I reserved the point of order.

Mr. HINCHEY. Mr. Chairman, I don’t know why there would be a point of

order against this amendment, because it seems to me that we have the ability to make these kinds of decisions now. This is not legislating on an appropriations bill. It is simply moving one appropriation for one particular purpose to a better purpose.

Mr. SOUDER. Mr. Chairman, regardless of how you have voted in the past, there are two critical developments since the last vote that make compelling arguments for a “no” vote on the Hinchey Amendment to the SSJC Appropriations bill. The Hinchey Amendment would deny law enforcement agencies Federal funds to enforce the Controlled Substances Act in those States where ‘medicinal’ marijuana is legal under State law.

First, the FDA in April of this year confirmed that there is no research to sustain the supposed “medicinal value” in smoked marijuana. On April 20, 2006, the FDA stated, “A past evaluation by several Department of Health and Human Services (HHS) agencies, including the Food and Drug Administration (FDA), Substance Abuse and Mental Health Services Administration (SAMHSA) and National Institute for Drug Abuse (NIDA), concluded that no sound scientific studies supported medical use of marijuana for treatment in the United States, and no animal or human data supported the safety or efficacy of marijuana for general medical use.” Furthermore, the “FDA has not approved smoked marijuana for any condition or disease indication.”

Second, research from a 25-year longitudinal study by the Christchurch School of Medicine and Health Services showed that regular or heavy marijuana use was linked to a wide range of other illicit drugs and to a dependence or abuse of these other illicit drugs.

The research concluded that “following tight statistical controls, there is a clear tendency for those using cannabis to have higher rates of usage of other illicit drugs. This tendency is most evident for regular users of cannabis, and is even more marked in adolescents than in young adults.” These researchers, using the most robust longitudinal database in the world, show what we have long suspected—marijuana is a gateway to even more dangerous drugs of abuse.

A handful of states have legalized smoked marijuana for medical claims. Not only are patients being given an ineffective, unapproved, and even harmful drug, but also one that is illegal under Federal law.

Time and time again, research has demonstrated the harmful effects of marijuana. According to Dr. Nora Volkow, the Director of the National Institute on Drug Abuse (NIDA), marijuana “can produce adverse physical, mental, emotional, and behavioral changes, and—contrary to popular belief—it can be addictive. Marijuana smoke, like cigarette smoke, can harm the lungs. The use of marijuana can impair short-term memory, verbal skills, and judgment and distort perception. It also may weaken the immune system and possibly increase a user’s likelihood of developing cancer. Finally, the increasing use of marijuana by very young teens may have a profoundly negative effect upon their development.”

It is of the utmost importance that law enforcement be able to protect this country from dangerous drug trafficking, including marijuana. Join us in opposing the Hinchey amendment.

Mr. HINCHEY. Mr. Chairman, in any case, I respect the chairman’s decision;

and, with that, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. 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. HINCHEY:
At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act to the Department of Justice may be used to prevent the States of Alaska, California, Colorado, Hawaii, Maine, Montana, Rhode Island, Nevada, Oregon, Vermont, or Washington from implementing State laws authorizing the use of medical marijuana in those States.

The Acting CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Chairman, this amendment has to do with two things: It has to do with compassion, compassion for people who are very seriously ill and/or dying, and the ability of States in which those people live to provide means by which their suffering can be relieved.

It also has to do with one other point, and that is the issue of States’ rights, the ability of the States to determine how medical care will be regulated in those States.

We have 11 States in our country, Mr. Chairman, that have determined that it is in the interests of the people of those States that they be allowed to use marijuana for medicinal purposes to alleviate the suffering from such things as AIDS, cancer, glaucoma and multiple sclerosis: Alaska, California, Colorado, Hawaii, Maine, Montana, Rhode Island, Nevada, Oregon, Vermont and Washington. However, the Federal Government has decided that they are going to intervene and prevent those States from carrying out the laws which were passed in two cases by the State legislatures and in nine cases by referendum by the people of those States.

We will hear from the people who oppose this amendment that marijuana has something to do with a gateway drug. In other words, it introduces people to other drugs. This amendment has nothing whatsoever to do with that. This amendment has nothing to do with drug addiction. This amendment has nothing to do with the potential for drug addiction. This amendment simply has to do with the ability of States to relieve the suffering of their citizens without Federal intervention and the right of States to pass

laws regulating medical practice without Federal intervention. It is a very simple amendment, and it ought to be passed.

Those people here who believe in small government should support it. Those people here who believe in the issue of States' rights ought to support it. And those people here who believe that State governments and the people in those governments have the right to take care of their citizens and alleviate their suffering, those people in this House ought to support this amendment as well.

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

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would remind our guests in the gallery that demonstrations of either approval or disapproval are not appropriate.

Mr. WOLF. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Virginia is recognized for 10 minutes in opposition to the amendment.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, I rise today in strong opposition to the Hinchey amendment.

Let's be clear: Marijuana is not harmless, as some claim. It is a schedule 1 drug under the Controlled Substances Act, meaning it has no accepted medical use in treatment and has a high potential for abuse. In fact, marijuana continues to be the most widely abused drug in the United States.

Those who anecdotally claim that marijuana has a medical benefit do not differentiate between THC and whole marijuana. Whole marijuana contains hundreds of chemicals, many of which are harmful to one's health. An evaluation by several Federal agencies concluded that no sound scientific studies supported marijuana's medical use, and smoking marijuana is not approved as a legitimate medical use by the FDA.

The bottom line is, marijuana is an addictive substance that is linked to cancer and respiratory ailments and problems with the immune and reproductive system.

Let me say as a member of the Speaker's Task Force for a Drug-Free America, marijuana is the drug that will tell whether or not someone is going to get on methamphetamines. It is the precursor, the gateway drug, for heroin use. As we continue to fight this battle against illegal drug use, this is the drug that gets people started.

Anyone who is trying to send a message to our young people today should be embarrassed by having an amendment like this, because this is telling people that this is okay, that it is socially acceptable, that you can start here and it won't hurt you. And, in fact, medically, scientifically, that is dead wrong.

The message we are sending to our children today is very strong. Whether

we support legal use of marijuana as a precursor to methamphetamines, to heroin, this is the message we will be sending if we approve this. I strongly urge my colleagues to vote against this amendment.

Mr. HINCHEY. Mr. Chairman, I yield 3 minutes to the cosponsor of this amendment, the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of the Hinchey-Rohrabacher amendment. Our amendment would prohibit any funds made available in this act to the Department of Justice from being used to prevent the implementation of legally passed State laws in those 11 States authorizing the use of marijuana for medical purposes.

Our coalition of freedom-minded Republicans and Democrats on this issue is based on compassion for those who are suffering, a commitment to personal liberty and a firm belief in the principles of federalism.

□ 1645

The use of marijuana to relieve the pain of victims of a wide variety of medical conditions is well known and increasingly documented in the media and in medical journals. For many of these people, medical science has not been able to relieve their pain.

Just recently a friend of mine and a friend of many years passed away, Lyn Nofziger, and many of you here probably know him. He was Ronald Reagan's first press secretary. I went to see him after he got out of the hospital with his treatments for cancer.

He had his good days and his bad days. I saw him about a week before he died. And I asked Lyn about it, and he said, yes, sometimes it is bad, and other times it is not, but I could not get myself to eat, and I had the pain no matter what they did for me.

And I said, well, did you ever try that medical marijuana that we have been talking about and debating about? And he got a twinkle in his eye, and he said, yes, I did. And it brought my appetite back, and I slept like a baby. Do not tell me that we should have Federal law enforcement people come into a State where the people have voted to approve that if a doctor agrees and get in the way of Lyn Nofziger or anyone else who is suffering and use Federal money and Federal resources that should be going to fight crime in order to create that obstacle.

That is a travesty. Individuals who live in the 11 States affected by the amendment have been granted by the voters of these States the legal right to use marijuana to alleviate their pain if a doctor agrees. If the voters have so voted and a doctor agrees, it is a travesty for the government to intercede, the Federal Government, allocating our scarce resources to fighting this, getting in the way of someone using something to alleviate their suffering.

This is something which should be left to the States as American tradi-

tion dictates. Sandra Day O'Connor stated it best, and she stated that States should serve as a laboratory so that people can try certain new ideas out to see how they work.

Well, the Federal Government should not get in the way of what is going on in these 11 States to see how this works. The most recent decision of the Supreme Court has thrown the ball into the hands of the U.S. Congress. Paul Stevens, Justice Paul Stevens, made it clear: the voices of the voters may one day be heard in the Halls of Congress on behalf of legalizing marijuana. Eleven States have already acted.

I would hope you would all join us for the principles of federalism, compassion and individual liberty and not get in the way of the people who are suffering.

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I yield 1 minute to the gentleman.

Mr. ROHRABACHER. Mr. Chairman, we have people out there, not just Lyn Nofziger but others, and my mother suffered. I remember how she lost her appetite after suffering a debilitating disease in which she had to go through treatments.

This is a travesty to use scarce Federal resources. Join this coalition of people who are Republicans and Democrats who believe in federalism, who believe in compassion and believe in personal liberty. Let doctors prescribe these things, not Federal Government bureaucrats.

Mr. OBEY. Mr. Chairman, reclaiming my time.

Mr. Chairman, I congratulate the authors of this amendment. I simply want to say this: If I am terminally ill, it is not anybody's business on this floor how I handle the pain or the illness or the sickness associated with that illness.

With all due respect to all of you, butt out. I did not enter this world with the permission of the Justice Department, and I am certainly not going to depart it by seeking their permission or that of any other authority.

The Congress has no business telling people that they cannot manage their illness or their pain any way they need to. I would trust any doctor in the country before I trust some of the daffy ducks in this institution to decide what I am supposed to do if I am terminally ill.

The idea that somehow this is a gateway that we are creating for a drug like meth is a joke. I detest meth. I have seen what it does. It is a plague on my district. It is especially horrendous in the midwest, and it is getting worse every day. That has nothing whatsoever to do with the management of pain and misery for people who are sick and who are dying.

When is this Congress going to recognize that individuals in their private lives have a right to manage their problems as they see fit without the permission of the big guy in the White

House or the big guy in the Justice Department or any of the Lilliputians on this Congressional floor? Wake up.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the chairman for yielding me time and for the privilege to address this issue.

Mr. Chairman, we have heard from the other Member from Iowa (Mr. LATHAM) that the Food and Drug Administration has classified marijuana, along with heroin, LSD, methamphetamine, hashish and a number of other drugs, as Schedule I drugs. That is because they carry a high potential for dangerous abuse.

And so doctors in most States even prohibit them for being prescribed for medicinal purposes. That is a standard. That is the national standard. The issue was raised about States' rights. But no one has raised the issue about States' rights about the other drugs that are Schedule I drugs.

But we do have a right, a constitutional right and an obligation to regulate drugs in America. The question really is, is marijuana among them? And it is. And so we would be seeking to, by this amendment, usurp that decision and change that standard.

But with regard to the addictive nature of marijuana, I am looking at a study here that says that if adults started at a fairly young age, say by the time of 26 or older, they used marijuana before the age of 15, 62 percent reported a lifetime cocaine use, 9 permanent reported lifetime heroin use, and 54 percent reported nonmedical use of psychotherapeutics. And this does not include methamphetamines, which is abused more than any of these drugs that I mentioned here.

So this is a high use issue. It is also something that infringes upon or inhibits our ability and our reflexes with regard to driving. So, for example, the National Highway Traffic Safety Administration reports that marijuana use has been shown to impair driving performance. These things we know.

Then with regard to the gentleman from California's statements about he could not, that Mr. Nofziger could not get himself to eat, if that is our issue, then let us focus on the synthetic THC that is now available. It is available in a drug by the name of Marinol, and it has been proven to be effective, especially dealing with cancer patients and with the nausea associated with the chemotherapy treatments and also with the appetite, that might help assisting the appetite with AIDS patients.

There is a way that we can use the THC, and there is a way also that we can protect this country against that kind of Schedule I drug.

Mr. Chairman, I urge a "no" vote on the amendment.

Mr. HINCHEY. Mr. Chairman, how much time do we have?

The Acting CHAIRMAN. Four and a half minutes.

Mr. HINCHEY. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise in support of the Hinchey-Rohrabacher-Paul-Farr amendment.

Mr. Chairman, every year we bring this amendment to the floor. So far it has never passed. Some may ask, well, why are we doing this again? Well, the answer is because of the statements that have been made already by Mr. HINCHEY and Mr. OBEY about compassion for people who are suffering.

We offer this amendment for terminal cancer patients, for AIDS victims, for persons who suffer chronic pain. We offer this amendment not only to protect those people; we offer this amendment to protect these States that are progressive enough to provide alternative medical options to those who need it.

So often this body insists on protecting the rights of States to define marriage. So often this body insists on protecting the rights of States to set abortion policies. So often this body insists on protecting the rights of States to determine education curricula and standards.

But when it comes to protecting the rights of States to set medical scope of practice, this body balks. All of a sudden States no longer have the right to determine what is best for their citizens when it includes medical marijuana.

The Hinchey amendment does not change Federal law. It does not change drug policy. It does protect States' rights. For those of you who come from States that do not have medical marijuana laws, nothing in this amendment will affect your State. Everything in your State remains status quo.

For those of you who come from States that do have medical marijuana laws, very little in this amendment will impact your State. The only difference now is that your State will be able to implement its laws without little old ladies being busted by Federal cops. I support this amendment.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON), a member of the committee.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to oppose this amendment. For 20 years, in State government, I worked on health issues. I chaired the health committee for a decade. I asked leaders and major medical groups; I asked leaders in the medical societies; and since I have been here I have asked leaders at NIH, do we need to legalize marijuana? And I have never had a positive answer.

They said, we have more drugs than we need. We have more things that are out there for people that will perform better than marijuana. But what I tell you what I do not want to do, I do not want to support the belief that too many of our young people already have that marijuana is a harmless drug. I know better. I had young people work

for me in my supermarket who I knew were using marijuana.

And they used it for a period of years, folks. And they are not as sharp after years of marijuana use as they would have been. It dulls the brain. It holds back the growth. Brains are not mature until they are 25. And marijuana use has been proven to deter brain growth. A close friend of mine in Harrisburg who was a prominent State legislator was having dinner with me 25 years ago, and he was talking about Johnnie, who was attending Penn State, the brightest of three children.

And all of a sudden, Johnnie in his junior year in college was not doing well. He could not figure out why. He visited him two or three weekends in a month, 3 months in a row, to try to figure out what was wrong with Johnnie. In his senior year of high school, Johnnie had started using marijuana.

Johnnie lost his thrust for life. Johnnie lost the keen mind that God had given him. Marijuana stole him from the potential he had. Folks, if I thought the American public needed legal marijuana for pain and suffering, I would support it. We have more drugs than we need on the marketplace.

Marijuana destroys young people's chances to have good lives. I have close friends and even relatives who are living less of a life than they would have if they had not spent years abusing marijuana. Marijuana is a dangerous drug that is not adequately respected by the young people of this country because they have been seduced by leaders in this country advocating that it is a perfect, wonderful drug.

Mr. HINCHEY. I yield to the gentleman from Ohio (Mr. KUCINICH) for the purpose of making a unanimous consent request.

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

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I stand to support the Hinchey/Rohrabacher Amendment, an amendment to end federal raids on medical marijuana patients and providers in states where medical marijuana is legal.

Despite marijuana's recognized therapeutic value, including a National Academy of Sciences' Institute of Medicine report recommending its use in certain circumstances, federal law refuses to recognize its medicinal importance and safety.

This amendment does not change the classification of marijuana as a Schedule I narcotic. It does not legalize marijuana, or stop law enforcement officials from prosecuting individuals for recreational use of marijuana. It does not require that states adopt laws protecting the medicinal use of marijuana. It simply extends the protections already provided at the state level in ten states to the federal level. It ensures that critically ill patients can find relief from nausea and pain without worrying that the federal government will prosecute them.

The federal government should use its power to help terminally ill citizens, not arrest them. I strongly urge my colleagues to support this amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I have never been an advocate for drug testing for Members of Congress, but hearing that marijuana use can dull the brain makes me think maybe this is something that we ought to be checking into.

I am always heightened in my support of an activity, an amendment, when those opposing will not argue it directly. We are not talking about 18-year-olds getting into methamphetamines. This is a very narrow amendment. It says, where a State has decided by its own democratic processes to legalize marijuana according to a doctor's prescription, we will not arrest people who try to do it federally.

□ 1700

Very few of the arguments have met that. The question of marijuana in general is not before us. This does not legalize marijuana. We have many drugs that can legally be prescribed that are far more behavior altering, far more addictive than marijuana has ever alleged to be.

This is a question about whether or not we are going to reach into medical practice and say to medical practitioners whose States would allow them to do it that, because of cultural and other concerns about this drug, we ban its use when you might find it medically appropriate.

This is, again, the time when I think the slogan of this House ought to be: We are not doctors; we just play them on C-SPAN.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Chairman, I rise today in opposition to the amendment. As a member of the medical community, I understand the importance of effectively treating and preventing pain.

However, the medical use of smoked marijuana has been rejected by the American Medical Association, the American Cancer Society and other leading health care organizations.

The concern is that marijuana smokers are exposing themselves to a crude and harmful drug delivery system.

Marijuana smoke contains a variety of toxic chemicals that can cause damage and may even exacerbate the underlying medical condition.

The Federal Government has provided money for research into the medicinal use of THC, which is believed to be the primary chemical component responsible for marijuana's psycho-pharmacological effects. I support that approach.

As a result of such research, synthetic forms of THC have been available as an oral prescription for 20 years.

Ultimately, inhaling marijuana smoke and tar are not effective treatments for medical conditions.

For these reasons and primarily because of the opposition of leading health care organizations, I must rise in opposition to the amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, over the past months, we have all met with them. They live in our towns. They come to our offices. They come to the Hill every single year, and they come from all walks of life. They share with us their experience or the experiences of someone they loved, someone with epilepsy, glaucoma, cancer, AIDS or other chronic pain. Their stories touch our lives, and if only for a moment, we feel their misery.

But unless we are affected personally or know somebody who is affected, after a few hours, we inevitably get caught up in something else. Today, we can actually do something that might improve their lives. We can stop prosecuting the use of medical marijuana in the States that legally permit it.

The choice to use medical marijuana is mostly made out of medical necessity and the desire to get through the day with as much normalcy and strength as possible.

This is the right thing to do for those who are sick, who are in pain and those who cannot keep a meal down. Let's not be bad politicians. Let's make smart decisions. Let's help these good people.

Mr. WOLF. Mr. Chairman, I yield myself 1 minute.

I rise in opposition to the amendment. There has been a lot of talk about the Fraternal Order of Police and how we support our police. Here is a letter from the Grand Lodge Fraternal Order of Police, Chuck Canterbury, National President, saying, referring to the Hinchey amendment:

Such an amendment threatens to cause a significant disruptive effect on the combined efforts of State and local law enforcement to reduce drug crime in every region of the country. On behalf of the more than 324,000 members of the Fraternal Order of Police, we urge its defeat.

We talked a lot about the police and how we want to do this to support them. I think we should support the police here. I urge a strong "no" vote on this amendment.

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

Mr. HINCHEY. Mr. Chairman, I yield 45 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, let me thank the gentleman for yielding and for, once again, his leadership on this important issue.

Taxpayers dollars quite frankly should not be spent on sending seriously or terminally ill patients to jail. Their doctors, not Congress, should decide which drugs will work best. So I urge my colleagues to vote "yes" on this amendment and ensure patients' rights because that is what this is about, that patients' rights are upheld.

This amendment does not encourage nor does it make legal the recreational use of marijuana. For example, Angel Raich, my constituent from Oakland, has been diagnosed with more than ten serious medical conditions, including inoperable brain tumors. She, and others who use medical marijuana, are simply trying to relieve their crushing pain while following the guidelines and the laws that their doctors and that their States have already established.

So please pass this amendment. Patients deserve this. We should not send terminally ill patients or seriously ill patients to jail.

Mr. HINCHEY. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, the arguments that have been put forth against this amendment have nothing to do with this amendment. This amendment has nothing to do with legalizing marijuana. It has to do with two simple things: being compassionate for people who are suffering and dying under the lawful provisions of laws passed in their States, the 11 States that have done so; and States' rights, the right of States to govern medical malpractice, not this Congress. This Congress should recognize States' rights and live up to the provisions of the Constitution and pass this amendment.

Mr. WOLF. Mr. Chairman, I yield the balance of the time to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding time.

For 5 years in the Senate, I was a staffer under Senator Hawkins, who chaired the Drug Policy Committee on the Senate side. I have served most of my time in the House on the Criminal Justice Drug Policy Subcommittee or one of its predecessors. I chaired Criminal Justice Drug Policy.

I point that out to tell you, in the nearly two decades, I have never heard one credible source that said that there is a need for medical prescription and use of marijuana, not one credible source through dozens and dozens of hearings.

In fact, we have heard the other side say, let the doctor decide, and in fact, the experts, and there is no bigger association than the American Medical Association of doctors. The National Multiple Sclerosis Society has opposed this. The American Glaucoma Society has opposed it. The American Academy of Ophthalmology and the American Cancer Society have all opposed this type of use.

Millions of dollars have been spent in an effort to try to push this agenda, and we know Mr. Soros has spent millions.

In 1979, Keith Stroup, the NORML founder, announced that NORML would be using the issue of medical marijuana as a red herring, not my term, red herring to give marijuana a good name.

You have heard the testimony. In over half the instances of use of cocaine and marijuana, the gateway drug that is used, in fact, is marijuana.

So this is a gateway opportunity to use and encourage the use of marijuana. In fact, early marijuana users are eight times more likely to use cocaine and 15 times more likely to use heroin and five times more likely to develop a need for treatment. That is according to our Office of National Drug Control Policy.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHHEY).

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

RECORDED VOTE

Mr. HINCHHEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, this 15-minute vote on the Hinchey amendment will be followed by 2-minute votes on the amendment by Mr. FLAKE of Arizona regarding Arthur Avenue, the amendment by Mr. FLAKE of Arizona regarding the Bronx Council, the amendment by Mr. FLAKE of Arizona regarding JARI, the amendment by Mr. FLAKE of Arizona regarding Fairmont State University, the amendment by Mr. FLAKE of Arizona regarding Kentucky Tourism, and the amendment by Mr. FRANK of Massachusetts.

Again, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

The vote was taken by electronic device, and there were—ayes 163, noes 259, not voting 10, as follows:

[Roll No. 333]

AYES—163

Abercrombie	Fattah	Matsui
Ackerman	Filner	McCarthy
Allen	Flake	McCollum (MN)
Andrews	Frank (MA)	McDermott
Baird	Garrett (NJ)	McGovern
Baldwin	Gilchrest	McKinney
Bartlett (MD)	Green, Al	McNulty
Beauprez	Grijalva	Meehan
Becerra	Gutierrez	Meeks (NY)
Berkley	Harman	Melancon
Berman	Hastings (FL)	Michaud
Bishop (GA)	Higgins	Millender-
Bishop (NY)	Hinchey	McDonald
Blumenauer	Holt	Miller, George
Brady (PA)	Honda	Moore (KS)
Brown (OH)	Hooley	Moore (WI)
Brown, Corrine	Hoyer	Moran (VA)
Burton (IN)	Inslee	Murtha
Butterfield	Israel	Nadler
Campbell (CA)	Jackson (IL)	Napolitano
Capps	Jackson-Lee	Neal (MA)
Capuano	(TX)	Oberstar
Cardin	Jefferson	Obey
Carnahan	Johnson (CT)	Olver
Carson	Johnson (IL)	Otter
Case	Johnson, E. B.	Owens
Clay	Jones (OH)	Pallone
Cleaver	Kaptur	Pascrell
Clyburn	Kennedy (RI)	Pastor
Conyers	Kildee	Paul
Crowley	Kilpatrick (MI)	Payne
Davis (CA)	Kind	Pelosi
Davis (IL)	Kucinich	Porter
DeFazio	Langevin	Price (NC)
DeGette	Lantos	Rangel
Delahunt	Larson (CT)	Rehberg
DeLauro	LaTourette	Rohrabacher
Dicks	Lee	Rothman
Doggett	Lewis (GA)	Roybal-Allard
Doyle	Lofgren, Zoe	Royce
Engel	Lowe	Ruppersberger
Eshoo	Maloney	Rush
Farr	Markey	Ryan (OH)

Sabo	Smith (WA)
Sánchez, Linda T.	Solis
Sanchez, Loretta	Stark
Sanders	Strickland
Schakowsky	Stupak
Schiff	Tancredo
Scott (GA)	Tauscher
Scott (VA)	Thompson (CA)
Serrano	Thompson (MS)
Sherman	Thierney
Simmons	Towns
Slaughter	Udall (CO)
	Udall (NM)

NOES—259

Aderholt	Ford
Akin	Portenberry
Alexander	Fossella
Baca	Fox
Bachus	Franks (AZ)
Baker	Frelinghuysen
Barrett (SC)	Gallegly
Barrow	Gibbons
Barton (TX)	Gillmor
Bass	Gingrey
Bean	Gohmert
Berry	Gonzalez
Biggert	Goode
Bilbray	Goodlatte
Bilirakis	Gordon
Bishop (UT)	Granger
Blackburn	Graves
Blunt	Green (WI)
Boehlert	Green, Gene
Boehner	Gutknecht
Bonilla	Hall
Bonner	Harris
Bono	Hart
Boozman	Hastings (WA)
Boren	Hayes
Boswell	Hayworth
Boucher	Hefley
Boustany	Hensarling
Boyd	Herger
Bradley (NH)	Herseth
Brady (TX)	Hinojosa
Brown (SC)	Hobson
Brown-Waite,	Hoekstra
Ginny	Hostettler
Burgess	Hulshof
Buyer	Hunter
Calvert	Inglis (SC)
Camp (MI)	Issa
Cantor	Istook
Capito	Jenkins
Cardoza	Jindal
Carter	Jones (NC)
Castle	Keller
Chabot	Kelly
Chandler	Kennedy (MN)
Chocola	King (IA)
Coble	King (NY)
Cole (OK)	Kingston
Conaway	Kirk
Cooper	Kline
Costa	Knollenberg
Costello	Kolbe
Cramer	Kuhl (NY)
Crenshaw	LaHood
Cubin	Larsen (WA)
Cuellar	Latham
Culberson	Leach
Cummings	Levin
Davis (AL)	Lewis (CA)
Davis (KY)	Lewis (KY)
Davis (TN)	Linder
Davis, Jo Ann	Lipinski
Davis, Tom	LoBiondo
Deal (GA)	Lucas
Dent	Lungren, Daniel
Diaz-Balart, L.	E.
Diaz-Balart, M.	Lynch
Dingell	Mack
Doolittle	Manzullo
Drake	Marchant
Dreier	Marshall
Duncan	Matheson
Edwards	McCauley (TX)
Ehlers	McCotter
Emmanuel	McCrery
Emerson	McHenry
English (PA)	McHugh
Etheridge	McIntyre
Everett	McKeon
Feeney	McMorris
Ferguson	Mee (FL)
Fitzpatrick (PA)	Mica
Foley	Miller (FL)
Forbes	Miller (MI)

Van Hollen	Weldon (PA)
Velázquez	Weller
Waters	Westmoreland
Watson	Whitfield
Watt	
Waxman	
Weiner	
Wexler	
Woolsey	
Wu	
Wynn	

Weldon (PA)	Wicker	Young (AK)
Weller	Wilson (NM)	Young (FL)
Westmoreland	Wilson (SC)	
Whitfield	Wolf	

NOT VOTING—10

Cannon	Holden	Poe
Davis (FL)	Hyde	Sherwood
Evans	Johnson, Sam	
Gerlach	Kanjorski	

□ 1735

Mr. SHAW, Ms. HART and Mr. MEEK of Florida changed their vote from “aye” to “no.”

Messrs. SIMMONS, BURTON of Indiana and GILCHREST changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. SKELTON was allowed to speak out of order.)

HONORING CONGRESSMAN JIM MARSHALL ON HIS INDUCTION INTO THE UNITED STATES ARMY RANGERS HALL OF FAME

Mr. SKELTON. Mr. Speaker, it is with great pleasure that I announce to our colleagues today that a gentleman, a veteran from Vietnam, a member of the Armed Services Committee, is receiving an extraordinary honor tomorrow. Tomorrow afternoon, the gentleman from Georgia, Congressman Jim Marshall, will be inducted into the United States Army Rangers Hall of Fame, and we are very proud of that.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Without objection, 2-minute voting will continue.

There was no objection.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Arthur Avenue 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 76, noes 345, not voting 11, as follows:

[Roll No. 334]

AYES—76

Akin	Davis (KY)	Hensarling
Barrett (SC)	Deal (GA)	Inglis (SC)
Bass	Duncan	Istook
Bean	Ehlers	Jenkins
Beauprez	Everett	Jindal
Bilbray	Feeney	Johnson (IL)
Bilirakis	Flake	Jones (NC)
Bishop (UT)	Ford	Keller
Blackburn	Franks (AZ)	Kennedy (MN)
Bradley (NH)	Garrett (NJ)	King (IA)
Campbell (CA)	Gibbons	Kline
Castle	Gingrey	Linder
Chabot	Green (WI)	Lungren, Daniel
Chocola	Gutknecht	E.
Conaway	Harris	Mack
Cooper	Hayworth	Matheson
Cubin	Hefley	McHenry

Miller (FL)	Pitts	Shadegg	Rogers (MI)	Simmons	Udall (CO)	Pitts	Sensenbrenner	Taylor (MS)
Musgrave	Porter	Stearns	Ros-Lehtinen	Simpson	Udall (NM)	Price (GA)	Sessions	Terry
Myrick	Price (GA)	Sullivan	Ross	Skelton	Van Hollen	Radanovich	Shadegg	Thornberry
Neugebauer	Ramstad	Tancredo	Rothman	Slaughter	Velázquez	Ramstad	Stearns	Westmoreland
Norwood	Rohrabacher	Thornberry	Roybal-Allard	Smith (NJ)	Visclosky	Ryan (WI)	Sullivan	
Otter	Ryan (WI)	Upton	Royce	Smith (TX)	Walden (OR)	Ryun (KS)	Tancredo	
Paul	Ryun (KS)	Westmoreland	Ruppersberger	Smith (WA)	Walsh			
Pence	Sensenbrenner	Whitfield	Rush	Snyder	Wamp			
Petri	Sessions		Ryan (OH)	Sodrel	Wasserman			
			Sabo	Soliz	Schultz	Abercrombie	Drake	Lynch
			Salazar	Souder	Waters	Ackerman	Dreier	Maloney
			Sánchez, Linda T.	Spratt	Watson	Aderholt	Edwards	Manzullo
			Sanchez, Loretta T.	Stark	Watt	Alexander	Emanuel	Marchant
			Sanders	Strickland	Waxman	Allen	Emerson	Markey
			Saxton	Stupak	Weiner	Andrews	Engel	Marshall
			Schakowsky	Sweeney	Weldon (FL)	Baca	English (PA)	Matheson
			Schiff	Tanner	Weldon (PA)	Bachus	Eshoo	Matsui
			Schmidt	Tauscher	Weller	Baird	Etheridge	McCarthy
			Schwartz (PA)	Taylor (MS)	Wexler	Baker	McCaul (TX)	McCollum (MN)
			Schwarz (MI)	Taylor (NC)	Wicker	Baldwin	Ferguson	McCotter
			Scott (GA)	Terry	Wilson (NM)	Barrow	Filner	McCrery
			Scott (VA)	Thomas	Wilson (SC)	Bartlett (MD)	Fitzpatrick (PA)	McCrery
			Serrano	Thompson (CA)	Wolf	Becerra	Foley	McDermott
			Shaw	Thompson (MS)	Woolsey	Berkley	Forbes	McGovern
			Shays	Tiaht	Wu	Berman	Fortenberry	McHugh
			Sherman	Tiberi	Wynn	Berry	Fossella	McIntyre
			Shimkus	Tierney	Young (AK)	Biggert	Fox	McKeon
			Shuster	Towns	Young (FL)	Bishop (GA)	Frank (MA)	McKinney
				Turner		Bishop (NY)	Frelinghuysen	McMorris
						Bishop (UT)	Gallegly	McNulty
						Blumenauer	Gilchrest	Meehan
						Blunt	Gonzalez	Meek (FL)
						Boehlert	Goode	Meeks (NY)
						Boehner	Goodlatte	Melancon
						Bonilla	Gordon	Mica
						Bonner	Granger	Michaud
						Bono	Graves	Millender-Green, Al
						Boozman	Green, Gene	McDonald
						Boren	Grijalva	Miller (MI)
						Boswell	Gutierrez	Miller (NC)
						Boucher	Hall	Miller, Gary
						Boustany	Harman	Miller, George
						Boyd	Hart	Mollohan
						Brady (PA)	Hastings (FL)	Moore (KS)
						Brady (TX)	Hastings (WA)	Moore (WI)
						Brown (OH)	Hayes	Moran (KS)
						Brown (SC)	Herger	Moran (VA)
						Brown, Corrine	Herseth	Murphy
						Burgess	Higgins	Murtha
						Burton (IN)	Hinojosa	Nadler
						Butterfield	Hobson	Napolitano
						Buyer	Hoekstra	Ney
						Calvert	Holt	Northup
						Camp (MI)	Honda	Northup
						Campbell (CA)	Hoolley	Nunes
						Cantor	Hostettler	Nussle
						Capito	Hoyer	Oberstar
						Capps	Hulshof	Obey
						Capuano	Hunter	Oliver
						Cardin	Inslie	Ortiz
						Cardoza	Israel	Osborne
						Carnahan	Issa	Owens
						Carnahan	Jackson (IL)	Oxley
						Carter	Jackson-Lee	Pallone
						Case	(TX)	Pascrell
						Castle	Jefferson	Pastor
						Chandler	Johnson (CT)	Payne
						Clay	Johnson, E. B.	Pearce
						Cleaver	Jones (OH)	Pelosi
						Clyburn	Kaptur	Peterson (MN)
						Coble	Kelly	Peterson (PA)
						Cole (OK)	Kennedy (RI)	Pickering
						Conaway	Kildee	Platts
						Conyers	Kilpatrick (MI)	Pombo
						Costa	Kind	Pomeroy
						Costello	King (NY)	Porter
						Cramer	Kingston	Price (NC)
						Crenshaw	Kirk	Pryce (OH)
						Crowley	Knollenberg	Putnam
						Cuellar	Kolbe	Rahall
						Culberson	Kucinich	Rangel
						Cummings	Kuhl (NY)	Regula
						Davis (AL)	LaHood	Rehberg
						Davis (CA)	Langevin	Reichert
						Davis (IL)	Lantos	Renzi
						Davis (KY)	Larsen (WA)	Reyes
						Davis (TN)	Larson (CT)	Reynolds
						Davis, Jo Ann	Latham	Rogers (AL)
						Davis, Tom	LaTourette	Rogers (KY)
						Davis, Tom	Levin	Rogers (MI)
						DeFazio	Lewis (CA)	Rohrabacher
						Delahunt	Lewis (GA)	Ros-Lehtinen
						DeLauro	Lewis (KY)	Ross
						Dent	Lipinski	Rothman
						Diaz-Balart, L.	LoBiondo	Roybal-Allard
						Diaz-Balart, M.	Lofgren, Zoe	Royce
						Dicks	Lowey	Ruppersberger
						Dingell	Lucas	Rush
						Doggett		Ryan (OH)
						Doolittle		Sabo
						Doyle		Salazar

NOES—345

NOES—343

NOT VOTING—11

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining.

□ 1742

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Bronx Council 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 74, noes 343, not voting 15, as follows:

[Roll No. 335]

AYES—74

Abercrombie	Doolittle	Levin	Cannon	Gerlach	Kanjorski
Ackerman	Doyle	Lewis (CA)	Davis (FL)	Holden	Poe
Aderholt	Drake	Lewis (GA)	Evans	Hyde	Sherwood
Alexander	Dreier	Lewis (KY)	Farr	Johnson, Sam	
Allen	Edwards	Lipinski			
Andrews	Emanuel	LoBiondo			
Baca	Emerson	Lofgren, Zoe			
Bachus	Engel	Lowey			
Baird	English (PA)	Lucas			
Baker	Eshoo	Lynch			
Baldwin	Etheridge	Maloney			
Barrow	Fattah	Manzullo			
Bartlett (MD)	Ferguson	Marchant			
Barton (TX)	Filner	Markey			
Becerra	Fitzpatrick (PA)	Marshall			
Berkley	Foley	Matsui			
Berman	Forbes	McCarthy			
Berry	Fortenberry	McCaul (TX)			
Biggert	Fossella	McCollum (MN)			
Bishop (GA)	Fox	McCotter			
Bishop (NY)	Frank (MA)	McCrery			
Blumenauer	Frelinghuysen	McDermott			
Blunt	Gallegly	McGovern			
Boehlert	Gilchrest	McHugh			
Boehner	Gillmor	McIntyre			
Bonilla	Gohmert	McKeon			
Bonner	Gonzalez	McKinney			
Bono	Goode	McMorris			
Boozman	Goodlatte	McNulty			
Boren	Gordon	Meehan			
Boswell	Granger	Meek (FL)			
Boucher	Graves	Meeks (NY)			
Boustany	Green, Al	Melancon			
Boyd	Green, Gene	Mica			
Brady (PA)	Grijalva	Michaud			
Brady (TX)	Gutierrez	Millender-Green, Al			
Brown (OH)	Hall	McDonald			
Brown (SC)	Harman	Miller (MI)			
Brown, Corrine	Hart	Miller (NC)			
Brown-Waite, Ginny	Hastings (FL)	Miller, Gary			
Burgess	Hastings (WA)	Miller, George			
Burton (IN)	Hayes	Mollohan			
Butterfield	Herger	Moore (KS)			
Buyer	Herseth	Moore (WI)			
Calvert	Higgins	Moran (KS)			
Camp (MI)	Hinchee	Moran (VA)			
Cantor	Hinojosa	Murphy			
Capito	Hobson	Murtha			
Capps	Hoekstra	Nadler			
Capuano	Holt	Napolitano			
Cardin	Honda	Neal (MA)			
Cardoza	Hoolley	Ney			
Carnahan	Hostettler	Northup			
Carson	Hoyer	Nunes			
Carter	Hulshof	Nussle			
Case	Hunter	Oberstar			
Chandler	Inslie	Obey			
Clay	Israel	Oliver			
Cleaver	Issa	Ortiz			
Clyburn	Jackson (IL)	Osborne			
Coble	Jackson-Lee	Owens			
Cole (OK)	(TX)	Oxley			
Conyers	Jefferson	Pallone			
Costa	Johnson (CT)	Pascrell			
Costello	Johnson, E. B.	Pastor			
Cramer	Jones (OH)	Payne			
Crenshaw	Kaptur	Pearce			
Crowley	Kelly	Pelosi			
Cuellar	Kennedy (RI)	Peterson (MN)	Akin	Feeney	Jones (NC)
Culberson	Kildee	Peterson (PA)	Barrett (SC)	Flake	Keller
Cummings	Kilpatrick (MI)	Pickering	Barton (TX)	Ford	Kennedy (MN)
Davis (AL)	Kind	Platts	Bass	Franks (AZ)	King (IA)
Davis (CA)	King (NY)	Pombo	Bean	Garrett (NJ)	Kline
Davis (IL)	Kingston	Pomeroy	Beauprez	Gibbons	Leach
Davis (TN)	Kirk	Price (NC)	Bilbray	Gillmor	Linder
Davis, Jo Ann	Knollenberg	Pryce (OH)	Bilirakis	Gingrey	Lungren, Daniel E.
Davis, Tom	Kolbe	Putnam	Blackburn	Gohmert	Mack
DeFazio	Kucinich	Radanovich	Bradley (NH)	Green (WI)	McHenry
DeGette	Kuhl (NY)	Rahall	Brown-Waite, Ginny	Gutknecht	Miller (FL)
Delahunt	LaHood	Rangel	Chabot	Harris	Musgrave
DeLauro	Langevin	Regula	Chocoma	Hayworth	Myrick
Dent	Lantos	Rehberg	Cooper	Hefley	Neugebauer
Diaz-Balart, L.	Larsen (WA)	Reichert	Cubin	Hensarling	Norwood
Diaz-Balart, M.	Larson (CT)	Renzi	Deal (GA)	Inglis (SC)	Otter
Dicks	Latham	Reyes	Duncan	Istook	Paul
Dingell	LaTourette	Reynolds	Ehlers	Jenkins	Pence
Doggett	Leach	Rogers (AL)	Everett	Jindal	Petri
	Lee	Rogers (KY)		Johnson (IL)	

Sánchez, Linda T.
 Sanchez, Loretta
 Sanders
 Saxton
 Schakowsky
 Schiff
 Stupak
 Schmidt
 Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
 Scott (VA)
 Serrano
 Shaw
 Shays
 Sherman
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder

NOT VOTING—15

Cannon
 Davis (FL)
 DeGette
 Evans
 Farr

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised there is 1 minute remaining.

□ 1746

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding JARI 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 63, noes 356, not voting 13, as follows:

[Roll No. 336]

AYES—63

Barrett (SC)
 Bass
 Bean
 Beauprez
 Bilbray
 Bilirakis
 Bishop (UT)
 Blackburn
 Bradley (NH)
 Burton (IN)
 Chabot
 Chocola
 Conaway
 Cooper
 Deal (GA)
 Duncan
 Everett
 Feeney
 Flake
 Ford
 Franks (AZ)

Garrett (NJ)
 Gibbons
 Gingrey
 Gohmert
 Green (WI)
 Gutknecht
 Harris
 Hastings (WA)
 Hayworth
 Hefley
 Hensarling
 Inglis (SC)
 Jindal
 Jones (NC)
 Kennedy (MN)
 King (IA)
 Kirk
 Leach
 Linder
 McHenry
 Miller (FL)

Musgrave
 Myrick
 Norwood
 Otter
 Paul
 Pence
 Petri
 Pitts
 Price (GA)
 Radanovich
 Ramstad
 Rohrabacher
 Ryan (WI)
 Sensenbrenner
 Sessions
 Shadegg
 Stearns
 Sullivan
 Tancredo
 Thornberry
 Westmoreland

Walden (OR)
 Walsh
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Woolsey
 Wu
 Wynn
 Young (AK)
 Young (FL)

NOES—356

Abercrombie
 Ackerman
 Aderholt
 Akin
 Alexander
 Allen
 Andrews
 Baca
 Bachus
 Baird
 Baker
 Baldwin
 Barrow
 Bartlett (MD)
 Barton (TX)
 Becerra
 Berkley
 Berman
 Berry
 Biggert
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Blunt
 Boehlert
 Boehner
 Bonilla
 Bonner
 Bono
 Boozman
 Boren
 Boswell
 Boucher
 Boustany
 Boyd
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Brown, Corrine
 Brown-Waite,
 Ginny
 Burgess
 Butterfield
 Buyer
 Calvert
 Camp (MI)
 Campbell (CA)
 Cantor
 Capito
 Capps
 Capuano
 Cardin
 Cardoza
 Carnahan
 Carson
 Carter
 Case
 Castle
 Chandler
 Clay
 Cleaver
 Clyburn
 Coble
 Cole (OK)
 Conyers
 Costa
 Costello
 Cramer
 Crenshaw
 Crowley
 Cubin
 Cuellar
 Culberson
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis (KY)
 Davis (TN)
 Davis, Jo Ann
 Davis, Tom
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Dicks
 Dingell
 Doggett
 Doolittle
 Doyle
 Drake
 Dreier
 Edwards
 Ehlers

Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
 Scott (VA)
 Serrano
 Shaw
 Shays
 Sherman
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Spratt
 Stark
 Strickland

NOT VOTING—13

Cannon
 Davis (FL)
 Evans
 Farr
 Gerlach

Holden
 Hyde
 Johnson, Sam
 Kanjorski
 Poe

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised that there is 1 minute remaining.

□ 1750

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Fairmont State University 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 70, noes 350, not voting 12, as follows:

[Roll No. 337]

AYES—70

Akin
 Barrett (SC)
 Bass
 Bean
 Beauprez
 Biggert
 Bilbray
 Bishop (UT)
 Blackburn
 Bradley (NH)
 Cantor
 Castle
 Chabot
 Chocola
 Cooper
 Deal (GA)
 Duncan
 Everett
 Feeney
 Flake
 Ford
 Fossella
 Franks (AZ)
 Garrett (NJ)

Gibbons
 Gillmor
 Gingrey
 Gohmert
 Green (WI)
 Gutknecht
 Harris
 Hayworth
 Hefley
 Hensarling
 Inglis (SC)
 Jindal
 Johnson (IL)
 Jones (NC)
 Kennedy (MN)
 King (IA)
 Kirk
 Kline
 Linder
 Lungren, Daniel
 E.
 McHenry
 Miller (FL)
 Musgrave

Myrick
 Neugebauer
 Norwood
 Otter
 Paul
 Pence
 Petri
 Pitts
 Price (GA)
 Radanovich
 Ramstad
 Rohrabacher
 Ryan (WI)
 Sensenbrenner
 Sessions
 Shadegg
 Stearns
 Sullivan
 Tancredo
 Terry
 Thornberry
 Upton
 Westmoreland

NOES—350

Abercrombie	Emerson	Matsui	Shaw	Tauscher	Waters	Bishop (NY)	Gohmert	McMorris
Ackerman	Engel	McCarthy	Shays	Taylor (MS)	Watson	Bishop (UT)	Gonzalez	McNulty
Aderholt	English (PA)	McCaul (TX)	Sherman	Taylor (NC)	Watt	Blumenauer	Goode	Meehan
Alexander	Eshoo	McCaul (TX)	Shimkus	Thomas	Waxman	Blunt	Goodlatte	Meek (FL)
Allen	Etheridge	McCollum (MN)	Shuster	Thompson (CA)	Weiner	Boehler	Gordon	Meeks (NY)
Andrews	Fattah	McCotter	Simmons	Thompson (MS)	Weldon (FL)	Boehner	Granger	Melancon
Baca	Ferguson	McCreery	Simpson	Tiahrt	Weldon (PA)	Bonilla	Graves	Mica
Bachus	Filner	McDermott	Skelton	Tiberi	Weller	Bonner	Green, Al	Michaud
Baird	Fitzpatrick (PA)	McGovern	Smith (NJ)	Tierney	Wexler	Bono	Green, Gene	Millender-
Baker	Foley	McHugh	Smith (TX)	Towns	Whitfield	Boozman	Grijalva	McDonald
Baldwin	Forbes	McIntyre	Smith (WA)	Turner	Wicker	Boren	Gutiérrez	Miller (MI)
Barrow	Fortenberry	McKeon	Snyder	Udall (CO)	Wilson (NM)	Boswell	Hall	Miller (NC)
Bartlett (MD)	Fox	McKinney	Sodrel	Udall (NM)	Wilson (SC)	Boucher	Harman	Miller, Gary
Barton (TX)	Frank (MA)	McMorris	Solis	Van Hollen	Wolf	Boustany	Hart	Miller, George
Becerra	Frelinghuysen	McNulty	Souder	Velázquez	Woolsey	Boyd	Hastings (FL)	Mollohan
Berkley	Gallegly	Meehan	Spratt	Visclosky	Wu	Brady (PA)	Hastings (WA)	Moore (KS)
Berman	Gilchrest	Meek (FL)	Stark	Walden (OR)	Wynn	Brady (TX)	Hayes	Moore (WI)
Berry	Gonzalez	Meeks (NY)	Strickland	Walsh	Young (AK)	Brown (OH)	Herger	Moran (KS)
Bilirakis	Goode	Melancon	Stupak	Wamp	Young (FL)	Brown (SC)	Herseth	Moran (VA)
Bishop (GA)	Goodlatte	Mica	Sweeney	Wasserman		Brown, Corrine	Higgins	Murphy
Bishop (NY)	Gordon	Michaud	Tanner	Schultz		Brown-Waite,	Hinchee	Murtha
Blumenauer	Granger	Millender-				Ginny	Hinojosa	Nadler
Blunt	Graves	McDonald	Cannon	Gerlach	Kanjorski	Burgess	Hobson	Napolitano
Boehler	Green, Al	Miller (MI)	Davis (FL)	Holden	Poe	Burton (IN)	Hoekstra	Neal (MA)
Boehner	Green, Gene	Miller (NC)	Evans	Hyde	Sherwood	Butterfield	Holt	Neugebauer
Bonilla	Grijalva	Miller, Gary	Farr	Johnson, Sam	Slaughter	Buyer	Honda	Ney
Bonner	Gutiérrez	Miller, George				Calvert	Hooley	Northup
Bono	Mollohan	Mollohan				Camp (MI)	Hostettler	Nunes
Boozman	Hall	Moore (KS)				Campbell (CA)	Hoyer	Nussle
Boren	Harman	Moore (WI)				Cantor	Hulshof	Oberstar
Boswell	Hart	Moran (KS)				Capito	Hunter	Obey
Boucher	Hastings (FL)	Moran (VA)				Capps	Insee	Olver
Boustany	Hastings (WA)	Murphy				Capuano	Israel	Ortiz
Boyd	Hayes	Murtha				Cardin	Issa	Osborne
Brady (PA)	Herger	Nadler				Cardoza	Jackson (IL)	Owens
Brady (TX)	Herseth	Napolitano				Carnahan	Jackson-Lee	Oxley
Brown (OH)	Higgins	Neal (MA)				Carson	(TX)	Pallone
Brown (SC)	Hinchee	Ney				Carter	Jefferson	Pascarell
Brown, Corrine	Hinojosa	Northup				Case	Jenkins	Pastor
Brown-Waite,	Hobson	Nunes				Chandler	Jindal	Payne
Ginny	Hoekstra	Nussle				Clay	Johnson (CT)	Pearce
Burgess	Holt	Oberstar				Cleaver	Johnson (IL)	Pelosi
Burton (IN)	Honda	Obey				Clyburn	Johnson, E. B.	Peterson (MN)
Butterfield	Hoolley	Olver				Coble	Kaptur	Peterson (PA)
Buyer	Hostettler	Ortiz				Cole (OK)	Keller	Pickering
Calvert	Hoyer	Osborne				Conaway	Kelly	Platts
Camp (MI)	Hulshof	Owens				Conyers	Kennedy (RI)	Pombo
Campbell (CA)	Hunter	Oxley				Costa	Kildee	Pomeroy
Capito	Insee	Pallone				Costello	Kilpatrick (MI)	Porter
Capps	Israel	Pascarell				Cramer	Kind	Price (NC)
Capuano	Issa	Pastor				Crenshaw	King (NY)	Pryce (OH)
Cardin	Istook	Payne				Crowley	Kingston	Putnam
Cardoza	Jackson (IL)	Pearce				Cubin	Kirk	Radanovich
Carnahan	Jackson-Lee	Pelosi				Cuellar	Kline	Rahall
Carson	(TX)	Peterson (MN)				Culberson	Knollenberg	Rangel
Carter	Jefferson	Peterson (PA)				Cummings	Kolbe	Regula
Case	Jenkins	Pickering				Davis (AL)	Kucinich	Rehberg
Chandler	Johnson (CT)	Platts				Davis (CA)	Kuhl (NY)	Reichert
Clay	Johnson, E. B.	Pombo				Davis (IL)	LaHood	Renzi
Cleaver	Jones (OH)	Pomeroy				Davis (KY)	Langevin	Reyes
Clyburn	Kaptur	Porter				Davis (TN)	Lantos	Reynolds
Coble	Keller	Price (NC)				Davis, Jo Ann	Larsen (WA)	Rogers (AL)
Cole (OK)	Kelly	Pryce (OH)				Davis, Tom	Larson (CT)	Rogers (KY)
Conaway	Kennedy (RI)	Putnam				DeFazio	Latham	Rogers (MI)
Conyers	Kildee	Rahall				DeGette	LaTourette	Ros-Lehtinen
Costa	Kilpatrick (MI)	Rangel				DeLahunt	Leach	Ross
Costello	Kind	Regula				DeLauro	Lee	Rothman
Cramer	King (NY)	Rehberg				Dent	Levin	Royal-Allard
Crenshaw	Kingston	Reichert				Diaz-Balart, L.	Lewis (CA)	Royce
Crowley	Knollenberg	Renzi				Diaz-Balart, M.	Lewis (GA)	Ruppersberger
Cubin	Kolbe	Reyes				Dicks	Lewis (KY)	Rush
Cuellar	Kucinich	Reynolds				Dingell	Lipinski	Ryan (OH)
Culberson	Kuhl (NY)	Rogers (AL)				Doggett	LoBiondo	Ryan (KS)
Cummings	LaHood	Rogers (KY)				Doolittle	Lofgren, Zoe	Sabo
Davis (AL)	Langevin	Rogers (MI)				Doyle	Lowey	Salazar
Davis (CA)	Lantos	Ros-Lehtinen				Drake	Lucas	Salazar, Linda
Davis (IL)	Larsen (WA)	Ross				Dreier	Lungren, Daniel	T.
Davis (KY)	Larson (CT)	Rothman				Duncan	E.	Sanchez, Loretta
Davis (TN)	Latham	Royal-Allard				Edwards	Lynch	Sanders
Davis, Jo Ann	LaTourette	Royce				Emanuel	Mack	Saxton
Davis, Tom	Leach	Ruppersberger				Emerson	Maloney	Schakowsky
DeFazio	Lee	Rush				Engel	Manzullo	Schiff
DeGette	Levin	Ryan (OH)				English (PA)	Marchant	Schmidt
DeLahunt	Lewis (CA)	Ryan (KS)				Eshoo	Markey	Schwartz (PA)
DeLauro	Lewis (GA)	Sabo				Etheridge	Marshall	Schwarz (MI)
Dent	Lewis (KY)	Salazar				Fattah	Matheson	Scott (GA)
Diaz-Balart, L.	Lipinski	Salazar, Linda				Ferguson	Matsui	Scott (VA)
Diaz-Balart, M.	LoBiondo	T.				Filner	McCarthy	Scott (VA)
Dicks	Lofgren, Zoe	Sanchez, Loretta				Fitzpatrick (PA)	McCaul (TX)	Serrano
Dingell	Lowey	Sanders				Foley	McCaul (TX)	Sessions
Doggett	Lucas	Saxton				Forbes	McCotter	Shaw
Doolittle	Lynch	Schakowsky				Fortenberry	McCotter	Shays
Doyle	Mack	Schiff				Fossella	McCreery	Sherman
Drake	Maloney	Schmidt				Fox	McDermott	Shimkus
Dreier	Manzullo	Schwartz (PA)				Frank (MA)	McGovern	Shuster
Edwards	Marchant	Schwarz (MI)				Frelinghuysen	McHenry	Simmons
Ehlers	Markey	Scott (GA)				Gillmor	McHugh	Simpson
Emanuel	Matheson	Scott (VA)					McIntyre	Skelton
		Serrano					McKeon	Smith (NJ)
							McKinney	Smith (TX)

NOT VOTING—12

The CHAIRMAN (during the vote). Members are advised that 1 minute remains in this vote.

□ 1755

So the amendment was rejected. The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Kentucky Tourism 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 56, noes 363, not voting 13, as follows:

[Roll No. 338]

AYES—56

Akin	Garrett (NJ)	Otter
Barrett (SC)	Gibbons	Paul
Bass	Gingrey	Pence
Bean	Green (WI)	Petri
Beauprez	Gutknecht	Pitts
Bilirakis	Harris	Price (GA)
Blackburn	Hayworth	Ramstad
Bradley (NH)	Hefley	Rohrabacher
Castle	Hensarling	Ryan (WI)
Chabot	Inglis (SC)	Sensenbrenner
Chocola	Istook	Shadegg
Cooper	Jones (NC)	Stearns
Deal (GA)	Jones (OH)	Sullivan
Ehlers	Kennedy (MN)	Tancredo
Everett	Linder	Taylor (MS)
Feeney	Miller (FL)	Terry
Flake	Musgrave	Thornberry
Ford	Myrick	Westmoreland
Franks (AZ)	Norwood	

NOES—363

Abercrombie	Bachus	Becerra
Ackerman	Baird	Berkley
Aderholt	Baker	Berman
Alexander	Baldwin	Berry
Allen	Barrow	Biggart
Andrews	Bartlett (MD)	Bilbray
Baca	Barton (TX)	Bishop (GA)

Smith (WA) Tiberi Watt
 Snyder Tierney Waxman
 Sodrel Towns Weiner
 Solis Turner Weldon (FL)
 Souder Udall (CO) Weldon (PA)
 Spratt Udall (NM) Weller
 Stark Upton Wexler
 Strickland Van Hollen Whitfield
 Stupak Velázquez Wicker
 Sweeney Visclosky Wilson (NM)
 Tanner Walden (OR) Wilson (SC)
 Tauscher Walsh Wolf
 Taylor (NC) Wamp Woolsey
 Thomas Wasserman Wu
 Thompson (CA) Schultz Wynn
 Thompson (MS) Waters Young (AK)
 Tiahrt Watson Young (FL)

NOT VOTING—13

Cannon Holden Poe
 Davis (FL) Hyde Sherwood
 Evans Johnson, Sam Slaughter
 Farr Kanjorski
 Gerlach King (IA)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised that there is 1
 minute remaining in this vote.

□ 1759

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

AMENDMENT OFFERED BY MR. FRANK OF
 MASSACHUSETTS

The CHAIRMAN. The pending busi-
 ness is the demand for a recorded vote
 on the amendment offered by the gen-
 tleman from Massachusetts (Mr.
 FRANK) 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 145, noes 274,
 not voting 13, as follows:

[Roll No. 339]

AYES—145

Ackerman Davis, Jo Ann Kennedy (MN)
 Allen Deal (GA) Kennedy (RI)
 Andrews DeFazio Kilpatrick (MI)
 Barrow DeGette Kline
 Bass Delahunt Langevin
 Bean DeLauro Lantos
 Berkley Dent Larsen (WA)
 Berman Dingell Larson (CT)
 Berry Doggett Leach
 Bilbray Duncan Lee
 Bishop (NY) Emerson Levin
 Blackburn Fitzpatrick (PA) Lewis (GA)
 Blumenauer Flake LoBiondo
 Bono Foxx Lowey
 Boswell Frank (MA) Lungren, Daniel
 Bradley (NH) Gibbons E.
 Brown, Corrine Goodlatte Lynch
 Capps Green (WI) Markey
 Capuano Gutknecht Matheson
 Cardin Hart McCollum (MN)
 Cardoza Hefley McCotter
 Carson Herseth McDermott
 Chabot Higgins McKinney
 Clay Hinchey Meehan
 Cleaver Holt Melancon
 Coble Hoyer Michaud
 Conyers Jackson (IL) Millender-
 Cooper Johnson (CT) McDonald
 Cummings Jones (NC) Miller, George
 Davis (CA) Jones (OH) Moore (WI)
 Davis (IL) Kelly Musgrave

Myrick Ramstad
 Neal (MA) Renzi
 Ney Rothman
 Norwood Royce
 Nussle Rush
 Oberstar Ryan (WI)
 Obey Sabo
 Oliver Sánchez, Linda
 Otter T.
 Owens Sanders
 Pallone Sensenbrenner
 Pascrell Shays
 Paul Simmons
 Payne Skelton
 Pelosi Smith (NJ)
 Peterson (MN) Spratt
 Petri Stark
 Pitts Stupak
 Platts Sullivan

NOES—274

Abercrombie Everett
 Aderholt Pattah
 Akin Feeney
 Alexander Ferguson
 Baca Filner
 Bachus Foley
 Baird Forbes
 Baker Ford
 Baldwin Fortenberry
 Barrett (SC) Fossella
 Bartlett (MD) Franks (AZ)
 Barton (TX) Frelinghuysen
 Beauprez Gallegly
 Becerra Garrett (NJ)
 Biggert Gilchrest
 Bilirakis Gillmor
 Bishop (GA) Gingrey
 Bishop (UT) Gohmert
 Blunt Gonzalez
 Boehlert Goode
 Boehner Gordon
 Bonilla Granger
 Bonner Graves
 Boozman Green, Al
 Boren Green, Gene
 Boucher Grijalva
 Boustany Gutierrez
 Boyd Hall
 Brady (PA) Harman
 Brady (TX) Harris
 Brown (OH) Hastings (FL)
 Brown (SC) Hastings (WA)
 Brown-Waite, Haynes
 Ginny Hayworth
 Burgess Hensarling
 Burton (IN) Herger
 Butterfield Hinojosa
 Buyer Hobson
 Calvert Hoekstra
 Camp (MI) Honda
 Campbell (CA) Hooley
 Cantor Hostettler
 Capito Hulshof
 Carnahan Hunter
 Carter Inglis (SC)
 Case Inslee
 Castle Israel
 Chandler Issa
 Chocola Istook
 Clyburn Jackson-Lee
 Cole (OK) (TX)
 Conaway Jefferson
 Costa Jenkins
 Costello Jindal
 Cramer Johnson (IL)
 Crenshaw Johnson, E. B.
 Crowley Kaptur
 Cubin Keller
 Cuellar Kildee
 Culberson Kind
 Davis (AL) King (IA)
 Davis (KY) King (NY)
 Davis (TN) Kingston
 Davis, Tom Kirk
 Diaz-Balart, L. Knollenberg
 Diaz-Balart, M. Kolbe
 Dicks Kucinich
 Doolittle Kuhl (NY)
 Doyle LaHood
 Drake Latham
 Dreier LaTourette
 Edwards Lewis (CA)
 Ehlers Lewis (KY)
 Emanuel Linder
 Engel Lipinski
 English (PA) Lofgren, Zoe
 Eshoo Lucas
 Etheridge Mack

Tancredo
 Tiberi
 Tierney
 Udall (NM)
 Upton
 Velázquez
 Visclosky
 Walden (OR)
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Westmoreland
 Whitfield
 Woolsey
 Wynn

Shadegg
 Shaw
 Sherman
 Shimkus
 Shuster
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Stearns
 Strickland
 Sweeney
 Tanner

Tauscher
 Taylor (MS)
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Towns
 Turner
 Udall (CO)
 Van Hollen
 Walsh
 Wamp

Wasserman
 Schultz
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Wu
 Young (AK)
 Young (FL)

NOT VOTING—13

Cannon Holden Sherwood
 Davis (FL) Hyde Simpson
 Evans Johnson, Sam Slaughter
 Farr Kanjorski
 Gerlach Poe

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised that 1 minute re-
 mains in this vote.

□ 1805

Mr. WU and Mr. TOWNS changed
 their vote from “aye” to “no.”

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

The CHAIRMAN. The Committee will
 rise informally.

The Speaker pro tempore (Mr.
 PEARCE) assumed the Chair.

FURTHER MESSAGE FROM THE
 SENATE

A further message from the Senate
 by Ms. Curtis, one of its clerks, an-
 nounced that the Senate agrees to the
 report of the committee of conference
 on the disagreeing votes of the two
 Houses on the amendment of the Sen-
 ate to the bill (H.R. 889) “An Act to au-
 thorize appropriations for the Coast
 Guard for fiscal year 2006, to make
 technical corrections to various laws
 administered by the Coast Guard, and
 for other purposes.”

The SPEAKER pro tempore. The
 Committee will resume its sitting.

SCIENCE, STATE, JUSTICE, COM-
 MERCE, AND RELATED AGEN-
 CIES APPROPRIATIONS ACT, 2007

The Committee resumed its sitting.

AMENDMENT NO. 21 OFFERED BY MR. STEARNS
 Mr. STEARNS. Mr. Chairman, I offer
 an amendment.

The CHAIRMAN. The Clerk will des-
 ignate the amendment.

The text of the amendment is as fol-
 lows:

Amendment No. 21 offered by Mr. STEARNS:
 At the end of the bill (before the short
 title), add the following:

TITLE VIII—ADDITIONAL GENERAL
 PROVISIONS

SEC. 801. None of the funds made available
 in this Act may be used to carry out any pro-
 vision of section 203 of the Voting Rights Act
 of 1965 (42 U.S.C. 1973aa-1a).

The CHAIRMAN. Pursuant to the
 order of the House of Tuesday, June 27,
 2006, the gentleman from Florida (Mr.
 STEARNS) and a Member opposed each
 will control 5 minutes.