

the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1030

The SPEAKER pro tempore (Mr. BASS). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 93 is an open rule providing for the consideration of H.R. 247, the Tornado Shelters Act. The rule provides 1 hour of general debate, evenly divided and controlled by the chairman and the ranking minority member of the Committee on Financial Services.

The rule provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1.

The rule further provides that the amendment in the nature of a substitute shall be open for amendment at any point.

Finally, the rule allows the Chairman of the Committee of the Whole to accord priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD, and provides one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 247 amends the Housing and Community Development Act of 1974 to authorize communities to use Community Development Block Grant funds for construction of tornado-safe shelters in manufactured home parks. As my colleagues may remember, a deadly tornado just before Christmas took the lives of a dozen people in Alabama and to help prevent similar tragedies, the gentleman from Alabama (Mr. BACHUS) introduced this legislation earlier this year.

Tornadoes occur in many parts of the world, and these destructive forces of nature are found most frequently during the spring and summer months. With spring starting this week, I think that it is appropriate for the House at this time to be considering legislation that could help mitigate in the future further wind storms in areas that seem to be hardest hit.

According to FEMA, the Federal Emergency Management Agency, in an average year, 800 tornadoes are reported nationwide, resulting in 80 deaths and over 1,500 injuries.

Hurricanes and tornadoes both have in common very high winds and obviously associated damage. From Hurricane Andrew we in south Florida

learned about the vulnerability of housing construction with roofs and windows and doors being particularly important areas to check for weaknesses.

Mobile home parks are particularly susceptible to damage from high winds, even if precautions have been taken to tie down the units. I am hopeful that this important legislation, the Tornado Shelters Act, will help address these problems.

Mr. Speaker, I think we all owe a debt of gratitude to the gentleman from Alabama (Mr. BACHUS) for his leadership on this issue. I urge my colleagues to support both this open rule, as well as the underlying bill, Mr. Speaker; and I look forward to debate and passage of this important legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume. I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me this time.

Mr. Speaker, this is an open rule. It will allow for the consideration of H.R. 247, which is called the Tornado Shelter Act. As my colleague from Florida has described, this rule will provide 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule permits amendments under the 5-minute rule. This is the normal amending process in the House. All Members on both sides of the aisle will have an opportunity to offer germane amendments.

Tornadoes represent the most furious side of nature. They cause enormous loss of life and destruction of property every year. Unfortunately, my own community of southwest Ohio has seen some of the worst tornadoes in recent years. In April of 1974, a devastating tornado killed 33 people in Xenia, Ohio, just outside my district; and the tornado destroyed a quarter of the homes in that city. The city was struck again by tornadoes in 1989 and 2000.

According to the Federal Emergency Management Agency, mobile homes are particularly vulnerable to a tornado's destructive power, because they can be overturned so easily by high winds; and I am sure there is close to a consensus among Members of the House that the Federal Government should provide assistance to those who are in the greatest danger from tornadoes. That is the thought behind this bill which would permit the Federal community development block grants to be used to construct or maintain tornado shelters in mobile home parks.

Though the bill has worthy goals, I do object to the process used to bring this bill to the floor. It did not go through committee, there were no hearings, there was no committee report. There was minimum notice given to the Members that the bill would be considered, and I do not think that is

good legislating. We have a process to help us understand legislation and its consequences. We have a process to ensure that Members on both sides of the aisle who have questions or concerns about the bill are treated fairly, and that process was not followed.

During Committee on Rules consideration, the gentleman from Massachusetts (Mr. FRANK) raised questions about the bill. I think this is a good bill; however, I would be a lot more confident in supporting it if I knew that it was fully examined through the committee process, and that questions like the ones asked by the gentleman from Massachusetts (Mr. FRANK) had already been answered before the bill came to the House Floor.

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

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. LAFALCE).

MOTION TO ADJOURN

Mr. LAFALCE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from New York (Mr. LAFALCE).

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

Mr. LAFALCE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 71, nays 336, not voting 25, as follows:

[Roll No. 56]

YEAS—71

Allen	Gutierrez	Meek (FL)
Andrews	Hall (OH)	Miller, George
Baird	Hastings (FL)	Mink
Baldacci	Hill	Nadler
Berkley	Hilliard	Neal
Berry	Inslee	Oberstar
Bonior	Israel	Obey
Capps	Jackson-Lee	Olver
Capuano	(TX)	Payne
Carson (IN)	Jefferson	Pelosi
Carson (OK)	Kanjorski	Peterson (MN)
Clay	Kennedy (RI)	Price (NC)
Clayton	Kilpatrick	Roybal-Allard
Clyburn	LaFalce	Sandin
Condit	Lampson	Schakowsky
Conyers	Langevin	Slaughter
Coyne	Lee	Stark
Crowley	Lewis (GA)	Stupak
DeFazio	Lowey	Tauscher
Delahunt	Matsui	Towns
Filner	McDermott	Udall (CO)
Frank	McGovern	Waters
Gephardt	McIntyre	Weiner
Gonzalez	McNulty	Woolsey

NAYS—336

Abercrombie	Bachus	Barr
Aderholt	Baker	Barrett
Akin	Baldwin	Bartlett
Armey	Ballenger	Barton
Baca	Barcia	Bass

Bentsen	Green (WI)	Murtha	Traficant	Wamp	Wicker
Bereuter	Greenwood	Myrick	Turner	Watkins	Wilson
Berman	Grucci	Napolitano	Udall (NM)	Watt (NC)	Wolf
Biggert	Gutknecht	Nethercutt	Upton	Watts (OK)	Wu
Billirakis	Hall (TX)	Ney	Velazquez	Waxman	Wynn
Bishop	Hansen	Northup	Visclosky	Weldon (FL)	Young (AK)
Blagojevich	Harman	Norwood	Vitter	Weldon (PA)	Young (FL)
Blumenauer	Hart	Nussle	Walden	Weller	
Blunt	Hastings (WA)	Ortiz	Walsh	Whitfield	
Boehlert	Hayes	Osborne			
Boehner	Hayworth	Ose			
Bonilla	Hefley	Otter	Ackerman	Johnson, E.B.	Sanders
Bono	Herger	Oxley	Becerra	Jones (OH)	Scarborough
Borski	Hilleary	Pallone	Brown (FL)	Moakley	Scott
Boswell	Hinchey	Pascarell	Cannon	Moakley	Shays
Boucher	Hinojosa	Pastor	Dooley	Owens	Sisisky
Boyd	Hobson	Paul	Doyle	Pickering	Toomey
Brady (PA)	Hoeffel	Pence	Edwards	Portman	Wexler
Brady (TX)	Hoekstra	Peterson (PA)	Gekas	Putnam	
Brown (OH)	Holden	Petri	Gordon	Rothman	
Brown (SC)	Holt	Phelps			
Bryant	Honda	Pitts			
Burr	Hooley	Platts			
Burton	Horn	Pombo			
Buyer	Hostettler	Pomeroy			
Callahan	Houghton	Pryce (OH)			
Calvert	Hoyer	Quinn			
Camp	Hulshof	Radanovich			
Cantor	Hunter	Rahall			
Capito	Hutchinson	Ramstad			
Cardin	Hyde	Rangel			
Castle	Isakson	Regula			
Chabot	Issa	Rehberg			
Chambliss	Istook	Reyes			
Clement	Jackson (IL)	Reynolds			
Coble	Jenkins	Riley			
Collins	John	Rivers			
Combest	Johnson (CT)	Rodriguez			
Cooksey	Johnson (IL)	Roemer			
Costello	Johnson, Sam	Rogers (KY)			
Cox	Jones (NC)	Rogers (MI)			
Cramer	Kaptur	Rohrabacher			
Crane	Keller	Ros-Lehtinen			
Crenshaw	Kelly	Ross			
Cubin	Kennedy (MN)	Roukema			
Culberson	Kerns	Royce			
Cummings	Kildee	Rush			
Cunningham	Kind (WI)	Ryan (WI)			
Davis (CA)	King (NY)	Ryan (KS)			
Davis (FL)	Kingston	Sabo			
Davis (IL)	Kirk	Sanchez			
Davis, Jo Ann	Kleczka	Sawyer			
Davis, Tom	Knollenberg	Saxton			
Deal	Kolbe	Schaffer			
DeGette	Kucinich	Schiff			
DeLauro	LaHood	Schrock			
DeLay	Lantos	Sensenbrenner			
DeMint	Largent	Serrano			
Deutsch	Larsen (WA)	Sessions			
Diaz-Balart	Larson (CT)	Shadegg			
Dicks	Latham	Shaw			
Dingell	LaTourette	Sherman			
Doggett	Leach	Sherwood			
Doolittle	Levin	Shimkus			
Dreier	Lewis (CA)	Shows			
Duncan	Lewis (KY)	Simmons			
Dunn	Linder	Simpson			
Ehlers	Lipinski	Skeen			
Ehrlich	LoBiondo	Skelton			
Emerson	Lofgren	Smith (MI)			
Engel	Lucas (KY)	Smith (NJ)			
English	Lucas (OK)	Smith (TX)			
Eshoo	Luther	Smith (WA)			
Etheridge	Maloney (CT)	Snyder			
Evans	Maloney (NY)	Solis			
Everett	Manzullo	Souder			
Farr	Markey	Spence			
Fattah	Mascara	Spratt			
Ferguson	Matheson	Stearns			
Flake	McCarthy (MO)	Stenholm			
Fletcher	McCarthy (NY)	Strickland			
Foley	McCollum	Stump			
Ford	McCrery	Sununu			
Fossella	McHugh	Sweeney			
Frelinghuysen	McInnis	Tancredo			
Frost	McKeon	Tanner			
Gallely	McKinney	Tauzin			
Ganske	Meehan	Taylor (MS)			
Gibbons	Meeks (NY)	Taylor (NC)			
Gilchrest	Menendez	Terry			
Gillmor	Mica	Thomas			
Gilman	Millender-	Thompson (CA)			
Goode	McDonald	Thompson (MS)			
Goodlatte	Miller (FL)	Thornberry			
Goss	Miller, Gary	Thune			
Graham	Mollohan	Thurman			
Granger	Moore	Tiahrt			
Graves	Moran (KS)	Tiberi			
Green (TX)	Moran (VA)	Tierney			

NOT VOTING—25

□ 1103

Messrs. GRUCCI, TERRY, BILLIRAKIS, AKIN, CAMP, BONILLA, STUMP, JOHN, BRADY of Texas, TOM DAVIS of Virginia, PAUL, and ROSS changed their vote from "yea" to "nay."

Messrs. MATSUI, CROWLEY, and INSLEE changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 247, TORNADO SHELTERS ACT

Mr. DIAZ-BALART. Mr. Speaker, we have no further speakers at this time on this open rule.

I ask the distinguished gentleman from Ohio (Mr. HALL) how many speakers he has remaining.

Mr. HALL of Ohio. Mr. Speaker, we have three speakers on this side.

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 6 minutes to the gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, one of the greatest features of a deliberative body is adherence to the ordinary process unless there are extraordinary reasons. We have a process for the consideration of legislation. We have committees. We have subcommittees. We have hearings.

We have rules that a subcommittee should have a hearing and report a bill out or the committee should have the hearing; but in all events, committees should report a bill out. That is so that bills can be considered, deliberated, different people could be heard from whose perspectives one might never anticipate so that amendments could be offered to deal with difficulties that are perceived only during that process.

Now, I am not saying that that must be an ironclad process at all times. I am not saying that there cannot be exceptions because of exceptional circumstances.

But on this particular bill, the first I heard of it was last week when it was scheduled without my knowledge whatsoever for the Suspension Calendar. I communicated with Members of the

leadership on the committee; and I said, Look, we cannot do this. We have not had any hearings whatsoever. We have not had any discussion. Let us pull the bill off, let us have some opportunity to discuss it, and we can take it up in a few weeks or so, unless there is some compelling reason, some compelling urgency.

That was my understanding of what the process was going to be. I was flabbergasted when I found out this week that it was still coming to the floor of the House without hearings, without committee deliberation, without the ability to offer amendments, but most of all, without any consultation with either me or the gentleman from Massachusetts (Mr. FRANK), the ranking member of the relevant subcommittee.

That means something. That means no respect either. That means no collegiality. That is not the way for the new Committee on Financial Services to start out this Congress. That is not the best way to bring up the first bill from the Committee on Financial Services, as if the minority Members, the Democrats, do not exist; and if they do exist, their rights are non-existent.

It is not the bill so much, but it is this very offensive process. I do not want to unduly delay the deliberations of the body today. I am sensitive to the personal needs and times of the Members. But somehow we must be able to make this point. We do not want this to happen again. We want collegiality. We want bipartisanship. We have experienced it in the past. We expect it as Members of this body.

Now, with respect to the particular bill, it has a laudable goal; and I hope that I can wind up supporting it. I would like to. I have nothing but the highest regard for the sponsor of the bill. We have worked together on so many different causes over the years, particularly Third World debt. But, I really do not know the urgency. I suspect the Senate is not going to consider this until September. I could be wrong. But that means we do have some latitude of time.

Further, this deals with an amendment to the Community Development Block Grant program. Now, if we are going to deal with an amendment to the Community Development Block Grant program, I think that there are a number of things that we should consider.

First of all, if we are only going to make eligible shelters for tornados and storms, there is some technical issues that should have been considered not on the floor of the House, but in subcommittee. For example, should we really give public monies to private for-profit entities to use? That is a serious issue. We ought to talk about that, deliberate about it.

Secondly, if we are going to use community development moneys, should we have income-targeting provisions? That is a serious issue that should have been dealt with in subcommittee rather than taking up the time of the floor.