



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 149

WASHINGTON, THURSDAY, OCTOBER 16, 2003

No. 145—Part II

## House of Representatives

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

□ 2030

LIMITATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 3289 in the Committee of the Whole pursuant to House Resolution 396, before consideration of any other amendment, except pro forma amendments by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate, it shall be in order to consider the following amendments:

An amendment by Mr. SHADEGG; an amendment by Mr. GOODE; an amendment by Mr. KIRK; an amendment by Mr. FILNER; an amendment by Mr. SPRATT; an amendment by Mr. MARKEY; an amendment by Mr. HOLT; an amendment by Mr. WAXMAN; an amendment by Ms. SLAUGHTER; an amendment by Mrs. MALONEY; an amendment by Mr. BLUMENAUER, an amendment by Ms. LORETTA SANCHEZ of California.

Each such amendment may be offered only by a Member designated or a designee, shall be considered as read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. An amendment may amend a portion of the bill not yet read, except that an amendment proposing to transfer appropriations among objects in the bill must conform to clause 2(f) of rule XXI.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I would simply say to the House, I do not even know what the content of most of these amendments is, but what is going on here is that the staff has been attempting to work out understandings under which a huge number of amendments can be disposed of in the most efficient way possible.

As I understand it, there are approximately 39 pending amendments which are probably in order and about 69 that are not, and those numbers may be off a little bit but they are not bad for government work at 8:30 in the middle of a Red Sox game. But having said that, what this represents is that the sponsors of these amendments have agreed—all but two of these amendments as I understand it are in order, and those amendments, the sponsors have agreed to a severe time limit in order to have them considered. And in the case of the two amendments offered by persons who did not have germane amendments, my understanding is that those Members have agreed to drop all of their other amendments in return for a 5-minute consideration for their amendment before the point of order is lodged.

I think that is roughly what it is that we are agreeing to, if this is, in

fact, agreed to by the body. So it is simply an attempt to try to take a huge universe of amendments and to create some smaller, manageable universes so that we can move the process along.

Let me say that, without even knowing the content of these amendments, I have strong feelings about the fact that Members are being reduced to having important issues on something like this considered in such a reduced time frame, but that is the choice we have under the rule that we have been given, and so we can either try to extend Members opportunities as much as possible or not, and that is what we have been trying to do.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, as usual the gentleman understands the process well and has explained it well, and that is certainly our intent, to offer every Member every legitimate amendment.

For those that are subject to a point of order, we will raise the point of order, but we believe that Members should have the opportunity to debate the important issues, and at the same time, we would like to get finished sometime this week so that we can go to conference with the other body as soon as possible.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

Mr. NADLER. Mr. Speaker, reserving the right to object, first I would inform the gentleman from Wisconsin that it is the Yankees as well as the Red Sox game.

Secondly, I would ask the distinguished gentleman, the distinguished chairman, there are a number of Members who desire at some point tonight to strike the last word, and if we agree to this unanimous consent request, would that preclude an opportunity at

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

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



Printed on recycled paper.

H9585

some point tonight of striking the last word?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, striking the last word will be in order, but I would urge our colleagues, we had 6 hours of debate under a special ruling of the House. We had another hour of debate on the rule. We had another hour of debate under general debate on the bill itself. We have had a lot of debate. However, if Members feel inclined to prolong the debate even further beyond those many hours already concluded, that would be in order.

Mr. NADLER. Mr. Speaker, I would point out that some Members would be interested in doing that after the last vote tonight, but as long as it will be in order.

Mr. Speaker, I withdraw my reservation of objection.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, reserving the right to object, if I might, my question is to the chairman.

What is the status of the other amendments? I appreciate the desire to move forward on this compromise, this unanimous consent. There are other amendments that are equally in order, and what is the position on those amendments?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, this unanimous consent that we have propounded at this point, like the one earlier today, would have no prejudice on any other amendment that may be offered following these 11 amendments. So this does not affect anyone's right to offer their amendment that they intend to offer. It is just a matter of trying to get some cohesive organization of how we are going to proceed to conclude this bill.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, these amendments simply represent negotiations that we have been able to reach with the sponsors of the amendments. Negotiations are still going on with the other sponsors of the other amendments, and as those are resolved, the hope is to have other packages to bring before the House.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for his comments.

Since this is a place of speech and debate, I would hope that we take our responsibility seriously.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Florida?

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 396 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3289.

□ 2037

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentleman from Wisconsin (Mr. OBEY) had been disposed of.

Pursuant to the order of the House of today, before consideration of any other amendment, except pro forma amendments by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate, it shall be in order to consider the following amendments:

Number 1, an amendment by Mr. SHADEGG;

Number 2, an amendment by Mr. GOODE;

Number 3, an amendment by Mr. KIRK;

Number 4, an amendment by Mr. FILLNER;

Number 5, an amendment by Mr. SPRATT;

Number 6, an amendment by Mr. MARKEY;

Number 7, an amendment by Mr. HOLT;

Number 8, an amendment by Mr. WAXMAN;

Number 9, an amendment by Ms. SLAUGHTER;

Number 10, an amendment by Mrs. MALONEY;

Number 11, an amendment by Mr. BLUMENAUER; and

Number 12, an amendment by Ms. LORETTA SANCHEZ of California.

Each such amendment may be offered only by a Member designated or a designee, shall be considered read, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT OFFERED BY MR. WAXMAN

Mr. WAXMAN. 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. WAXMAN:

In chapter 2 of title II, under the heading "IRAQ RELIEF AND RECONSTRUCTION FUND"—

(1) after the first dollar amount (page 30, line 1) insert "(reduced by \$250,000,000)"; and

(2) after the fifth dollar amount (page 30, line 5) insert "(reduced by \$250,000,000)".

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment. Like the Chair, we have not seen copies of the amendments, and so I would be reserving a point of order on each one of them until I see copies.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The gentleman from California (Mr. WAXMAN) is recognized for 5 minutes.

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

This supplemental includes a request by the Bush administration for an additional \$2.1 billion in oil reconstruction funds for Iraq. This request nearly triples the administration's previous estimate for Iraqi oil reconstruction costs.

□ 2045

On September 12, the gentleman from Michigan (Mr. DINGELL) and I wrote to the Office of Management and Budget asking for basic details about this request and for an explanation of the enormous increase. We received no response. More than a month now has passed and the administration has provided absolutely no information to explain this vast increase.

I contacted the U.S. Army Corps of Engineers, the agency in charge of oil reconstruction, to ask how this request for \$2.1 billion was developed. They told me they could not provide any information because they were not involved in preparing this request; it was done by the Coalition Provisional Authority in Iraq.

So I contacted the CPA to ask for some basic details about how much the taxpayer has been paying Halliburton for work under the oil reconstruction contract. They said they did not know and told me to talk to the Army Corps, which had already told me they were not involved with the administration's request.

In this morning's New York Times, OMB officials said they do not know about this either. They said they would try to talk to the CPA, but that this was difficult because Baghdad is so many time zones away.

It is an Abbot and Costello "Who's on First" routine, and it might even be funny if it were not going to cost the taxpayers \$250 million in wasted money. The fact is, Halliburton, the company importing gasoline into Iraq, is overcharging U.S. taxpayers. Although gasoline, and you can see this from this chart, costs 71 cents per gallon in the gulf, Halliburton is charging