

McCotter	Portman	Smith (TX)
McCrery	Pryce (OH)	Souder
McHugh	Putnam	Stearns
McInnis	Quinn	Sullivan
McKeon	Radanovich	Sweeney
Mica	Ramstad	Tancredo
Miller (FL)	Regula	Taylor (NC)
Miller (MI)	Rehberg	Terry
Miller, Gary	Renzi	Thomas
Moran (KS)	Reynolds	Thornberry
Murphy	Rogers (AL)	Tiahrt
Musgrave	Rogers (KY)	Tiberi
Myrick	Rogers (MI)	Toomey
Neugebauer	Rohrabacher	Turner (OH)
Ney	Ros-Lehtinen	Upton
Northup	Royce	Vitter
Nunes	Ryan (WI)	Walden (OR)
Nussle	Ryun (KS)	Walsh
Osborne	Saxton	Wamp
Ose	Schrock	Weldon (FL)
Otter	Sensenbrenner	Weldon (PA)
Oxley	Sessions	Weller
Pearce	Shadegg	Whitfield
Pence	Shaw	Wicker
Peterson (PA)	Shays	Wilson (NM)
Petri	Sherwood	Wilson (SC)
Pickering	Shimkus	Wolf
Pitts	Shuster	Young (AK)
Platts	Simmons	Young (FL)
Pombo	Smith (MI)	
Porter	Smith (NJ)	

## NAYS—186

Abercrombie	Gonzalez	Nadler
Ackerman	Gordon	Napolitano
Allen	Green (TX)	Oberstar
Andrews	Grijalva	Obey
Baca	Gutierrez	Olver
Baird	Hastings (FL)	Ortiz
Baldwin	Herseth	Owens
Becerra	Hill	Pallone
Bell	Hinchey	Pascrell
Berkley	Holden	Pastor
Berman	Holt	Payne
Berry	Honda	Peterson (MN)
Bishop (GA)	Hooley (OR)	Pomeroy
Bishop (NY)	Hoyer	Price (NC)
Blumenauer	Inslee	Rahall
Boswell	Israel	Rangel
Boucher	Jackson (IL)	Reyes
Boyd	Jackson-Lee	Rodriguez
Brady (PA)	(TX)	Ross
Brown (OH)	Johnson, E. B.	Rothman
Brown, Corrine	Kanjorski	Roybal-Allard
Butterfield	Kaptur	Rush
Capps	Kennedy (RI)	Ryan (OH)
Capuano	Kildee	Sabo
Cardin	Kilpatrick	Sanchez, Loretta
Cardoza	Kind	Sanders
Carson (IN)	Kucinich	Sandlin
Case	Lampson	Schakowsky
Chandler	Langevin	Schiff
Clyburn	Lantos	Scott (GA)
Conyers	Larsen (WA)	Scott (VA)
Cooper	Larson (CT)	Serrano
Costello	Lee	Sherman
Cramer	Levin	Skelton
Crowley	Lewis (GA)	Smith (WA)
Cummings	Lipinski	Snyder
Davis (AL)	Lofgren	Solis
Davis (CA)	Lowey	Spratt
Davis (FL)	Lucas (KY)	Stark
Davis (IL)	Lynch	Stenholm
Davis (TN)	Maloney	Strickland
DeFazio	Markey	Stupak
DeGette	Marshall	Tanner
Delahunt	Matheson	Tauscher
DeLauro	Matsui	Taylor (MS)
Deutsch	McCarthy (MO)	Thompson (CA)
Dicks	McCarthy (NY)	Thompson (MS)
Dingell	McCollum	Tierney
Doggett	McDermott	Turner (TX)
Dooley (CA)	McGovern	Udall (CO)
Doyle	McIntyre	Udall (NM)
Edwards	McNulty	Van Hollen
Emanuel	Meehan	Velázquez
Engel	Meek (FL)	Visclosky
Eshoo	Meeks (NY)	Waters
Etheridge	Menendez	Watson
Evans	Michaud	Weiner
Farr	Miller (NC)	Wexler
Fattah	Miller, George	Woolsey
Filner	Mollohan	Wu
Ford	Moore	Wynn
Frank (MA)	Moran (VA)	
Frost	Murtha	

## NOT VOTING—30

Boehlert	John	Pelosi
Carson (OK)	Jones (OH)	Ruppersberger
Clay	Kingston	Sánchez, Linda
Cox	Klecza	T.
DeMint	Majette	Simpson
Gephardt	Millender-	Slaughter
Harman	McDonald	Tauzin
Hinojosa	Neal (MA)	Towns
Hoefel	Nethercutt	Watt
Houghton	Norwood	Waxman
Jefferson	Paul	

## □ 1954

Mr. LEWIS of Georgia and Mr. RAN-  
GEL changed their vote from "yea" to  
"nay."

So the previous question was ordered.

The result of the vote was announced  
as above recorded.

The SPEAKER pro tempore (Mr.  
SIMPSON). The question is on the  
amendment in the nature of a sub-  
stitute offered by the gentleman from  
Florida (Mr. PUTNAM).

The amendment in the nature of a  
substitute was agreed to.

The resolution, as amended, was  
agreed to.

A motion to reconsider was laid on  
the table.

## GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker,  
I ask unanimous consent that all Mem-  
bers may have 5 legislative days within  
which to revise and extend their re-  
marks and include extraneous material  
on H.R. 5212 and that I may include  
tabular material on the same.

The SPEAKER pro tempore. Is there  
objection to the request of the gen-  
tleman from Florida?

There was no objection.

EMERGENCY SUPPLEMENTAL AP-  
PROPRIATIONS FOR HURRICANE  
DISASTERS ASSISTANCE ACT,  
2005

The SPEAKER pro tempore. Pursuant  
to House Resolution 819 and rule  
XVIII, the Chair declares the House in  
the Committee of the Whole House on  
the State of the Union for the consider-  
ation of the bill, H.R. 5212.

## □ 1955

## 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  
consideration of the bill (H.R. 5212)  
making emergency supplemental ap-  
propriations for the fiscal year ending  
September 30, 2005, for additional dis-  
aster assistance relating to storm dam-  
age, and for other purposes, with Mr.  
GILLMOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the  
rule, the bill is considered as having  
been read the first time.

Under the rule, the gentleman from  
Florida (Mr. YOUNG) and the gentleman  
from Wisconsin (Mr. OBEY) each will  
control 30 minutes.

The Chair recognizes the gentleman  
from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chair-  
man, I yield myself such time as I may  
consume.

Mr. Chairman, H.R. 5212 is a bill to  
further respond to the devastation  
brought upon the State of Florida and  
other neighboring States by Hurricane  
Charley, Hurricane Frances, Hurricane  
Ivan, Hurricane Jeanne, and Tropical  
Storm Bonnie, more adverse weather  
than a State has seen in hundreds of  
years.

This is the second supplemental that  
the House will consider. The first sup-  
plemental was introduced on Sep-  
tember 7, the day we reconvened. We  
passed that bill on September 7, the  
other body deemed it passed on Sep-  
tember 7, and it arrived at the Presi-  
dent's desk just in time to make sure  
that the cash flow to the needy folks in  
Florida would not be disrupted.

We are now reaching a similar situa-  
tion. The FEMA funds are about to run  
out once again, and this bill will pro-  
vide additional funds for FEMA and  
other disaster recovery and relief ef-  
forts.

I want the Members to know how I  
feel about this bill. This is a good bill,  
as far as it goes. There is nothing polit-  
ical in this bill, at least not yet. There  
are no special projects for any Member.  
We resisted all attempts to add to this  
supplemental. So this really gets to the  
point of recovery from five major  
storms.

I have lived in Florida for 58 years. I  
have seen the devastation of hurricanes  
and tornadoes. They go together. Hur-  
ricanes are large storms and hurricanes  
spawn tornadoes.

I have seen homes totally destroyed.  
I have seen mobile home parks obliterated,  
gone. I have seen major buildings  
with their roofs gone. I have seen infra-  
structure for cities and counties de-  
stroyed. I have seen highways, believe  
it or not, that have been totally de-  
stroyed, with large chunks of asphalt  
just lying around like parts of a jigsaw  
puzzle waiting to be put together. But  
you cannot just put them back to-  
gether. You have to rebuild them.

Last week, the gentleman from Flor-  
ida (Mr. BOYD) and I went to Florida to  
Pensacola, to the Naval Air Station;  
and there we were met by the gen-  
tleman from Florida (Mr. MILLER), and  
we reviewed some tremendous, very  
costly damage created by the hurri-  
canes.

There is a lot more to be said about  
the tremendous pressure of living  
through a hurricane, and I have lived  
through a number of hurricanes. These  
five storms that I have talked about,  
have affected every section of Florida,  
and in some cases three of the storms  
have hit the same section.

## □ 2000

Governor Jeb Bush became the man-  
ager of the recovery effort, and he has  
done an outstanding job. He managed  
the recovery effort on the part of the  
State. He coordinated the counties, and  
he coordinated the cities and all of the

relief agencies that have been there to help out the people that really needed help.

President Bush visited the State five times, and visited the hurricane sites and viewed for himself the disaster and visited with the people. He handed out bags of ice and bottles of water. He did a good job, and he made commitments and promises to the people of Florida. It is my intention, Mr. Chairman, to make sure that no one stands in the way of following through on those promises that President Bush made to the people of Florida.

Mr. Chairman, the bill that we take up today meets a lot of these promises, but it does not meet them all. There is another bill that I introduced today, H.R. 5227, that does include, in fact, the promises that President Bush made to the people of Florida. And, the addi-

tional funds that we have included in H.R. 5227, over and above the President's request of approximately \$11 billion, we have offset. We have offset \$1.6 billion that we would have added to the President's request. We are not permitted to bring this bill up today, but I will tell my colleagues, and I will tell anyone willing to listen on either side of the aisle; this hurricane relief has been very bipartisan, and I appreciate all of the support that Members have given us; and this Chairman is going to do everything possible to see this bill enacted into law because it meets the real requirements of recovery efforts in the great State of Florida. It is not the bill that we are considering today, but we are going to do everything possible to make sure that it ends up on the President's desk.

The gentleman from Florida (Mr. BOYD) would have offered an amendment that would have increased H.R. 5212 by \$1.6 billion, and that is what this second bill (H.R. 5227) does, it increases the bill by \$1.6 billion. He and I traveled together to many parts of Florida; we visited and we saw for ourselves what the damages were and what the recovery effort was going to take.

So we will do our very best to make sure that the promises that the President made to the people of Florida will not be stymied by some bureaucracy or some group of people who might not want us to move this legislation. But one way or another, we are going to move it.

Mr. Chairman, a lot of Members wish to be heard on this issue, especially Florida Members, so at this point I reserve the balance of my time.

Emergency Supplemental Appropriations (H.R. 5212)  
(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
<hr/>			
DEPARTMENT OF AGRICULTURE			
Forest Service			
National forest system (emergency).....	2,000	2,000	---
Capital improvement and maintenance (emergency).....	33,000	33,000	---
General Provisions			
Emergency Watershed Protection Program/Emergency Conservation Program (emergency).....	230,000	230,000	---
Section 32 transfer (emergency).....	90,000	90,000	---
Producer assistance (emergency) /1.....	265,000	265,000	---
<hr/>			
Total, DEPARTMENT OF AGRICULTURE: New (budget obligational) authority.....	620,000	620,000	---
<hr/>			
1/ Amounts requested are for FY 2005			
DEPARTMENT OF COMMERCE			
National Oceanic and Atmospheric Administration			
Operations, research, and facilities (emergency).....	7,900	7,900	---
Procurement, acquisition and construction (emergency).....	6,800	6,800	---
<hr/>			
Total, DEPARTMENT OF COMMERCE: New (budget obligational) authority.....	14,700	14,700	---
<hr/>			
DEPARTMENT OF DEFENSE			
Military Personnel			
Military personnel, Navy (emergency).....	1,000	1,000	---
Military personnel, Air Force (emergency).....	13,225	13,225	---
Operation and Maintenance			
Operation and maintenance, Army (emergency).....	2,844	2,844	---
Operation and maintenance, Navy (emergency).....	404,591	404,591	---
Operation and maintenance, Air Force (emergency).....	128,672	128,672	---
Operation and maintenance, defense-wide (emergency)...	172,506	172,506	---
Operation and maintenance, Army Reserve (emergency)...	1,442	1,442	---
Operation and maintenance, Navy Reserve (emergency)...	399	399	---
Operations and maintenance, Army National Guard (emergency).....	3,350	3,350	---
Operations and maintenance, Air National Guard (emergency).....	1,085	1,085	---
<hr/>			
Total, Operation and Maintenance.....	714,889	714,889	---
Other Department of Defense Programs			
Defense health program (emergency).....	10,286	10,286	---
Procurement			
Other procurement, Air Force (emergency).....	2,500	2,500	---
Procurement, defense-wide (emergency).....	102,500	102,500	---
Military Construction			
Military Construction, Navy (emergency).....	138,800	138,800	---
Military Construction, Army Reserve (emergency).....	8,700	8,700	---
Base realignment and closure account (emergency).....	50	50	---

Emergency Supplemental Appropriations (H.R. 5212)  
(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
<hr/>			
Family Housing			
Family housing, operation and maintenance, Army (emergency).....	313	313	---
Family housing, operation and maintenance, Navy and Marine Corps (emergency).....	3,276	3,276	---
Family housing, operation and maintenance, Air Force (emergency).....	5,600	5,600	---
Total, Family Housing.....	9,189	9,189	---
Revolving and Management Funds			
Working Capital Fund, Defense-Wide (emergency).....	77,000	77,000	---
General Provisions			
General transfer authority (Sec. 201) (emergency).....	(210,000)	(210,000)	---
Total, DEPARTMENT OF DEFENSE: New (budget obligational) authority.....	1,078,139	1,078,139	---
	=====	=====	=====
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Departmental Management			
Public health and social services emergency fund (emergency).....	50,000	50,000	---
	=====	=====	=====
DEPARTMENT OF HOMELAND SECURITY			
Security, Enforcement, and Investigations			
United States Coast Guard			
Operating expenses (emergency).....	26,000	26,000	---
Preparedness and Recovery			
Emergency Preparedness and Response			
Disaster relief (emergency).....	6,500,000	6,500,000	---
Total, DEPARTMENT OF HOMELAND SECURITY: New (budget obligational) authority.....	6,526,000	6,526,000	---
	=====	=====	=====
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Community Planning and Development			
Community development fund (emergency).....	150,000	150,000	---
	=====	=====	=====
DEPARTMENT OF THE INTERIOR			
United States Geological Survey			
Surveys, investigations, and research (emergency).....	1,000	1,000	---
United States Fish and Wildlife Service			
Resource management (emergency).....	2,700	2,700	---
Construction (emergency).....	24,700	24,700	---
National Park Service			
Construction (emergency).....	48,900	48,900	---
	-----	-----	-----

Emergency Supplemental Appropriations (H.R. 5212)  
(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
-----			
Total, DEPARTMENT OF THE INTERIOR:			
New (budget obligational) authority.....	77,300	77,300	---
	=====	=====	=====
DEPARTMENT OF JUSTICE			
Federal Prison Systems			
Salaries and expenses (emergency).....	5,500	5,500	---
Buildings and facilities (emergency).....	18,600	18,600	---
	-----	-----	-----
Total, DEPARTMENT OF JUSTICE:			
New (budget obligational) authority.....	24,100	24,100	---
	=====	=====	=====
DEPARTMENT OF TRANSPORTATION			
Federal Aviation Administration			
Operations (emergency).....	5,100	5,100	---
Emergency assistance to airports (Airport and Airway Trust Fund) (emergency).....	25,000	25,000	---
	-----	-----	-----
Federal Highway Administration			
Federal-aid highways (Highway Trust Fund), Emergency relief program (emergency).....	800,000	800,000	---
	-----	-----	-----
Total, DEPARTMENT OF TRANSPORTATION:			
New (budget obligational) authority.....	830,100	830,100	---
	=====	=====	=====
DEPARTMENT OF VETERANS AFFAIRS			
Veterans Health Administration			
Medical services (emergency).....	38,283	38,283	---
Medical administration (emergency).....	1,939	1,939	---
Medical facilities (emergency).....	46,910	46,910	---
	-----	-----	-----
Total, Veterans Health Administration.....	87,132	87,132	---
	-----	-----	-----
Departmental Administration			
General operating expenses (emergency).....	545	545	---
National cemetery administration (emergency).....	50	50	---
Construction, minor projects (emergency).....	36,343	36,343	---
	-----	-----	-----
Total, Departmental Administration.....	36,938	36,938	---
	-----	-----	-----
Total, DEPARTMENT OF VETERANS AFFAIRS:			
New (budget obligational) authority.....	124,070	124,070	---
	=====	=====	=====
CORPS OF ENGINEERS - CIVIL WORKS			
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee (emergency)....	4,000	4,000	---
Operation and maintenance, general (emergency).....	94,000	94,000	---
Flood control and coastal emergencies (emergency).....	147,000	147,000	---
	-----	-----	-----
Total, CORPS OF ENGINEERS - CIVIL WORKS:			
New (budget obligational) authority.....	245,000	245,000	---
	=====	=====	=====
ENVIRONMENTAL PROTECTION AGENCY			
Buildings and facilities (emergency).....	3,000	3,000	---
	=====	=====	=====

Emergency Supplemental Appropriations (H.R. 5212)  
(Amounts in thousands)

	FY 2004 Request	Recommended in the Bill	Bill vs. Request
-----			
INTERNATIONAL ASSISTANCE PROGRAMS			
Agency for International Development			
International disaster and famine assistance			
▪ (emergency).....	100,000	100,000	---
	=====	=====	=====
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION			
Space flight capabilities (emergency).....	126,000	126,000	---
	=====	=====	=====
SMALL BUSINESS ADMINISTRATION			
Disaster loans program account:			
Direct loans subsidy (emergency).....	501,000	501,000	---
Administrative expenses (emergency).....	428,000	428,000	---
	-----	-----	-----
Total, SMALL BUSINESS ADMINISTRATION:			
New (budget obligational) authority.....	929,000	929,000	---
	=====	=====	=====
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT			
Unanticipated needs (emergency).....	70,000	70,000	---
	=====	=====	=====
Grand total:			
New (budget obligational) authority.....	10,967,409	10,967,409	---
	=====	=====	=====

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, I want to thank my Ranking Member, the gentleman from Wisconsin (Mr. OBEY), for yielding me this time.

Again, let me thank the gentleman from Florida (Chairman YOUNG) my friend, who did invite me to travel with him around Florida to see the results of the five storms that landed in Florida, and it left Florida on many occasions and went to other parts of the country.

Now, many of the people in Florida, Mr. Chairman, are really probably not watching this tonight, because many of them do not have power still. They are trying to put their lives back together. In the district that I represent, we lost six people that were killed in Hurricane Ivan, not because they did not get out of the way of a hurricane, but because tornadoes spawned down and caught them off guard and killed them and some of their relatives.

Mr. Chairman, the gentleman from Florida (Mr. YOUNG) has it right. He has it right. The bill that he says he is going to introduce has it right. The Office of Management and Budget of the White House and the leaders of this House have it wrong. The bill that we are on now is inadequate to meet the needs of the Nation caused by the five storms that landed in Florida in the last 2 months, and I want to outline very specifically what those shortfalls are.

In agriculture, after consultation with all of the agriculture folks around the country and in the different States that were affected, it is \$486 million short. Defense and military construction: Defense, the main priority of this Federal Government, \$455 million short in the bill that we are looking at now. That is the difference between this bill and the bill that the gentleman from Florida (Mr. YOUNG) has introduced separately.

Interior: That is for cleanup and facility repairs and Forest Service repairs, \$105 million. Those are Federal lands, Federal property.

Transportation: Mr. Chairman, many Americans saw the daunting picture of I-10 going across Escambia Bay that was torn up and ruined; that is a \$250 million fix. Then there is the Federal highway, a \$750 million shortfall in the bill before us today for the needs caused by the hurricane. I could go on and on.

Mr. Chairman, OMB of the White House has it wrong; the gentleman from Florida (Chairman YOUNG) has it right. I know that the gentleman from Florida (Chairman YOUNG) has a good plan and will work in concert with the gentleman from Wisconsin (Ranking Member OBEY) to get this done the right way. It is important that the Members of this House remember that they were elected by the folks in their districts to represent their interests. If they are going to turn over that re-

sponsibility to somebody in the White House, they might as well give up their card, Mr. Chairman.

It is time to stand up and do the right thing and support the gentleman from Florida (Chairman YOUNG) and the gentleman from Wisconsin (Mr. OBEY) on getting this emergency supplemental done correctly.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. FOLEY), whose district enjoyed the visits of several hurricanes.

Mr. FOLEY. Mr. Chairman, I thank the gentleman from Florida (Chairman YOUNG) for his hard work on behalf of Floridians. I want to thank the White House, and I want to thank the President specifically and Governor Jeb Bush for their tireless efforts to help those who have suffered the damages of four hurricanes.

This has been a unique and unusual year in our State. The gentleman from Tallahassee said it very brilliantly when he said that we have all suffered in Florida. Virtually every one of 67 counties has had some impact from the four storms that have visited our State.

The gentleman from Florida (Chairman YOUNG) has designed a supplemental bill on behalf of the OMB and the White House that does meet many of the critical needs of our State, from NASA to FEMA to the Corps of Engineers to beach renourishment to fixing problems, including a generous allocation to the Red Cross which has expended considerable resources to helping those Floridians who are in a time of desperate need. But I also want to suggest that the gentleman from Florida (Chairman YOUNG) has a bill that will enhance and further the efforts that have been left out of this supplemental package.

Now, I appreciate all that has been done on behalf of Florida by our colleagues from 50 States and the territories we all represent. We are deeply grateful for the efforts made on behalf of the leadership and others to bring this bill to the Floor in a timely manner to remedy and remediate the problems we have experienced in Florida. But, as the gentleman from Florida (Chairman YOUNG) clearly stated, more needs to be done.

Not all crops have been considered in this supplemental. In my district, sugar suffered a drastic and dramatic loss of crop, as have citrus, as have row crop, as have plant nurseries, as have cattle and dairy. Those are considered in the bill; others have not been. We want to bring equity to the table. Anybody who has suffered a loss should be brought whole.

I want to thank those, specifically FEMA's director, Mike Brown, and all of the FEMA employees that are in Florida today and other States that have suffered as a result of the hurricanes. We have over 3,000-plus FEMA active-duty workers as well as volunteers who are in our State assisting the

governor in bringing relief to the desperate citizens of Florida.

So I applaud the gentleman from Florida (Chairman YOUNG) for his deliberation and the speed in which this measure was brought to the floor. And I commend to the leadership and to the White House H.R. 5227, a furtherance of that effort to bring whole the damages suffered by Floridians.

Hurricane Charley came to Punta Gorda on August 13; followed by Frances to Stewart, Florida, a district I represent as well as Punta Gorda; followed by Jeanne hitting the very exact same territory. The gentleman from Florida (Chairman Shaw) has been extraordinarily helpful in coordinating the efforts of our State delegate agencies and bringing relief to our citizens. The effort is largely made whole by the work of the gentleman from Florida (Chairman YOUNG), but I hope we are able to consider in the remaining hours of this session H.R. 5227, authored by the gentleman from Florida (Mr. YOUNG) to remedy the remaining issues outstanding.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in appreciation for the work of the gentleman from Florida (Chairman YOUNG) and the gentleman from Wisconsin (Ranking Member OBEY) in responding to the crisis in Florida, but I rise with concerns about what is not included in this bill.

We continue to receive daily reports of the ongoing genocide in Darfur. Despite commitments from the White House to do so, the Sudanese government has not taken steps to reduce the violence and reign in military forces. While the United States and the United Nations continue to put pressure on Khartoum, the situation on the ground in Darfur gets worse, and prospects increase for a rapid escalation of violence.

The only chance we have in the immediate future to end the killing and prevent future violence is to enable the deployment of more African Union monitors to Darfur. Incredibly, while the State Department has clearly identified the need for additional funds to support such a force, the administration has not requested these funds.

The African Union has reached consensus on the deployment of a force of between 3,200 and 3,600 troops to Darfur. The government of Sudan has agreed to this. Several African nationals have committed to send troops. The cost to support this force for 1 year has been estimated by the State Department to be \$220 million and, at the moment, the United States has contributed \$20 million from existing sources, and other donors are being sought to share the cost.

However, no other donors have yet come forward. The State Department needs at least \$33 million immediately to get this force mobilized and deployed. Prospects of getting additional

funding to meet the need for the full \$220 million cost are uncertain.

We can take immediate action to secure these funds. As this supplemental goes to conference, I will work to ensure that we include the transfer of \$93 million from Iraq reconstruction funds for this African Union force or to meet unforeseen needs for humanitarian relief.

The Secretary of State has clearly indicated to a number of Members that these funds are necessary and that there are no other sources from existing accounts. Congress has already provided the administration with the authority to transfer up to .5 percent of Iraq construction funds to meet unforeseen needs in Sudan. The President could exercise this authority today if he chose to, but we have been told that the White House is not inclined to do so. Adding language mandating the transfer will not add to the cost of the bill, as we are transferring funds already available, and it would not set a precedent for future transfers from Iraq reconstruction; it is a one-time authority only.

The latest report on Iraq indicated that only \$1.2 billion of the \$18 billion we provided has been spent; only \$7.1 billion has been obligated. Surely, we can respond to this genocide in Sudan, and I hope my colleagues on both sides of the aisle will work with me to make this happen.

□ 2015

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me time.

I want to comment on the gentlewoman's remarks that just preceded me, my distinguished friend and colleague, the gentlewoman from New York (Mrs. LOWEY). I quite agree with her that we need the money for Darfur and we need the money to make sure that we can have a peace settlement in that region, and that we can have forces there that can enforce that peace. But as she pointed out, the authority for that exists already in law. And while we can spend tonight beating up on the administration for not exercising it, they have the ability to do that, and I think they will exercise that at the appropriate time. No legislation, no action by this Congress is needed in order for them to do that.

Mr. Chairman, I want to take my moment here to rise and thank the gentleman from Florida (Mr. YOUNG) for introducing this supplemental legislation and to rise in support of the international disaster assistance in the Caribbean.

While the vast majority of the funds in the bill are intended to assist American citizens who have been affected by recent hurricanes and tropical storms,

there is \$100 million that is set aside here in order to help our neighbors in the islands of the Caribbean. Several of these nations were devastated by wind, rain and flooding due to these hurricanes, particularly in Haiti, Grenada, the Bahamas, and Jamaica. Approximately 3,000 people in Haiti are either confirmed dead or reported missing due to flooding caused by Tropical Storm Jeanne. In addition, Hurricane Ivan destroyed nine out of 10 homes on the island of Grenada.

The United States has already responded with \$18 million in humanitarian assistance to those in the region that have been affected by these storms. But the scope of the destruction is very significant and additional resources are necessary. I am pleased the administration responded positively to our recommendation that \$100 million was needed, and amended the initial request of \$50 million. I support this assistance. I urge passage of this legislation. Even as we respond at home to the needs of our people in this country, I think Americans remain generous in their response to people who are devastated by hurricanes and disasters in other countries, including our neighboring Caribbean countries. I urge support of this legislation.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Chairman, I thank my friend from Wisconsin (Mr. OBEY) for yielding me time.

Mr. Chairman, it is regrettable that this bill fails to provide even a modest amount for the gravest humanitarian emergency facing the world today, the senseless slaughter of innocent civilians in Darfur.

I want to congratulate the chairman for bringing this bill forward at this time, and I certainly support it, and I support the provisions. I certainly join the gentleman from Arizona (Mr. KOLBE) in his observations with reference to \$100 million for our Caribbean friends who have been devastated. However, both the President and the Secretary of State have called the tragedy in Sudan genocide. And the United Nations has identified it as "the world's worst humanitarian crisis."

But we still have the opportunity to support an African Union peacekeeping force intended to put an end to the blood shed and we must not turn our backs.

How can it be that destruction of 400 villages, the murder of 50,000 civilians, and the displacement of more than one million people is not an emergency worth a modest investment to stop the slaughter?

It is true we have provided millions of dollars in humanitarian relief for those already affected by this ongoing horror. But we have not yet adopted the appropriate sense of urgency about ending the murderous campaign of the Sudanese Government and its Janjaweed henchmen.

The USAID estimates that 350,000 more people could die of disease and malnutrition over the next 9 months. The fact is the killing must stop before the farmers and herders can return home to Darfur and resume feeding their families. At the very least, Mr. Chairman, we ought to require the administration to use existing authority to reprogram \$93 million in unobligated Iraq reconstruction money now, the operative word is now, to end the genocide in Sudan, as the gentlewoman from New York (Mrs. LOWEY) as proposed and the gentleman from Illinois (Mr. JACKSON) has proposed, and indeed, I think as the gentleman from Arizona (Mr. KOLBE) supports.

Ten years ago when 800,000 Africans died in the Rwandan genocide, we vowed, as the world has too often: never again. How is it that the world so quickly forgets what "never again" means? What generated the sentiment "never again" in the children, the women, the elderly? They will not understand if we simply talk, if we simply say at some point in time we will act.

We now have an opportunity to prove that we meant never again, that this Nation, a beacon for human rights, decency and freedom will not stand by, Mr. Chairman, and watch the slaughter of innocent men, women and children. This Nation and the world have a moral obligation to act. Mr. Chairman, we cannot ignore that moral obligation.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to a very distinguished gentleman from Florida (Mr. SHAW) who has lived through several hurricanes right in his own home town.

Mr. SHAW. Mr. Chairman, I would like to speak just a moment to the comments of my friend, the gentleman from Maryland (Mr. HOYER). What he said about the suffering in Africa is absolutely correct, but that has nothing to do with this bill. This bill is about us and our neighbors, and that is what we are talking about here this evening.

Florida is bleeding. It is bleeding. We have had tremendous damage all throughout the State. Four hurricanes in one year. There is nobody in this House, there is nobody alive today that can remember the tremendous suffering that one State has suffered because of the hit of four hurricanes. Alabama, Georgia, North Carolina, South Carolina, this is what this is about, and our neighbors to the Caribbean. And Haiti, where they have bodies that are still hanging in trees because of the devastation that they have been hit with.

These are the people that we are talking about tonight. These are the people that we need to take care of because of this appropriations bill.

Mr. Chairman, my friend, the gentleman from St. Petersburg, Florida (Mr. YOUNG), how fortunate we are to have him as chairman and the cooperation of the gentleman from Wisconsin (Mr. OBEY) that we have gotten.

One thing about this Congress, we come together, we come together to



bring an end to suffering, to bring an end to the damage and tremendous damage that has been done in the State of Florida and across the southeastern United States.

So tonight we will be united in our vote, and I am confident that we will get great support on both sides of the aisle, and I thank the chairman very much for bringing this bill so quickly. This is absolutely unforeseen, the tremendous suffering that we have had in my own home State of Florida, and I urge everyone to vote "yes" on this most important bill.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. JACKSON).

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, this emergency supplemental should contain funding for African Union peace keepers in Sudan to address the worst humanitarian crisis in the world today, but it does not. Six thousand to 10,000 Darfurians are dying each month. That is why the language should be in this bill, because this is the only bill leaving this station until after the election.

1.2 million live in overcrowded camps needing security and struggling to survive; 50,000 Darfurians have been brutally murdered, many in front of their own family. This Congress in a unanimous way went on record to declaring it a genocide and since 2003 the Sudanese Government and their murderous Arab militia, the Janjaweed, have waged a deliberate and systematic campaign of rape, torture, starvation, and murder.

In September, the gentleman from Arizona (Mr. KOLBE) and I traveled to see the devastation and destruction in Darfur. We both concluded that the first and immediate step was to provide security for the people of Darfur. This supplemental is the only bill that can provide security for the people of Darfur. So we pledged to work together for an expanded African Union and force in Darfur. But the chairman came to the floor and said that the President already has the authority. But the President just a few days ago in a debate declared that it was a genocide, so why has he not exercised the authority?

Like the distinguished minority whip, the gentleman from Maryland (Mr. HOYER), said, we need the help now. Now the African Union is moving forward to save lives. In the last few days they have reached an agreement to deploy 3,500 additional troops into Darfur at an estimated cost of \$240 million of which the United States is expected to contribute one-third. Yes, we must help the people of Darfur, but this Congress is also on record suggesting that it is a genocide. Yes, the people of Florida; yes, the people in the southern United States. But, Mr. Chairman, not to do so would be a moral failure.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. WELDON), the very distinguished member of the Committee on Appropriations from Florida's east coast and Cape Canaveral and the Space Center.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me time, and I want to commend him for bringing this work and this piece of legislation to the floor.

The past 6 weeks for me in the congressional district I represent have been the worst 6 weeks that I have ever had to deal with. We had Charley rip through the west side of the district after devastating the southwest coast, Punta Gorda, Port Charlotte. It came up into Orlando and devastated the community of Kissimmee and St. Cloud, the community that I represent; 200,000 people without electrical power, hundreds of businesses destroyed, thousands of homes damaged or destroyed.

I thought that was it for the season and then a few weeks later we had Frances, devastating the community of Vero Beach, Sebastian, Melbourne Beach, Melbourne. Again, leaving businesses destroyed, people unable to go into their homes. Tragically, it wreaked horrible damage at our Nation's space center, Kennedy Space Center, the vehicle assembly building badly damaged, a critical building that makes thermal installation tiles and blankets for the Space Shuttle, the roof torn off of it.

I thought we had had enough. I thought that was basically it. And then to our shock and amazement Jeanne came through, a more powerful hurricane than Frances with higher sustained winds, leaving again hundreds of thousands of people without electrical power, shuttering businesses. There are thousands, literally, there are thousands of people in my congressional district who have had their homes destroyed, destroyed.

You do not know what it is like to go to people's street and they have seen everything they have absolutely destroyed.

This is very, very timely legislation. I very much appreciate the money that the President has put in for the beach renourishment, but I will just share with the chairman, I do not think this figure is adequate. I think my congressional district alone can consume two-thirds of that money. And I am looking forward to working with you. This is not about just a place for people to swim. It is not just about sea turtles having a place to lay their eggs. I have hotels that cannot open, people that cannot go to their jobs. This is very, very bad; and it is very, very timely we do this.

I know there are a lot of people that have been devastated in the Carolinas and in Alabama and certainly in the gentleman from Florida's (Mr. MILLER) district in the panhandle. I see he has come to the floor. I think his district is probably the worst hit in the State. I

thank the chairman for his hard work. We are looking to him to be our hero again.

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Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG), our senior chairman for the Committee on Appropriations, and the gentleman from Wisconsin (Mr. OBEY), our ranking member, for bringing the bill to the floor. I want to thank them on their speediness. I know \$2 billion has already been appropriated. This allows another \$10 billion, not near enough, but it is certainly a start.

Florida very definitely must be helped. The residents there have shown that they are true patriots and Americans, and yes, they need the help.

Also, the countries in the Caribbean, I thank my colleagues for the \$100 million, and it is most important that we help our neighbors in this time of devastation. Whole countries have been devastated, 80 percent of some of their housing, their schools, their hospitals. This will begin to help them, and I thank my colleagues for that. It is not enough, but it is a start, and I hope we will continue to work on it.

There is much more to be done in the Caribbean, in Florida, and as was mentioned, I am sure this Congress will be there.

In Darfur, as has been mentioned, in the Sudan, they, too, are in a crisis. People are dying every day, Mr. Chairman. We need to help them. The President has declared a genocide. The Secretary of State has declared a genocide. We need to help them.

I call on the World Bank and the Inter-Development Bank to forgive the loans of those Caribbean nations, to offer grants for those nations. Those people need to get back on their feet as well.

I call on the World Bank and the Inter-Development Bank to help Darfur, to help the Sudanese people. I think it is time to issue sanctions against Sudan. That would help to make sure that the Janjaweed would not terrorize the community, the nation, the people; and they are doing just that.

So I ask for our President and this Congress, we must be the leaders that God intends that we be. We must stand up, yes, help Florida, give those people what they need. They have been there with us, and we owe it to them. The Caribbean neighbors that we have, Haiti devastated, and this appropriations bill that is now a supplemental moving quickly, and we thank the leadership for that.

We need to do more for Darfur. We have got to do it. We ask for one-half

percent of the money that was appropriated to Iraq, \$20 billion appropriated, \$2 billion spent. We can do better and I hope we will.

Today we are considering H.R. 5212, Emergency Supplemental Appropriations for Hurricane Disasters. The funding levels within the supplemental will provide \$100 million for the Caribbean region which has been devastated by recent hurricanes and tropical storms. As a member of the House Appropriations Committee and the Subcommittee on Foreign Operations, I have advocated for funds sufficient to address humanitarian and reconstruction needs for countries affected in the Caribbean.

While I am happy that funds have been provided, I am dismayed that more funds were not provided. The good news is that Haiti, which is in dire need of assistance, will receive perhaps as much as \$72 million in aid. The bad news is that other countries in the region will not receive anything close to the monies necessary to rebuild schools and to repair their infrastructures.

The country of Jamaica will receive only \$17 million, but the government estimates that it will take \$250 million to rebuild homes, replant crops, and build seawalls to protect against future hurricanes and tropical storms. Grenada was also hit hard by storms and will receive approximately \$9 million in aid. Preliminary government estimates are that 80 percent of the housing stock has been damaged, 10 percent or 10,000 homes will need to be replaced and 82,000 persons have been displaced from their homes. Clearly Grenada needs more money, and so do the countries of the Bahamas and St. Vincent and the Grenadines that will receive \$500,000 respectively.

Mr. Chairman, our Caribbean neighbors and friends are confronting destruction of such magnitude that it will take them years to recover. Many of these countries have previously received loans from the World Bank and Inter-Development Bank. Virtually all of the countries affected by the hurricanes can ill afford to carry more loan debt. I call on the World Bank and the Inter-Development Bank to forgive the debt of Caribbean countries affected by recent hurricanes. I also ask both institutions to issue immediate grants to these countries to help restore their schools, hospitals, food production capability, and the other essentials of everyday life. These international lending institutions must re-evaluate how to facilitate a policy of loan forgiveness or grants for these storm ravaged Caribbean countries.

It is an unfortunate reality that the region will continue to confront seasonal hurricanes and storms. Invariably, the region will continue to rely on the United States to provide humanitarian and disaster assistance in the future. Although our nation is limited in its ability to fully fund post-hurricane reconstruction efforts, we must endeavor to provide greater resources than the allocation in the supplemental. I support the bill before us. I regret that we could not provide greater funding to address the dire circumstances that exist in the Caribbean.

Mr. YOUNG of Florida. Mr. Chairman, last week I had the privilege of accepting an invitation from the gentleman from Florida (Mr. MILLER) to visit his district where the naval air station at Pensacola is located and was devastated. I am happy to yield 3 minutes to the gentleman from Florida (Mr. MILLER) who has done a tremen-

dous job in helping his people recover from this hurricane.

Mr. MILLER of Florida. Mr. Chairman, I thank the chairman, and I rise this evening in support of H.R. 5212. I thank the chairman on behalf of the 630,000 resilient folks of Florida's Emerald Coast, home to America's first settlement, the cradle of naval aviation, the largest Air Force base in the Western Hemisphere and thousands of small business owners, farmers and military veterans. The chairman's commitment to our efforts to rebuild stronger and better than ever has not gone unnoticed and will not be forgotten.

Mr. Chairman, on September 16, Hurricane Ivan devastated northwest Florida, leaving no life untouched. It was a monstrous storm, residents locked down as they were instructed, and nearly a day before the storm began its march towards the northern Gulf coast, defenseless beaches began to feel its first blows. By midnight, rising seas, hurricane force winds and driving rain were being felt all across my congressional district.

The storm continued its rage through the night and well into the next day with its 130-mile-an-hour winds, its 16-foot storm surge, leaving damage, devastation and death in its path for hundreds of miles.

In the days following Ivan, President Bush, a host of Cabinet secretaries and under secretaries and the chairman visited my district and saw firsthand the devastation. My colleague has seen that we are a resilient people and we will bounce back.

Folks now have ice, they have food, they have water. The lights are coming back on. The bridges are being mended. Roofs are tarped and naval aviators are training once again, but we still need help.

This emergency funding measure will deliver what we need to rebuild our bases, our seashores, our bridges, our roads and our lives, and I think that this bill is just what the Federal Government should be doing to fulfill its responsibility to provide the appropriate aid as quickly as possible. From here, we will ensure that it gets into the intended hands as quickly as possible.

As for the Panhandle's future, it is not our character to give up hope. Our communities will continue to unite together. We will rebuild our military infrastructure, and Pensacola will remain the cradle of aviation. To me, there is no place in the world like the Florida Panhandle, and its residents know that there is no better place to rebuild our lives.

I thank the chairman for his efforts.

Mr. YOUNG of Florida. Mr. Chairman, might I inquire as to how much time is remaining on either side?

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 10½ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 17½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to another distinguished gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I represent the Tampa Bay area, adjacent to the gentleman from Florida's (Mr. YOUNG) district.

The community I represent went through four separate preparations for these horrific hurricanes that have been described tonight, and we were blessed to avoid most of the damage, but the State has suffered immensely. As we stand here tonight, enjoying some electricity, there are still thousands of people in Florida who have no electricity and no water.

I rise tonight in support of the resolution, applauding the gentleman from Florida (Mr. YOUNG) for bringing our congressional delegation together and also to thank our colleagues and the folks they represent around the country for coming together to support us at a very, very difficult time. We will not forget this.

I also want to take the opportunity to thank the countless volunteers and workers, particularly from utility companies, Ohio, Pennsylvania, Tennessee, Kentucky, Georgia. These convoys were traveling night and day up and down our interstate highways, people coming and spending a lot of time away from their families, working around the clock for much longer periods than they expected, to help us put the State back together.

I also want to recognize the faith community, the Georgia Baptist Convention, other people coming from churches and other religious organizations throughout the country to volunteer, in many cases on their own nickel, in some very difficult circumstances. We will not forget that either, and we are very appreciative.

Finally, I want to highlight what the gentleman from Florida (Mr. BOYD), whose district is adjacent to the gentleman from Florida (Mr. MILLER), pointed out: There is roughly a discrepancy of about \$2 billion between what had been originally determined to be the amount that was needed for hurricane relief and what we are voting on tonight, and it is very important, if we are going to get this job done, we get it done right.

So I want to encourage the Congress to work with the gentleman from Florida (Chairman YOUNG) as he attempts to fill that gap. There are a couple of areas involving highway grant funds, money for beach restoration, money for repair of military facilities; and a good job is worth doing well. We need to make sure we get this done right before the bill gets to the President's desk.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Florida (Mr. MICA) for the purpose of a colloquy.

Mr. MICA. Mr. Chairman, I am pleased to engage with the chairman of the Committee on Appropriations in this colloquy.

First of all, I want to take a moment and commend the gentleman from Florida (Chairman YOUNG) and the Committee on Appropriations for bringing this supplemental appropriation to the floor. I thank him for his leadership in the House of Representatives and for his service to our State and our Nation in this difficult time.

As some of my colleagues may know, central Florida is the fern capital of the United States. Unfortunately, the nursery and fern industry suffered the second largest amount of agricultural damage from recent hurricanes, just behind citrus.

The United States Department of Agriculture staff estimates that 65 percent of the industry's total acreage in central Florida has been totally lost. In addition to \$32 million in infrastructure losses, the industry has suffered crop losses of \$76 million. Worse, it takes some 7 years to reestablish crops in natural shade, and the long-term loss is estimated at \$235 million.

Mr. Chairman, the total economic impact from hurricanes on the fern industry, the lifeblood of this central part of our State, is \$342 million.

It is my understanding that by adding an additional \$90 million to section 32 funds, the USDA will be able to ensure that they will have adequate funds to make payments to producers in Florida, including those in the fern industry.

I would ask the gentleman from Florida if this is his understanding as well.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I will say to the gentleman that, yes, this is my understanding.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in permitting me to speak on this bill. I rise in support of it. Our hearts again go out to the victims of natural disasters like the hurricane in the Southeast, but I would, with all due respect, suggest that we ought to start thinking about how we can do more.

This is the second time we have done this in 2 months, but it is not just a once-in-a-century occurrence in Florida. In 2003, President Bush issued 56 major disaster declarations. So far this year he has already issued 46. During the 8 years I have been in Congress there have been at least 10 disaster supplementals, and we have appropriated over \$20 billion in disaster relief funding in supplementals.

CRS has testified that there is no systematic accounting of disaster relief funding, even just the Federal cost. Now these bills are popular and they are important. They make us feel better; they help people. But always acting after the fact we create a wider hole for the taxpayers, and we keep putting people in harm's way.

I remember in 1999, where we had supplemental funding that put hog lagoons back in a flood plain. Now, we should not just continue to clean up after these tragedies and these messes.

Congress has an opportunity to make a real difference to prevent some of the future damage when we have major legislation like this. Whether it is flooding, fires, hurricanes, drought or earthquakes, we can make a difference ahead of time.

I look at what happened in California with the recent wildfires that we have seen earlier in this Congress. We saw in Ventura County and Los Angeles County, Stevenson Ranch, where people did some thoughtful planning before the fact and the losses were dramatically reduced.

We should at a minimum create a comprehensive national strategy for responding to and preparing for recurrent natural hazards. It ought to include consistent Federal policies. We should shift some of our Federal investments to prevention and protection. We should provide technical and financial assistance to support State and local mitigation efforts like in the State of Florida, hazard mapping, land use planning, building standards, retrofitting existing structures. We should use our Federal facilities in States like Florida to model the best practice in terms of location and safe construction.

Now, earlier this year, we stepped in this direction, reforming the flood insurance program. The funding in this bill will save the Federal Government millions of dollars in avoided flood damage, such as we are currently seeing in Florida, and it will reduce losses in the future and take people out of harm's way. Unfortunately, this bill, authorized, has not been funded.

I sincerely hope we pass this bill today, and I look forward to seeing what the chairman and the ranking member can work out to do it in a comprehensive way to make sure that people are not left in the lurch.

But when my colleagues are adding more in, please consider doing a little bit to help people in Florida and other areas avoid danger in the future. Fund the flood insurance reform that does not cost any general fund money. It simply takes some that is already there in that fund and allows it to be used. And let us not put people back in harm's way; let us give them a helping hand, as well as assistance.

Mr. YOUNG of Florida. Mr. Chairman, the gentlewoman from Florida (Ms. HARRIS) knows exactly what it is like to live through a hurricane and to suffer severe damage to properties and investments. I yield 3 minutes to the gentlewoman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Chairman, I rise in support of H.R. 5212, which provides the people of Florida with the emergency assistance they need and deserve.

As I have visited emergency operations centers, Red Cross shelters and temporary housing sites throughout Florida's 13th Congressional District, I have been truly amazed by the courage, faith and compassion that I have witnessed.

We have heard about the resilience of these Floridians. I am reminded when I was visiting Hardee and De Soto, just moments before Hurricane Jeanne hit, several neighboring counties had offered to do a barbecue for some 600 folks who had been put out of their homes. When the rains once again came, I was humbled to hear those residents, who had lost everything, say that they were glad Jeanne was crossing once again their threshold since they had lost everything; if it came this way, they had nothing else to lose, and they were glad it was not going to harm anyone else.

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The people of Florida have met the unprecedented devastation of four hurricanes with extraordinary selflessness, determination and unity. They have done everything they can to begin rebuilding their lives. Now it is our turn to do everything we can to help them.

Thanks to the leadership of the gentleman from Florida (Mr. YOUNG), we acted swiftly and decisively in appropriating an initial \$2 billion for hurricane relief last week, and it was a good start, but a small fraction of the assistance necessary to combat the continued threat to property, to health and to livelihoods.

For example, these hurricanes destroyed beaches throughout our State, including Venice Beach in Southwest Florida. Homes now lie unprotected and exposed. This bill provides the critical funding that will enable the Army Corps of Engineers to prevent further damage.

I understand the desire on the part of many of my colleagues to address other disasters as part of this bill. We cannot, however, afford to get bogged down in considering additional measures that do not specifically relate to hurricane relief. Hurricane victims simply cannot afford to wait while we evaluate unrelated assistance proposals, as worthy as they may be.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in support of H.R. 5212, the Supplemental Appropriations Act, which provides disaster relief for damage caused by hurricanes Charley, Frances, Ivan and Jeanne, which caused widespread damage in several States of the United States as well as several Caribbean countries.

My colleagues, I would like to say that my heart goes out to all of the families and victims of these disasters, but I am very pleased that we live in a prosperous Nation where we can appropriate \$11 billion to assist in recovery

actions of Florida and other areas that were devastated. The recent hurricanes had devastating impacts on the entire Caribbean region. In Grenada, Hurricane Ivan destroyed 90 percent of all the homes, as well as numerous government buildings, hospitals, schools and churches. In Haiti, Hurricane Jeanne caused extensive flooding, killed over 3,000 people, with thousands more in desperate need of food, clean water, emergency shelter, and medical care. And stagnant waters have given rise to a large mosquito population that could lead to a malaria epidemic.

I could go on and tell you about Jamaica and St. Vincent and the other islands in the Caribbean. And I am thankful President Bush proposed \$50 million in supplemental appropriations, and I understand, as of this evening, that has been raised to \$100 million. We are indeed grateful that we can help our small neighboring countries in this way. But this cannot begin to meet the tremendous needs of thousands of affected people in Haiti and Grenada and other Caribbean nations.

I sent a letter to the chairman and ranking member of the Committee on Appropriations requesting a supplemental appropriation of at least \$500 million in disaster relief for the Caribbean. Sixteen Members of Congress signed my letter. That is all the time I had to get signatures. This Supplemental Appropriations Act does provide, again, \$100 million for these nations, and I am grateful, but I would hope that, in conference, we could raise that to \$500 million. It would go a long way in these very small countries and help them to deal with this terrible devastation they are experiencing.

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

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, what has happened on this bill is that after the four disasters that have been referred to this evening, the committee did what we did after the Congress was hit by anthrax a number of years ago. The committee went around to the agencies to try to figure out exactly what it was they needed to fully meet the needs of people who had been hit by these disasters. They went to the Agriculture Department, and the Agriculture Department people unofficially told the Congress what they thought the real level of need was.

There are some 35 States who have legitimate needs that need to be responded to with respect to refurbishing or reconstructing highways that have been damaged. And there are various other needs that will be listed in a chart which I will ask at the proper time to insert in the record following the remarks I am now making.

Essentially, the chairman, his staff and my staff, tried to work out what we thought was a tightly disciplined package to meet legitimate needs being faced in this unprecedented hurricane year. Unfortunately, the way

this place has come to work more and more is that people who know the least about problems are the people who often have the most to say about how they are dealt with.

And so, as a result, people who did not go around looking at the damage on the ground, as some of our Florida colleagues did, people who did not have a direct knowledge of the damage that was done and the kind of relief that was needed, they, for ideological reasons, decided that the committee product did not suit their pure idea of what was good and righteous, and so they decided, well, no, that is too much money. So the bill has been scaled back.

Now, as a result of its being scaled back, we are going to have a couple of amendments that are offered in Rube Goldberg fashion which will try to meet some of these legitimate needs by slashing into funds that meet other Americans' legitimate needs in programs ranging from agriculture conservation to cancer research. So we will be asked to vote for a bill which, as the gentleman from Florida indicated, may be good as far as it goes, but it sure does not go very far given the real need.

Now, this damage did not occur in my district, but there have been times when it did, and I know how badly we needed that help. And I know when my farmers were hit with droughts how badly they needed that help. And if we cannot remember what it was like when our constituents were hit with this kind of problem, then we cannot expect other Members to remember when we have a problem.

So I regret the fact that we have this half-a-loaf approach. I assume people will vote for it in the end because it is about all that we can get out of the system, but this, again, is a sorry mess. This Congress has not hesitated to provide \$128,000 tax cuts to people making a million bucks a year. But, oh, if you are a farmer who was hit by drought or if you are a property owner hit by hurricane damage or if you are a town chairman trying to deal with your road problem, sorry, buddy, you take second place, you take third place, you can sit in the caboose. We have to put that millionaire in the front seat, first class.

That is essentially what this Congress has done on program after program all year long. We should not be surprised they would do it again tonight. It is too bad, but there is not much we can do about it because the powers that be in this place have decided this is the way it is going to be.

Mr. Chairman, may I ask how much time remains?

The CHAIRMAN. The gentleman from Wisconsin has 5½ minutes.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Chairman, I thank the gentleman for yielding me this time, and I first want to commend

the chairman and the committee for the manner in which they have attempted to deal with a very serious problem, and not just in his State.

I repeat again, the devastation that has occurred in Florida I recognize, and I recognize the need for this body to step forward and to help, as the gentleman from Wisconsin just expressed. We have some disasters in west Texas, drought, excessive rain, some of it produced by the same storm system that hit Florida.

My frustration, not with the chairman but with the leadership on the Chairman's side of the aisle, is what I expressed by offering the amendment and asking that the previous question be struck. Because, yesterday, we had 44 Members of this body, including 14 on the Republican side of the aisle, that supported the best policy way of dealing with the problems that we are having all over the United States.

The President did not say our bill was bad. The President, in his proposal, said that we should treat disasters just like we have always treated them, as an emergency. The moment we begin to treat disasters as nonemergency and begin to budget for them, we have problems, and we have understood that in this body with the rule over the years, with the budget. Now, all of a sudden, once again, the leadership on the Republican side waves their magic wand, and all of a sudden, everyone falls into line.

And no matter how many times some try to explain we are not reopening the farm bill, we are reopening the farm bill in ways that it will take a few months perhaps to fully understand and appreciate. Because once we begin to tamper with the farm bill, just once, for short-term political benefit, then get ready for what happens next. I have been around here a few years, and I know what happens.

I guess the point I want to make, though, is, what happened between yesterday and today? What is it that yesterday had everyone from non-Florida States saying the best way to deal with this disaster is to treat everyone alike and fairly, 2003 to 2004, declare it an emergency, which is what this whole debate and discussion is about; then, all of a sudden we say, no, we are going to treat agriculture different? Of all of the appropriation bills, of all of the authorization bills, of anything that we have done in this body, we are now saying, treat agriculture different.

In fact, we now have a Member of the House Ag Committee, and to my chagrin, the chairman of the House Committee on Agriculture, who has adopted this now. Why? Because the leadership of this House said we have to do it this way. Well, 14 Members, and you can start taking a look, there are many Members who voted for the previous question who when they wake up tomorrow will find out that their district has benefitted from the conservation security program and that they have voted now to cut out a program

that many of their producers have said is a good program and should be carried forward. But because they have followed their leadership, not the policymakers of this body, they have decided that that is the way to go.

Well, I understand. It takes 218 votes. We lost on the previous question. Fourteen Members who yesterday said treat everybody alike today said, no, we are going to follow the leadership of this body.

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Take a good look at the leadership of this body and their opinion of what farm policy should be. That is what they are doing on their side of the aisle. But as long as they have got 218 votes, they can do it.

I conclude my remarks by again commending the gentleman from Florida (Mr. YOUNG). Of all of the people on their side of the aisle, Mr. Chairman, I constantly marvel at his demeanor, his patience, the manner in which he accepts his frustrations from time to time and deals with a very difficult job, but he does it well. I know a little bit about what has gone on within his committee, and I want to thank him publicly for what he has tried to do.

I hope that when they get to conference and work with the other body that he does what he said a moment ago, and we will put together a bill that deals with all of the problems in a fair and equitable way. And I will stand with him on that, as I do tonight.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am going to repeat just briefly what I said earlier, that H.R. 5212, which is the bill we have under consideration at this moment, is a good bill as far as it goes. But it does not go far enough. It is about \$1.6 billion short, and that \$1.6 billion we added in H.R. 5227. For those who were concerned about spending the extra money, we have offset it. In our bill, H.R. 5227, we offset that \$1.6 billion, so there is no real added cost.

I want a good vote on H.R. 5212. I want to get this bill into conference as soon as we can. We need to finish this job before we leave here for the election break. I do not want the people in Florida to have to wait 3 or 4 weeks before this financial recovery comes to them. I would point out again that FEMA has advised me that by Friday night this week, they will be pretty much out of money. We cannot let that happen.

I wanted to just take a minute and explain what we think should be in this bill that is not, and what is in H.R. 5227. For agriculture, we add \$509 million for additional assistance for agriculture and rural areas.

For highways and airports, we add \$750 million for the Federal Highway Administration's emergency relief program. Highways, believe it or not, have

been seriously damaged and destroyed by the hurricanes that visited Florida.

For NASA, we add \$59 million to repair the damage at the Kennedy Space Center, but also to harden the existing facilities to prevent further damage from hurricanes.

For the Army Corps of Engineers, this is very important to a lot of Members, we add \$147 million to make emergency repairs to waterways and shore areas, including dredging harbors and inlets that have been filled in by the erosion of the storm and shore protection projects.

For National parks and wildlife refuges, we add \$108 million to repair those facilities, to clear debris from the national parks, forests and wildlife refuges based on the most recent estimates from the Federal agencies.

We add \$7 million to adequately reflect the most current damages to the United States Coast Guard and their facilities.

As I said earlier, there is nothing political in this bill. These are not Member projects. These are not political projects. These are things that were damaged in disastrous hurricanes, that need to be fixed. H.R. 5227 fixes them; H.R. 5212 does not.

Again, H.R. 5212 is a good bill as far as it goes and it does maintain most of the promises that the President made to Florida. We are going to make sure and I am going to do everything possible to make sure that everything the President promised is going to be delivered by the Congress. I would not do less. I would do everything possible to see the additional hurricane relief, recovery, and disaster funds that I have included in H.R. 5227, become part of the appropriations process, and part of the appropriations bill. And let us get on with rebuilding a great State, a great State where every section of that State was affected by one or more of those disastrous hurricanes.

Mr. Chairman, I thank you very much for the way you have conducted the consideration of this bill today and the discussion and debate on the floor. I look forward to further discussion on two amendments that I know that the rule has made in order.

But, all in all, I want to pass H.R. 5212 with the hope and expectation that H.R. 5227 will come along behind it, which is the better bill. But H.R. 5212 is a good bill as far as it goes.

Mr. STEARNS. Mr. Chairman, I rise today, along with many of my distinguished colleagues, to speak on the importance of Supplemental Disaster Relief. First, I want to thank the Florida delegation, President Bush and Governor Bush for their efforts. Florida, in itself, has experienced an unprecedented number of hurricanes that have ravished our state in the past months. The 6th District of Florida, which I represent, is located in the North Central region of the state and does not contain any coastline.

However, it is important to realize how an entire state and outlying states can be affected by natural disasters. The 6th District of Florida is an example of such. All of the coun-

ties in my district, though all land-locked, were declared disaster areas by FEMA, by one hurricane or another. Farmers, businesses, schools and communities were halted in preparation of the hurricanes that were coming and were immobilized for days, and even weeks after the hurricanes hit. There are many different areas of a community that get affected by natural disasters and this supplemental package makes sure that all facets are getting the relief needed. In closing, I want to praise FEMA for doing an exceptional job responding and providing help to the citizens of Florida and praise Chairman YOUNG for his efforts in seeking aid for such a worthy cause. I urge my colleagues to support the Supplemental Disaster Relief funding.

Ms. CORRINE BROWN of Florida. I want to thank the gentlemen from Wisconsin and Florida for their hard work on this legislation.

This bill is needed now and the Committee is doing its job by getting this bill to be considered on its own rather than as part of another appropriations bill.

However, there are still thousands of people in Florida without electricity.

These storms had a huge impact on our tourist based economy with millions of dollars lost in hotel rooms alone.

Car dealerships, mobile home dealerships, boat dealerships have been wiped from the face of the earth.

I rise to object to the limited funds available for the small farmers in Florida. It is the end of the growing season and there is no chance to recover any of the investment that the small farmers in my district put into their land.

Farmers are losing an entire year's crop and have nothing to show for it.

While some crops still have time to rebound and get back some investment by the end of the growing season, the squash farmers in my area are totally out of luck. I heard from one gentleman, Mr. Roy Brown, who has 40 acres of squash that is ruined. He has put \$520 into each acre, for a total loss of \$20,000.

While there is some compensation available, by rule he can only get 50 percent of his investment back. That leaves him over \$10,000 in the hole.

Why did it take so long for the money to get to these people? Have they not suffered enough without needing to wait for us to get to work?

We need more money for these people who have suffered from 4 hurricanes in a 6-week period.

Mr. JACKSON of Illinois. Mr. Chairman, this emergency supplemental should contain funding for African Union peacekeepers in Sudan to address the worst humanitarian crisis in the world today. But, it does not.

6,000 to 10,000 Darfurians are dying each month.

1.2 million live in overcrowded camps, needing security and struggling to survive.

50,000 Darfurians have been brutally murdered, many in front of their own family.

Since 2003, the Sudanese government and their murderous Arab militia, the "Janjaweed," have waged a deliberate and systematic campaign of rape, torture, starvation and murder.

In September, Chairman JIM KOLBE and I traveled to see the devastation and destruction in Darfur. We both concluded that the first and immediate step was to provide security for the people of Darfur.

So, we pledged to work together for an expanded African Union force and mission in Darfur.

The Administration seemed to agree. In last week's debate, the president stated: "in . . . Darfur, I agree it's genocide . . . I agree with my opponent that we shouldn't be committing troops. That we ought to be working with the African Union to do so . . . My hope is that the African Union moves rapidly to help save lives."

Now, the AU is moving forward to save lives. In the last few days, they've reached an agreement to deploy 3,500 additional troops into Darfur, at an estimated cost of \$240 million, of which the United States is expected to contribute about one-third.

But, this emergency supplemental does not provide it. What a glaring omission with potentially tragic consequences.

So, Mr. Chairman, we must amend this supplemental in conference by transferring funds from the Iraq Reconstruction and Relief Fund to support the AU peacekeeping force in Sudan.

Not to do so would be a moral failure.

Mr. MEEKS of New York. Mr. Chairman, I rise today to join with other Members of Congress in calling for humanitarian assistance to the Caribbean countries devastated by Hurricane Charley, Frances, Ivan, and Jean.

We all know that the southern United States and particularly Florida have been hurt badly by the worst series of hurricanes in decades and I pray for their continued strength and determination through these difficult times.

But, even as we help Florida, Alabama, and other states here in the United States struggle to recover from the devastation inflicted by successive hurricanes, we cannot be indifferent to the destruction the hurricanes delivered to a number of our Caribbean neighbors.

Ninety percent of the buildings on Grenada have been damaged. The Bahamas and Jamaica have been hit hard. The Puerto Rico, the Dominican Republic, and Haiti have experienced flooding and mudslides. The hurricanes have robbed hundreds of people of their lives and tens of thousands of their livelihoods.

Two-thirds of the population of Grenada have been left homeless and it is estimated that millions will be needed to rebuild. Death tolls in Haiti are at the 3,000 marker.

While \$50 million will begin to address the humanitarian and reconstruction needs, this is only a beginning. Hurricane Mitch in Honduras required \$400 million. We can do at least as much for our neighbors.

Ms. LEE. Mr. Chairman, first, I thank the distinguished Gentleman (Mr. HASTINGS) for yielding and for his leadership on the Rules Committee.

The funding level for hurricane-ravaged Caribbean countries is totally inadequate, and this bill fails to include any funding to address the ongoing genocide in Sudan.

The Bush Administration's actions on Darfur continue to be too little, too late.

It took months for them to call the actions of the Khartoum Government and their militias a "genocide" against the Darfur people.

Now, that we have called the killing, raping, and torture what it is, the Republican leadership has done little to nothing to bring international support through funding and resources.

I stand here today with my colleagues calling on this Administration to re-program and re-allocate money from the re-building Iraq accounts, and into the peacekeeping and hu-

manitarian relief programs desperately needed in Darfur.

Not only does this bill ignore the desperation of the victims in Sudan, but it provides woefully inadequate resources for our Caribbean neighbors suffering from the devastating blows of the hurricanes.

Our Third Border neighbors are suffering. Earlier this year, the House passed H. Con. Res. 496, a bi-partisan resolution that I introduced, expressing empathy for the Caribbean, and urging the U.S. government to step up and lend a hand to our neighbors in need.

The last I checked, we were the wealthiest, most powerful country in the world.

We can afford to give \$200 billion to fight an unfounded war in Iraq, but we cannot imagine giving one-one thousandth ( $\frac{1}{10000}$ ) of that to our neighbors who are in desperate need.

There were four hurricanes in five weeks. People are starving. Homes are in shambles, and more than 441,000 people are displaced.

Frankly, the \$100 million included in this bill to assist the Caribbean is embarrassing.

We should be considering at least \$250 million, or really \$500 million as may Congressional Black Caucus colleagues and I continue to push for.

Seventy percent of Grenadians have been left homeless; all their economic sectors were severely affected.

More than 2000 Haitians are dead, and 300,000 people homeless.

We must support rebuilding the entire region and take a more comprehensive and democratic approach in our policies toward Haiti.

For weeks, CARICOM officials and congressional leaders have been meeting to discuss the damage to the entire region. Most Americans know firsthand the devastation caused by natural disasters—floods, droughts, hurricanes, tornadoes, fires and earthquakes.

Throughout our country, individuals, churches, grassroots groups, non-profit organizations have rushed to assist in relief efforts to the region.

Mr. Chairman, these nations are simply overwhelmed.

So while the \$100 million in assistance this bill contains is a good start, it is only that. That is why my colleagues and I will advocate for additional funding to address these disasters.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 5212 is as follows:

H.R. 5212

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, to provide emergency supplemental appropriations for additional disaster assistance relating to storm damage, and for other purposes, namely:

#### DEPARTMENT OF AGRICULTURE

##### FOREST SERVICE

##### NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System," \$2,000,000, to remain available until expended, for emergency hurricane-related expenses: *Provided*, That Con-

gress designates this amount as an emergency requirement for this specific purpose.

#### CAPITAL IMPROVEMENTS AND MAINTENANCE

For an additional amount for "Capital Improvements and Maintenance", \$33,000,000, to remain available until expended, for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

#### GENERAL PROVISIONS—DEPARTMENT OF AGRICULTURE

##### AGRICULTURAL ASSISTANCE

##### AGRICULTURAL HURRICANE ASSISTANCE

#### SEC. 101. (a) CROP DISASTER ASSISTANCE.—

(1)(A) The Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance available to producers on a farm in the United States, including Puerto Rico that have incurred qualifying losses for the 2004 or 2005 crop of an agricultural commodity due to damaging weather related to any hurricane or tropical storm of the 2004 hurricane season, in counties declared disaster areas by the President of the United States.

(B) The Secretary shall make assistance available under this section in the same manner as provided under section 202 of Public Law 108-7, including using the same loss thresholds as were used in administering that section.

(2)(A) The payment rate for a crop for assistance provided under this section to the producers on a farm shall be calculated as follows:

(i) If the producers obtained a policy or plan of insurance, including a catastrophic risk protection plan, for the crop under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 50 percent of the established RMA price for the crop.

(ii) If a policy or plan of insurance, including a catastrophic risk protection plan, for the crop was not available to the producers under the Federal Crop Insurance Act, 50 percent of the State average price for the crop.

(iii) Subject to sub-paragraphs 4 and 5, if the producers did not obtain a policy or plan of insurance, including a catastrophic risk protection plan, available for the crop under the Federal Crop Insurance Act, 45 percent of the established RMA price for the crop.

(B) The amount of assistance that a producer would otherwise receive for a qualifying crop or quality loss under paragraph A of this subsection shall be reduced by the amount of assistance that the producer receives from section 32 of the Act of August 24, 1935 with respect to 2004 hurricane losses.

(C)(i) Assistance provided under this section to a producer for losses to a crop, together with the amounts specified in paragraph (2)(A) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(ii) In applying the limitation in paragraph (C)(i), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(iii) Payments will be limited to a maximum of \$80,000 per producer.

(A) This limit applies to the sum of payments from this program, as well as payments made under section 32 of the Act of



August 24, 1935 with respect to 2004 hurricane losses.

(3) Except as provided in paragraph (4), the producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act for the crop incurring the losses; and

(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 for the crop incurring the losses; or

(C) had adjusted gross incomes, as defined by section 1001D of the Food Security Act of 1985, of greater than \$2.5 million in 2003; or

(D) were not in compliance with highly erodible land conservation and wetland conservation provisions.

(4) The Secretary may waive paragraphs (3)(A) and (B) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(A) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act providing additional coverage for the insurable commodity for each of the next two crop years;

(B) in the case of a noninsurable commodity, to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next two crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996.

(5) In the event of the violation of a contract under paragraph (4) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this section.

(6) DEFINITIONS.—In this sub-section:

(A) The term “additional coverage” has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(B) The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act.

(C) The term “noninsurable commodity” means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996.

(b) CLEAN-UP ASSISTANCE.—The Secretary shall provide up to \$100,000,000 of Commodity Credit Corporation funds for the Emergency Watershed Protection Program and/or the Emergency Conservation Program to carry out additional activities in response to the 2004 hurricanes and tropical storms, including the provision of technical and financial assistance for improvements and clean-up. Persons that received payments from section 32 of the Act of August 24, 1935 with respect to 2004 hurricane losses are not eligible for these funds. Funds will be allocated to the programs, as determined by the Secretary.

(c) SECTION 32 PAYMENTS.—The Secretary shall transfer \$90,000,000 of funds of the Commodity Credit Corporation to the fund established by section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out payments with respect to 2004 hurricane losses.

(d) The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section,

to remain available through September 30, 2006.

(e) The Secretary may promulgate such regulations as are necessary to implement this section, provided that the Secretary shall use the authority provided under 5 U.S.C. 808.

(f) Congress designates the amounts provided under this section as an emergency requirement for the specific purposes authorized herein.

SEC. 102. In addition to amounts otherwise provided, up to \$130,000,000, to remain available until expended, for the Emergency Watershed Protection Program and/or the Emergency Conservation Program for emergency hurricane-related expenses including the provision of technical and financial assistance for improvements and clean-up: *Provided*, That Congress designates this amount as an emergency requirement for these purposes. Persons that received payments from section 32 of the Act of August 24, 1935 with respect to 2004 hurricane losses are not eligible for these funds.

#### DEPARTMENT OF COMMERCE

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, \$7,900,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for “Procurement, Acquisition and Construction”, \$6,800,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

#### DEPARTMENT OF DEFENSE

##### MILITARY PERSONNEL

##### MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$1,000,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of evacuation, which shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations due to hurricanes: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$13,225,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of evacuation, which shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations due to hurricanes: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$2,844,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

##### OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$404,591,000, to re-

main available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

##### OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$128,672,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$172,506,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, base recovery, and delayed satellite launches; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose: *Provided further*, That the Secretary of Defense may transfer these funds to appropriations for military personnel; operation and maintenance; procurement; and family housing: *Provided further*, That funds transferred shall be merged with and made available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense.

##### OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, \$1,442,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

##### OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for “Operation and Maintenance, Navy Reserve”, \$399,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

## OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$3,350,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

## OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$1,085,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery; of which not to exceed 25 percent shall be available for transfer to reimburse costs incurred in FY 2004 as a result of emergency evacuations and immediate recovery related to basic infrastructure due to hurricanes: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

OTHER DEPARTMENT OF DEFENSE PROGRAMS  
DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$10,286,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## PROCUREMENT

## OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,500,000, to remain available until September 30, 2005, for emergency hurricane-related expenses and replacement of destroyed or damaged equipment: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

## PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$102,500,000, to remain available until September 30, 2005 for emergency hurricane-related expenses, for the costs of repairs to structures and facilities, replacement of destroyed or damaged equipment, and preparation and recovery of naval vessels under construction: *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose: *Provided further*, That the Secretary of Defense may transfer these funds to appropriations for procurement; research, development, test, and evaluation; and military construction: *Provided further*, That funds transferred shall be merged with and made available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That such funds may be obligated and expended to carry out rebuilding of military construction projects not otherwise authorized by law.

## MILITARY CONSTRUCTION

## MILITARY CONSTRUCTION, NAVY

For an additional amount for "Military Construction, Navy", \$138,800,000, to remain

available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and facilities: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose: *Provided further*, That such funds may be obligated and expended to carry out rebuilding of military construction projects not otherwise authorized by law.

## MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for "Military Construction, Army Reserve", \$8,700,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and facilities: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose: *Provided further*, That such funds may be obligated and expended to carry out rebuilding of military construction projects not otherwise authorized by law.

## BASE REALIGNMENT AND CLOSURE ACCOUNT

For an additional amount for "Base Realignment and Closure Account", \$50,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## FAMILY HOUSING

## FAMILY HOUSING, OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Family Housing, Operation and Maintenance, Army", \$313,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## FAMILY HOUSING, OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For an additional amount for "Family Housing, Operation and Maintenance, Navy and Marine Corps", \$3,276,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## FAMILY HOUSING, OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Family Housing, Operation and Maintenance, Air Force", \$5,600,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, evacuation, base preparation, and base recovery: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## REVOLVING AND MANAGEMENT FUNDS

## WORKING CAPITAL FUND, DEFENSE-WIDE

For an additional amount for "Working Capital Fund, Defense-Wide", \$77,000,000, to remain available until September 30, 2005, for emergency hurricane-related expenses, for the costs of repairs to structures and equipment, and base recovery: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## GENERAL PROVISIONS—DEPARTMENT OF DEFENSE

## GENERAL TRANSFER AUTHORITY

SEC. 201. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer be-

tween appropriations up to \$210,000,000 of the funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2005, except for the fourth proviso.

SEC. 202. Funds appropriated in this title, or made available by the transfer of funds in or pursuant to this title, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## DEPARTMENTAL MANAGEMENT

PUBLIC HEALTH AND SOCIAL SERVICES  
EMERGENCY FUND

For an additional amount for "Public Health and Social Services Emergency Fund" to support aging services, social services and health services associated with natural disaster recovery and response efforts, \$50,000,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## DEPARTMENT OF HOMELAND SECURITY

## EMERGENCY PREPAREDNESS AND RESPONSE

## DISASTER RELIEF FUND

For an additional amount for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$6,500,000,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## UNITED STATES COAST GUARD

## OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$26,000,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

## COMMUNITY PLANNING AND DEVELOPMENT

## COMMUNITY DEVELOPMENT FUND

For an additional amount for "Community Development Fund", as authorized under title I of the Housing and Community Development Act of 1974 (Act), for emergency expenses resulting from natural disasters in Florida, except those activities reimbursable by the Federal Emergency Management Agency or available through the Small Business Administration, and for reimbursement for expenditures incurred from the regular Community Development Block Grant formula allocation used to achieve these same purposes, \$150,000,000, to remain available until September 30, 2007: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose: *Provided further*, That such funds may be awarded to the State of Florida for affected areas: *Provided further*, That notwithstanding 42 U.S.C. 5306 (d) (2), the State of Florida is authorized to provide such assistance to entitlement communities: *Provided further*, That in administering these funds for economic revitalization activities in Florida, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary



administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), upon a finding that such waiver is required to facilitate the use of such funds, and would not be inconsistent with the overall purpose of the statute or regulation: *Provided further*, That for activities funded by amounts provided herein, the Secretary may waive, on a case-by-case basis and upon such other terms as the Secretary may specify, in whole or in part, the requirements that activities principally benefit persons of low- and moderate-income pursuant to 42 U.S.C. 5301(c) and 5304(b)(3): *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation authorized under this heading no later than 5 days before the effective date of such waiver.

#### DEPARTMENT OF THE INTERIOR

##### UNITED STATES GEOLOGICAL SURVEY SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research", \$1,000,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT

For an additional amount for "Resource Management", \$2,700,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### CONSTRUCTION

For an additional amount for "Construction", \$24,700,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### NATIONAL PARK SERVICE

##### CONSTRUCTION AND MAJOR MAINTENANCE

For an additional amount for "Construction and Major Maintenance", \$48,900,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

#### DEPARTMENT OF JUSTICE

##### FEDERAL PRISON SYSTEM BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", \$18,600,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$5,500,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

#### DEPARTMENT OF TRANSPORTATION

##### FEDERAL AVIATION ADMINISTRATION OPERATIONS

For an additional amount for "Operations", \$5,100,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### EMERGENCY ASSISTANCE TO AIRPORTS (AIRPORT AND AIRWAY TRUST FUND)

Notwithstanding any other provision of law, for emergency hurricane-related insur-

ance-ineligible capital costs to repair or replace public-use airport-related facilities at public-use airports identified in the National Plan of Integrated Airport Systems, to enable the Federal Aviation Administration to compensate entities for such capital costs, up to \$25,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until June 30, 2006: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

#### FEDERAL HIGHWAY ADMINISTRATION

##### FEDERAL-AID HIGHWAYS EMERGENCY RELIEF PROGRAM (HIGHWAY TRUST FUND)

For an additional amount for the Emergency Relief Program for emergency expenses resulting from 2004 Hurricanes Charley, Frances, Ivan, and Jeanne, as authorized by title 23 U.S.C. 125, \$800,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That notwithstanding 23 U.S.C. 125(d)(1), the Secretary of Transportation may obligate more than \$100,000,000 for projects arising from Hurricanes Charley, Frances, Ivan, and Jeanne: *Provided further*, That any amounts in excess of those necessary for emergency expenses relating to the above hurricanes may be used for other projects authorized under 23 U.S.C. 125: *Provided further*, That amounts provided herein shall remain available until expended: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement for this specific purpose.

#### DEPARTMENT OF VETERANS AFFAIRS

##### VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For an additional amount for "Medical Services", \$38,283,000, to remain available until September 30, 2005, for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### MEDICAL FACILITIES

For an additional amount for "Medical Facilities", \$46,910,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### MEDICAL ADMINISTRATION

For an additional amount for "Medical Administration", \$1,939,000, to remain available until September 30, 2005, for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

#### DEPARTMENTAL ADMINISTRATION

##### GENERAL OPERATING EXPENSES

For an additional amount for "General Operating Expenses", \$545,000, to remain available until September 30, 2005, for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### NATIONAL CEMETERY ADMINISTRATION

For an additional amount for "National Cemetery Administration", \$50,000, to remain available until September 30, 2005, for hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### CONSTRUCTION, MINOR PROJECTS

For an additional amount for "Construction, Minor Projects", \$36,343,000, to remain available until expended for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### CORPS OF ENGINEERS—CIVIL WORKS

##### OPERATION AND MAINTENANCE, GENERAL

For an additional amount for "Operation and Maintenance, General" for hurricane-re-

lated expenses necessary to dredge navigation channels and repair other Corps projects, \$94,000,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies" as authorized by section 5 of the Flood Control Act of August 16, 1941, as amended (33 USC 701n), for emergency hurricane-related expenses from coastal storm damages and flooding, \$147,000,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for "Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee" to cover the additional costs of dredging and mat laying operations on the main stem of the lower Mississippi River due to hurricanes and other severe storms, \$4,000,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### ENVIRONMENTAL PROTECTION AGENCY

##### BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", \$3,000,000, to remain available until expended, for emergency hurricane-related expenses: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### INTERNATIONAL ASSISTANCE PROGRAMS

##### AGENCY FOR INTERNATIONAL DEVELOPMENT INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For an additional amount for "International Disaster and Famine Assistance", \$100,000,000, to remain available until expended, for emergency hurricane-related expenses without regard to section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

##### SPACE FLIGHT CAPABILITIES

For an additional amount for "Space Flight Capabilities", to repair facilities damaged and take other emergency measures due to the effects of hurricanes, \$126,000,000, to remain available until expended: *Provided*, That Congress designates this amount as an emergency requirement for this specific purpose.

##### SMALL BUSINESS ADMINISTRATION

##### DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for "Disaster Loans Program Account" for emergency expenses resulting from natural or other disasters, to remain available until expended, \$501,000,000 for the cost of direct loans; and \$428,000,000 for administrative expenses to carry out the disaster loan program, which may be transferred to the appropriations for "Salaries and expenses": *Provided*, That Congress designates these amounts as an emergency requirement for this specific purpose.

##### EXECUTIVE OFFICE OF THE PRESIDENT

##### UNANTICIPATED NEEDS

For an additional amount for "Unanticipated Needs", not to exceed \$70,000,000, to remain available until September 30, 2005, for

the American Red Cross for reimbursement of disaster relief and recovery expenditures and emergency services associated with Hurricanes Charley, Frances and Ivan, and only to the extent funds are not made available for those activities by other federal sources: *Provided*, That these funds may be administered by any authorized federal government agency to meet the purposes of this provision and that total administrative costs shall not exceed three percent of the total appropriation: *Provided further*, That the Comptroller General shall audit the use of these funds by the American Red Cross: *Provided further*, That Congress designates this amount as an emergency requirement for this specific purpose.

This Act may be cited as the "Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005".

The CHAIRMAN. No amendment to the bill shall be in order except the amendment printed in House Report 108-735 and amendment number 2 for printing in the designated place in the CONGRESSIONAL RECORD. Each amendment may be offered only by a Member designated in the report or the Member who submitted it for printing in the CONGRESSIONAL RECORD, shall be considered read, debatable for 20 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 NO. 2 OFFERED BY MR.  
NEUGEBAUER

Mr. NEUGEBAUER. 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. NEUGEBAUER:

In section 101, strike the section heading and subsection (a) and insert the following (and redesignate existing subsections (b) through (f) accordingly):

**SEC. 101. AGRICULTURAL DISASTER ASSISTANCE.**

(a) CROP DISASTER ASSISTANCE.—

(1) DEFINITIONS.—In this subsection:

(A) ADDITIONAL COVERAGE.—The term "additional coverage" has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(B) INSURABLE COMMODITY.—The term "insurable commodity" means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(C) NONINSURABLE COMMODITY.—The term "noninsurable commodity" means an agricultural commodity for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(2) EMERGENCY FINANCIAL ASSISTANCE.—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this subsection available to producers on a farm that have incurred qualifying crop or quality losses for the 2003 or 2004 crop (as elected by a producer), but not both crops, due to damaging weather or related condition, as determined by the Secretary.

(3) ADMINISTRATION.—The Secretary shall make assistance available under this subsection in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

(4) INELIGIBILITY FOR ASSISTANCE.—Except as provided in paragraph (5), the producers on a farm shall not be eligible for assistance under this subsection with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses; and

(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses.

(5) CONTRACT WAIVER.—The Secretary may waive paragraph (4) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(A) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) providing additional coverage for the insurable commodity for each of the next 2 crops; and

(B) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(6) EFFECT OF VIOLATION.—In the event of the violation of a contract under paragraph (5) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this subsection.

(7) PAYMENT LIMITATIONS.—

(A) LIMIT ON AMOUNT OF ASSISTANCE.—Assistance provided under this subsection to a producer for losses to a crop, together with the amounts specified in subparagraph (B) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(B) OTHER PAYMENTS.—In applying the limitation in subparagraph (A), the Secretary shall include the following:

(i) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(ii) The value of the crop that was not lost (if any), as estimated by the Secretary.

(C) EFFECT OF FLORIDA DISASTER PROGRAMS.—The amount of assistance that a producer would otherwise receive under this subsection shall be reduced by the amount of assistance that the producer receives for the same loss under the Florida Disaster Programs carried out pursuant to the Farm Service Agency notice (DAP-203) released October 4, 2004.

(b) LIVESTOCK ASSISTANCE PROGRAM.—

(1) EMERGENCY FINANCIAL ASSISTANCE.—The Secretary of Agriculture shall use such sums as are necessary of funds of the Commodity

Credit Corporation to make and administer payments for livestock losses to producers for 2003 or 2004 losses (as elected by a producer), but not both, in a county that has received an emergency designation by the President or the Secretary after January 1, 2003, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(2) ADMINISTRATION.—The Secretary shall make assistance available under this subsection in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(3) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock assistance program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(c) TREE ASSISTANCE PROGRAM.—

(1) EMERGENCY ASSISTANCE.—The Secretary of Agriculture shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under sections 10201 through 10204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to producers who suffered tree losses during the period beginning on December 1, 2003, and ending on December 31, 2004.

(2) ADDITIONAL ASSISTANCE.—In addition to providing assistance to eligible orchardists under the tree assistance program, the Secretary shall use an additional \$15,000,000 of the funds of the Commodity Credit Corporation to provide reimbursement under section 10203 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8203) to eligible forest land owners who produce periodic crops of timber from trees for commercial purposes and who have suffered tree losses during the period specified in paragraph (1).

(d) EMERGENCY CONSERVATION PROGRAM.—The Secretary of Agriculture shall use an additional \$50,000,000 of the funds of the Commodity Credit Corporation to provide assistance under the Emergency Conservation Program under title IV of the Agriculture Credit Act of 1978 (16 U.S.C. 2201 et seq.). Participants in the Emergency Conservation Program shall receive the maximum cost share percentage allowed under section 701.26 of title 7, Code of Federal Regulations.

(e) OFFSET.—Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by inserting before the period at the end the following: ", using not more than \$6,037,000,000 for the period of fiscal years 2005 through 2014".

The CHAIRMAN. Pursuant to House Resolution 819, the gentleman from Texas (Mr. NEUGEBAUER) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. NEUGEBAUER).

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

Mr. Chairman, this amendment represents a fiscally responsible approach to agriculture disaster assistance. I want those that were devastated by the successive hurricanes that hit Florida

and surrounding States to receive the much-needed aid they deserve. I also want to make sure that the disaster assistance package that helps farmers across the country who have faced losses in the past 2 years, including those who lost over 1.3 million acres of crops in west Texas last year, get their appropriate aid.

I supported the bill that the gentleman from Texas (Mr. STENHOLM) introduced that mirrored the assistance package that the Senate had approved. Unfortunately, like my friend from Nebraska (Mr. OSBORNE) pointed out earlier, it has become apparent that that bill, without offsets, will not be successful.

This amendment will provide assistance in a manner that is consistent with the Senate amendment. The cost is offset through the same mechanism used to fund the agriculture disaster program 2 years ago, capping the CSP or known as the Conservation Security Program. This offset does not impact current funding of the CSP, and even with the cap, the CSP will receive ample funds over the next 10 years.

This approach does not, and I repeat does not, reopen the farm bill; it simply puts the 2003 cap back on the CSP. No farm commodity programs will be affected by this offset.

Many have said, well, I would prefer a disaster program that had no offset. So would I. However, when we know that the preferred alternative is not going to be accepted in these negotiations, then we are willing to consider other alternatives that would ensure its passage. What is more important to me is, the farmers that suffered these losses in 2003 and 2004 get the very-much-needed relief that they deserve.

It is a shame that disaster assistance becomes the political football this time of year in Washington. That is why I introduced legislation earlier this year that would provide a new crop insurance tool that would help alleviate the need for disaster programs in the future.

I urge Members to support this amendment in order to provide agriculture disaster assistance for all farmers and ranchers who experienced severe losses and provide it in a fiscally responsible way.

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

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. I thank the gentleman for yielding me this time.

Mr. Chairman, it is amazing, listening to my colleague saying that the bill that he cosponsored yesterday would not be accepted. Why? Fourteen Republicans signed onto the bill yesterday. All of my Democratic colleagues indicated their support on a vote. Therefore, if my colleague from west Texas would have chosen to vote his conscience, it would have passed. He can say all he wants to that it would not have passed, but the only

reason is that once again when the leadership speaks, folks on that side jump.

On September 27, the President proposed the disaster assistance before the House today. His request included agriculture assistance for hurricane and tropical storm disaster victims. On Monday, I introduced H.R. 5203, which is cosponsored by 42 Members, 16 of them Republicans. This morning at 7 a.m., the leadership of this House, through the Rules Committee, said very clearly, no fairness is required. Disaster aid without offsets was okay for Florida producers, but not producers elsewhere who are hurting just as much.

The cosponsors of my bill, as well as the organizations, 25 farm groups, agree with me and disagree with my friend from Texas.

Instead of taking up this bill at 10 a.m., the leadership took a few hours to see the error of its ways and to at least allow some drought assistance, a flawed one, but drought assistance to be considered. But that leadership has demanded that agriculture disasters be treated differently than other disasters which are alleviated by the bill and that we reopen the farm bill.

The President has not required offsets for the agriculture disaster assistance that he requested. It was the leadership in this House that made that request. The President understands the unpredictable nature of disasters and requested emergency spending appropriately.

In following the leadership and choosing this path of reopening the farm bill, this House and the Members of it who are concerned for agriculture will surely come to regret it. But the House has spoken. I notice that the leadership has spoken. And when the leadership of this body on the other side of the aisle says, this is the way it is going to be, everybody falls in line.

I have never operated that way in 26 years. When I disagreed with my leadership in what I believed was right, not just for west Texas in this concern, but with the other States who have just as much interest in this as we do, we said "no" to the leadership.

I know that some of my colleagues on the other side of the aisle's consciences are bothering them a little bit right now because deep down in their hearts they know that what we are about to do and the reasons for which we are about to do it are not in the best interests of American agriculture. They know that, but they have chosen to follow a leadership that has put politics ahead of policy and interjected policy and politics into an appropriations process that should never have gotten to this point.

I repeat, the President did not request offsets for agricultural disasters. The only people that have requested this are the leadership of this House. Sixteen Members on the other side of the aisle yesterday were doing the right thing. Today, they are doing the

wrong thing for American agriculture, and 25 agricultural groups have said this is wrong and have sent a letter to every Member of this House. Fifteen conservation groups have said this is wrong. And some of you have voted not in the best interest of your districts because the Conservation Security Program is already working within your districts and you have been for it.

Mr. NEUGEBAUER. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. BONILLA), chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies of the Committee on Appropriations.

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

Mr. BONILLA. Mr. Chairman, I rise in strong support of the Neugebauer amendment. This is a hard chore to accomplish. The gentleman from Texas (Mr. NEUGEBAUER) has been working day and night to make this work.

Every producer in this country that has ever come to see me before about a pending problem, an emergency situation that they face, people who represent different commodity groups, know that we have always done everything we possibly can to help them. But it is difficult. Money does not grow on trees and sometimes we have to take from one place and put it in another to make it work for the foreseeable future. It is no different than American families have to do when they have to struggle to make ends meet during emergency situations in their own homes and in their own neighborhoods.

We have always tried to be fair. In the years that I have chaired the Agriculture Appropriations Subcommittee, I have learned a lot, heard a lot and worked a lot on situations similar to this over the years. There is always a different solution that we try to look for.

In this case, we do have an offset that applies to one particular program, the CSP program. But tomorrow will be another day and we will figure out how to handle a shortfall, as we always do, in the future when we face a pressing need.

I would say to everyone out there who has concerns about this, tomorrow is another day. Today is the day we have to get this done for producers and for commodity groups all across the country.

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Again, I commend the gentleman from Texas (Mr. NEUGEBAUER) for working day and night to try to pull this deal together. It is a good deal.

Is everyone happy? Absolutely not. But it is the best that we can possibly do. Our hearts are in the right place, and we have worked hard to get to this point.

I urge all of my colleagues to support the Neugebauer amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida (Mr. YOUNG), committee chairman.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and I thank him very much for all the cooperation that he has shown us as we prepared this legislation for these tremendous supplementals for hurricane disaster relief.

I am not going to speak in opposition to the amendment, but I want to say this. The process is disturbing. The inconsistencies in the process are disturbing.

For example, I have talked often this afternoon about H.R. 5227 that does what I think needs to be done in this hurricane relief, and the additional agriculture disaster assistance that the gentleman offers in his amendment is included in H.R. 5227. But the process would not allow me, as chairman of the committee, to include this additional agriculture disaster funding in H.R. 5212. That inconsistency, to me, is very disturbing and it is not acceptable.

I am not going to argue against the amendment because I tried to include similar funding myself. The gentleman from Texas, I do not know who he knows or what he knows, but he got a chance to do it. But the chairman of the committee could not. The process is not acceptable.

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I agree with the gentleman. That is what I meant when I said that the way this House is being run these days, the people who know the least about these things are evidently being given the opportunity to do the most about them, which is backwards in terms of my understanding of the legislative body.

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

Mr. STENHOLM. Mr. Chairman, the gentleman from Texas (Mr. BONILLA), I greatly admire, respect, and appreciate the job that he has done and is doing; but it is curious he would make a fiscally responsible argument for my amendment when he does not make the same one for the \$12 billion that we have all agreed is emergency spending.

Why would you come to the floor and defend one small part that does bad policy for agriculture, and you know it? But just as the chairman has expressed his concern about the procedure and the gentleman from Wisconsin (Mr. OBEY) has echoed the procedure, and everybody knows what the procedure is in this, the sad thing about this is that the policy that is going to be interjected because of the misuse of procedure in this body is going to be devastating to American agriculture. It is going to be bad. And that is why 25 groups agree with me and disagree with the gentleman from West Texas.

The chairman has said it more eloquently. The procedure lacks a little bit in common sense.

Mr. NEUGEBAUER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE), chairman of the Committee on Agriculture.

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

Mr. GOODLATTE. Mr. Chairman, obviously we would prefer to provide assistance without offsets, but the reality of the situation is that there will be no disaster money before we go home unless we provide budget offsets. We will not touch the farm commodity programs that are the heart of the farm bill.

The savings we are making will cap the Conservation Security Program at \$6 billion. That is three times the amount of money that was put into this program. It was a new program when the farm bill was created. This is a new program still in its start-up phase. The gentleman suggested that some people might be at risk for this program. This year, this program will spend \$175 million. With the 3 years remaining in the farm bill and \$9 billion to spend, nothing is at risk in the rest of the farm bill.

We should make sure we accomplish two things here: use this money, as we did 18 months ago with support from the folks on the other side of the aisle, to do exactly what we are doing today; and make sure that we put a cap back on this program so that it does not raid other parts of the farm bill. We can accomplish both of those goals here tonight.

I urge my colleagues to support this vital amendment.

I want to thank the gentleman from Texas (Mr. NEUGEBAUER) for his leadership on the issue of disaster assistance for producers. We have been working for several weeks to find a way to help farmers and ranchers from west Texas to Minnesota to Colorado, as well as those devastated by hurricanes in the Southeast. With the tight budgets we now face, it has been a difficult task, but we believe the Neugebauer amendment provides the path to secure assistance our producers need.

I urge my colleagues to support this sound amendment.

Mr. NEUGEBAUER. Mr. Chairman, I yield 1½ minutes to the gentleman from Kansas (Chairman MORAN).

Mr. MORAN of Kansas. Mr. Chairman, I thank the gentleman from Texas for yielding me this time.

I rise tonight in support of this amendment. I would like to show a photograph from home of what we face in our State. These issues that Florida has encountered as a result of hurricanes create tremendous problems, but 5 years of no rain in western Kansas results in a photograph like this. This is not the 1930s; this is the spring of 2004, and we have Kansas counties that are drier now than in the "Dirty '30s."

This issue is important to us. It is about whether or not our farmers and ranchers can survive and live into the

future, whether or not there is hope and opportunity for rural communities, whether or not we have young people in school, whether or not we have people who shop on our main streets. This is about the survival of rural America.

And I am pleased to be here tonight to see the House take action in a responsible way, designed to address the serious needs faced by many rural American communities as a result of weather-related conditions through no fault of their own. This is an opportunity for us to come together as a country and support not only Florida and the southern part of the United States whose sympathy and condolences we have for the disasters they have encountered but also to recognize that all of America is in this battle together.

I thank the gentleman for allowing me the opportunity to speak tonight in favor of this amendment, finally bringing it to the House floor, addressing this issue we seriously face.

Mr. NEUGEBAUER. Mr. Chairman, I yield 1½ minutes to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, I thank the gentleman for yielding me this time.

We have stated very clearly the need for drought assistance. Some have said this is a 500-year drought, and it certainly is in most areas. Reservoirs are depleted. One part of Nebraska had 1 inch of rain in 12 months, no pastures. So it is badly needed.

There has been a lot of argument tonight about the process, and I must say that I agree with some of those arguments. There is some validity.

Two years ago Mr. Thune and the gentleman from Kansas (Mr. MORAN) and I went to the White House two or three times, when we had this same problem. And we were told unequivocally that there would be no aid without an offset. And so that is where we find ourselves again tonight. I am not pointing the finger at anybody. I am just saying that is the reality.

And I agree with many of the things the gentleman from Texas (Mr. STENHOLM) has said, but I guess I have to weigh that against getting drought relief for some farmers that I think need it very badly, and this is the only option that I see at the present time that is workable, that will work. So I admit to discomfort, but it is the best we can do.

I urge support of this amendment.

Mr. NEUGEBAUER. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Chairman, as we think of our friends in Florida, we saw them boarding up their windows in preparation for the tropical storm that would hit and be devastating. However, in many parts of rural Colorado, the businesses on Main Street are boarding up their windows because our ag producers are having such a horrific time with the prolonged drought.

The gentleman from Kansas (Mr. MORAN) and the gentleman from Nebraska (Mr. OSBORNE) are in the same

region, and we know the devastation that this prolonged drought has shown. We have not had reporters in rural Colorado, standing there and showing the disaster, because it has been over a long period of time, getting worse every year.

So we desperately need this relief at this time for our farmers and for our individuals that raise cattle, that have even had to sell off their breeding stock because the pastures have not had any grass on them now for years.

So at this difficult time we make difficult choices, and I rise in support of the efforts of the gentleman from Texas (Mr. NEUGEBAUER).

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Chairman, I thank the gentleman for yielding me this time.

And one point I want to make: I will not accept for one-half second the fiscal responsibility comment that was made. For a majority party that has presided over the largest deficits in the history of our country, I will not accept any charge that tonight we get fiscally responsible by choosing to treat agriculture different from any other disaster.

Do not make the fiscally responsible argument. That dog will not hunt. We are talking about policy. Twenty-five agricultural groups are agreeing with me. The majority is agreeing with the leadership of the House and are deciding, for some strange reason, this is a political point that needs to be made.

The President did not ask for offsets. Why did their leadership suddenly ask for offsets for agriculture when we are not offsetting any other part of this bill? If they want to get fiscal responsibility, I will join with them and we will treat agriculture just like every other aspect, but I will not allow agriculture to be singled out, which this amendment is doing tonight.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Texas (Mr. NEUGEBAUER) has 15 seconds remaining.

Mr. NEUGEBAUER. Mr. Chairman, I yield myself the balance of my time.

I will just close with this thought. I came to this House tonight not to talk about politics, but about getting the job done for farmers and ranchers around this country, and I hope that my colleagues on both sides of the aisle will join me and let us get the job done for American farm and ranch families.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, what is happening on this floor tonight is blatant, obvious, raw politics. That is all it is.

The Republican majority leadership is bringing a bill to the floor which has over \$10 billion in aid to various areas of the country. No offsets. No offsets at all. But when on this side of the aisle we are trying to deal with disaster problems for farmers on an equal footing with the hurricane disasters that

we have just had in Florida and other States, then we are told, Oh, no. All of a sudden a new rule has to apply.

I would say to the gentleman from Nebraska that is like saying that in an Oklahoma-Nebraska football game, Oklahoma has to go 200 yards for a touchdown while Nebraska only has to go 100 yards. It just is not fair. It is not square.

I would make another point. Even if we were going to have offsets, this is a "let's pretend" offset. This is a phony offset, because if we take a look at the scoring by the beloved Congressional Budget Office, which the majority party used to stick with, come hell or high water, if we take a look at this, there is no offset whatsoever in the first fiscal year, zero savings by this "let's pretend" offset.

In the second year there is a \$56 million savings out of a \$2.8 billion cost. Who are they kidding?

□ 2130

This is a political maneuver. This is not a financial or budgetary offset. It is a joke. And if it did not do so much damage to farmers, I would laugh at it. Over 3 years, it provides only one-tenth the offset that is required to meet the standard budget rules around here.

What we have got here tonight is not an offset, it is a political shell game, and the problem is that shell game results in sticking it to farmers. Shame on you.

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

The CHAIRMAN pro tempore (Mr. ISAKSON). All time having been yielded, the question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HENSARLING

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HENSARLING:

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

SEC. \_\_\_\_ (a) OFFSETTING GOVERNMENT-WIDE RESCISSION.—Of the discretionary budget authority provided in appropriation Acts for fiscal year 2005, there is rescinded the total amount determined by the Director of the Office of Management and Budget to be required to offset the discretionary budget authority that is provided in this Act and designated as an emergency requirement.

(b) APPLICATION.—The rescission made by subsection (a)—

(1) shall take effect immediately after the enactment of all of the regular appropriation Acts for fiscal year 2005 (whether enacted separately, included in a consolidated appropriations law, or covered by a continuing appropriations law that funds programs through the end of the fiscal year);

(2) shall not apply to the discretionary budget authority provided for the Departments of Defense, Homeland Security, and Veterans Affairs; and

(3) shall be applied proportionately to the discretionary budget authority provided for each other department, agency, instrumen-

tal, and entity of the Federal Government.

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submission for fiscal year 2006 a report specifying the reductions made to each account, program, project, and activity pursuant to this section.

The CHAIRMAN pro tempore. Pursuant to House Resolution 819, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. HENSARLING).

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

Mr. Chairman, I first want to congratulate the distinguished chairman of the Committee on Appropriations for his good work to help those devastated by the recent hurricanes.

My amendment represents a very simple proposition. But before stating that proposition, let me state the proposition it does not stand for. Specifically, nothing contained in this amendment would deny one penny of relief to those who suffered the ravages of the hurricanes that hit Florida; not one penny less, not one penny delay.

The proposition this amendment does stand for is that so-called emergency spending for natural disasters should come out of the budget. In other words, this supplemental spending should be offset with lower-priority spending, which, frankly, was our practice throughout the decade of the nineties. In every single year of the nineties, when supplemental spending bills were enacted, so were rescissions of other spending.

In that spirit, Mr. Chairman, this amendment would reduce 2005 discretionary spending approximately 3 percent, exempting national defense, homeland security and veterans spending.

Unfortunately, today, when we pass supplemental spending, we just add it to the deficit. We pass the bill along to our children and grandchildren. Many, many Members have come to the floor to decry deficit spending. It will be interesting to see how many of them truly want to do something about it and support this amendment.

Mr. Chairman, the true question before us is, who will tighten their belt to pay for this \$10.9 billion of hurricane damage? Families, or government. I vote for the government.

Opponents of this amendment will argue that it will gut vital government programs. I simply reject that notion. I believe the government spending is already out of control. For only the fourth time in our Nation's history, the Federal Government is now spending over \$20,000 per household. Over the last decade, almost every major department of government has grown way beyond the rate of inflation. Interior is up 42 percent; HHS, 110 percent; education, 125 percent; and the list goes on.

Mr. Chairman, much of the Federal budget helps our Nation in vital ways,

but much of it does not: \$800,000 out-houses, rain forests constructed in Iowa, wheelchairs costing four times as much as they should. Again, the \$10.9 billion will either come out of the Federal budget, or the family budget.

Let us look at the family budget. The average down payment on a home in America is \$21,600. If we defeat this amendment, might we be denying half a million Americans their first home? The average home computer costs \$482. If we defeat this amendment, might we be denying over 20 million school children an invaluable educational tool?

To pay for hurricane relief, we must either tighten the Federal budget, or ask families to tighten theirs. This amendment comes down on the side of families.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Florida (Mr. YOUNG) is recognized for 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I would simply like to point out some of the budget reductions which will be caused by this amendment: The National Institutes of Health would be cut by \$884 million from the House-passed bill.

The Centers For Disease Control, who told us yesterday we have a crisis on our hands with respect to childhood influenza, this amendment would cut \$136 million from the House-passed bill for that agency.

Head Start, this amendment would cut \$214 million, \$10 million below last year's level.

The Low Income Heating Assistance Program, LIHEAP, would be cut \$62 million from the House level.

The Federal Aviation Administration, they would be funded nearly one-half billion dollars below the fiscal 2004 level.

Education would be cut by \$1.8 billion below the House-passed labor-health bill.

No Child Left Behind would be cut by \$440 million. The vice president last night in the debate talked about the importance of that program.

Title I grants would be cut by \$414 million.

Special education, which both political parties posed for holy political pictures on for the last 4 years, that program is being cut by \$400 million.

Pell Grants, the President at the national convention talked about the need to expand Pell Grants. This would cut Pell Grants, would exacerbate the shortfall by \$300 million.

The FBI would be cut \$161 million, including personnel resources for the Office of Intelligence and counterterrorism field investigations.

NASA would be cut.

National parks would be cut by \$70 million, meaning a layoff of some 800 park rangers and maintenance staff.

Nuclear nonproliferation programs, which both presidential candidates said

last week were their number one concern, would be cut by \$40 million.

Law enforcement assistance would be cut by \$81 million.

This is a family-friendly amendment? Give me a break.

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

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

Mr. Chairman, such reductions can be made by department heads.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. FEENEY), who has seen hurricanes up close.

Mr. FEENEY. Mr. Chairman, I thank the courageous gentleman from Texas (Mr. HENSARLING) for the great job he is doing trying to contain Federal spending, and I really do want to thank our appropriations chairman. The gentleman from Florida (Mr. YOUNG) is a great hero, not just in Florida but nationally. He has set priorities straight. He has done an incredible job.

I want to say that I do speak in favor of this amendment, though, on offsets. We know that we are going to have emergencies on a regular annual basis. We do not know where they are going to be. We do not know what they are going to be. That is why they are emergencies. This is one of the reasons we need a huge supplemental fund, a rainy day fund in the Federal budget, just like a family budget or a business budget needs one, and that is something that conservatives in this House have advocated for.

I support the funding for FEMA. They ran out of money before the first hurricane in Florida. We had four. Thank goodness and thank God that the gentleman from Florida (Mr. YOUNG) and his friends understand the pressure that has been put on the people of Florida and we are going to live up to our moral and financial obligations.

Thank God for people like the gentleman from Texas (Mr. HENSARLING) who have started the Washington Waste Watchers to try to save money where it is being wasted and defunded all the legitimate needs of the people throughout our country.

Mr. Chairman, there are bureaucrats running agencies throughout our country, and they know that if they do not use and spend all of their dollars every year, they don't get to save them. So what they do is they go out in extraordinary ways and find ways to spend the money in unfortunate and unnecessary ways so they get more money the following year.

That type of mentality is what the gentleman from Texas (Mr. HENSARLING) and his amendment is trying to address.

House conservatives have asked that a rainy day fund be put in place every year for emergencies, because on an average basis, FEMA knows there are 30 declared disasters each and every year in America. We do not know where or

when, but they are going to happen. And the appropriate way is to budget for those emergencies.

I can tell you, the rainy day fund, we know it rains in Florida, and God knows it has rained a lot the last four hurricanes.

Finally, Floridians are great resilient people. They can survive four hurricanes. If we can survive deficit spending by the Federal Government largesse for the next 20 or 30 years, that is a different story.

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

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. CHOCOLA), the author of the rainy day amendment.

Mr. CHOCOLA. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise tonight in strong support of this amendment, but the reality is, this amendment should never have had to be offered in the first place. What we should do is budget for emergencies, in other words, create a rainy day fund as part of our budget process.

Every single year, Federal tax dollars are used to pay for emergencies, yet we almost never budget for them. If we want to be honest with the American people and exercise fiscal responsibility when we know we are going to spend money, we should budget for it.

Since 1953, FEMA has had over 1,500 disaster declarations, which averages more than 30 per year. Since 1980, we have had 58 weather disasters, 49 of those have been since 1988, which have totaled almost \$220 billion.

Mr. Chairman, hurricanes are disasters, but they are not surprises. There is no question that the people of Florida deserve the relief contemplated in this spending bill. That is not the issue we are discussing tonight.

The issue is, if we care about the size of the deficit, if we care about fiscal responsibility, if we care about future generations of Americans and if we care about being responsible, then we must learn to prioritize spending and reform our budget process to reflect reality.

Hurricane relief is a high priority, and so is the future of our children and our grandchildren. Let us do the right thing tonight and let us provide relief to the victims who in some cases have lost everything, and let us also do the right thing tonight by not creating future victims of a larger deficit.

I encourage my colleagues to support the Hensarling amendment.

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. HENSARLING) has 3 minutes remaining and the gentleman from Florida (Mr. YOUNG) has 7½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. I thank the gentleman for yielding me time.



Mr. Chairman, I rise tonight in full support of the amendment offered by my good friend the gentleman from Texas (Mr. HENSARLING) because it allows us to help those in need while at the same time requires us to be fiscally responsible.

My heart goes out to the folks of Florida and everybody that has been affected by hurricanes. My prayers and my thoughts are with them. There is no doubt they have been through a horrible ordeal, and they need our help, and they will get it. But in doing so, we must make sure that we can pay the bill.

This amendment would fully offset the cost of the \$10.9 billion supplemental through a rescission in the FY 2005 discretionary spending, once enacted. Funding for defense, homeland security and veterans would be specifically exempt. We must look at the bottom line, and we have to start today making sound fiscal decisions.

Mr. Chairman, I urge my colleagues to join me in ensuring that the Federal Government helps those in need today, but in a responsible manner.

Mr. HENSARLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I thank the gentleman for bringing this amendment forward. It is important. We need to be fiscally conservative at long last here. We have got to make sure that we offset these programs. If we do not, we are simply adding to the burden of our kids and our grandkids. It is simply not right. So I welcome this amendment, and simply say that the notion that we cannot find savings elsewhere in the Federal Government is simply absurd.

We have seen the run-up of spending in each of the Federal agencies over the last several years. We know that savings can be had, and we simply need to find them. When we look at the debate that was just had on the farm programs, I distinctly remember, a couple of years ago when we were debating a rather large farm bill, it being said that we needed to do this because we cannot keep doing emergency supplementals and that this program will take care of them.

□ 2145

Well, guess what? Here we are again. We need to find real offsets, and that is what this amendment does, and I thank the gentleman for offering it.

The CHAIRMAN pro tempore (Mr. ISAKSON). The gentleman from Texas (Mr. HENSARLING) has 1 minute remaining; the gentleman from Florida (Mr. YOUNG) has 7½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, does the gentleman from Florida have the right to close?

The CHAIRMAN pro tempore. Yes, the gentleman from Florida (Mr. YOUNG) has the right to close.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we have an opportunity tonight to aid Florida without imposing costs on our families, on our children, on our grandchildren. Either we must tighten the Federal budget, or we must force families to tighten their budget.

I would ask each Member to think about families in their district before they make this vote. I think about the Kings in Athens, Texas, and how this supplemental will impact their ability to pay for that last tuition payment for their son. I think about the Williams in Mesquite, Texas, and their small business, their paint and body shop. How is this supplemental going to impact their ability to hire two more workers? I think about the Evans in Garland, Texas, and I wonder how this supplemental will impact their ability to make those health insurance premiums.

We are going to relieve the people in Florida. The question is, is the \$10 billion going to come out of the government budget, or is it going to come out of the family budget? Again, we believe it should come out of the government budget. We believe that we should protect the family budget. I would urge all Members to vote for this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to congratulate the gentleman from Texas and those of his colleagues, our colleagues, who have spoken in favor of this amendment. I will tell my colleagues that, as the chairman of the Committee on Appropriations, the committee that must pass legislation, the only bills that have to pass in this place are appropriations bills. Other bills can go by for years, and as my colleagues know, many of them do. We have been working on a transportation bill, not I, but others, working on a transportation bill for 3 or 4 years now and have not passed it. But these gentlemen have done a really good job in making sure that in our must-pass appropriations bills, that we pay close attention to what we are doing, that we make sure that we are able to justify whatever we are suggesting, because we know that if we do not do it right, they are going to be all over us, as they should be.

So I compliment them for their effort. But tonight I have to oppose their amendment, and there are several reasons. One is, when we adopted the budget resolution, well, actually we never did; we deemed the budget resolution as approved by the House. We actually reduced the President's budget request by \$2 billion. What is the significance of that? Why do I even bring this up? The President asked for a very austere budget, and I say amen to him. The House budget that we worked under was \$2 billion less than that, and, Mr. Chairman, I say to my friend, the gentleman from Texas, all

of the bills that we have passed are within that budget. We did not exceed the budget, except for the emergency designations dealing with things like body armor for troops in Iraq and ammunition and things of that nature. So we were starting with a very austere budget, and we stayed within that budget.

The Committee on Appropriations 2½ months ago reported its final and last bill. The Committee on Appropriations worked hard and we got the bills out, we had them out. Mr. Chairman, 2½ months ago, we reported the last one. Twelve of those bills have passed. One has not passed because, as one of our distinguished colleagues said to me, it is not going on the floor because there is not enough money in it. Sort of inconsistent, wanting to hold down the budget, but then complaining that there is not enough money in it.

But the problem that I have with this is that they do not take the across-the-board cut from the bill that is before the House tonight. They take the across-the-board cut from future legislation, the 2005 bills. Now, the problem with that is, none of us really know how much those 2005 bills are going to appropriate. Why is that? Because despite the fact that we have done our job in the House, as I suggested, at the other end of the Capitol, they have not, and we have no control over that. That is the price of a bicameral legislature, and I support a bicameral legislature. There are days when I wish I did not, but I do, from the standpoint of a constitutional government. But borrowing from next year's appropriation to pay for this emergency supplemental tonight to me is not conservative government. That is borrowing in the future. That is borrowing from things that we are going to need to do in fiscal year 2005, this coming year.

So because of that, while, again, I applaud my colleagues for their fiscal conservatism, and probably, I would be more supportive if my job was not to make sure that all of the appropriations bills pass, but that is my job. I have to make sure that all of the appropriations bills pass, because if they do not, the government shuts down, and we do not want that to happen. I do not want that to happen on my watch, and it has not happened on my watch, and it is not going to.

But anyway, for those reasons, I applaud the gentleman from Texas on this amendment and those who spoke in favor of it, but I have to ask my colleagues to vote against it and then get on with passing this very important bill, this very good bill as far as it goes. But as I have repeated myself tonight several times, it just does not go far enough. But we are going to pass this bill tonight, and then we will work on making it a better bill as we go through the process.

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

The CHAIRMAN pro tempore. All time having been yielded, the question

is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

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

## RECORDED VOTE

Mr. YOUNG of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 89, noes 321, not voting 22, as follows:

[Roll No. 500]

## AYES—89

Akin	Feeney	Miller (FL)
Ballenger	Flake	Miller, Gary
Barrett (SC)	Forbes	Moran (KS)
Bartlett (MD)	Fossella	Musgrave
Barton (TX)	Franks (AZ)	Myrick
Beauprez	Garrett (NJ)	Nussle
Bishop (UT)	Gibbons	Otter
Blackburn	Gingrey	Pence
Blunt	Goode	Petri
Boehner	Goodlatte	Pitts
Boozman	Graves	Portman
Brady (TX)	Green (WI)	Radanovich
Brown-Waite,	Gutknecht	Ramstad
Ginny	Harris	Rehberg
Burgess	Hart	Rohrabacher
Burton (IN)	Hayworth	Royce
Cannon	Hefley	Ryan (WI)
Carter	Hensarling	Schrock
Chabot	Herger	Sensenbrenner
Chocola	Hoekstra	Shadegg
Coble	Hosettler	Smith (MI)
Cole	Jenkins	Sullivan
Collins	Johnson, Sam	Tancredo
Cox	Jones (NC)	Taylor (MS)
Crane	Keller	Thornberry
Cubin	King (IA)	Tiahrt
Davis, Jo Ann	Kline	Toomey
Davis, Tom	Lewis (KY)	Turner (OH)
Deal (GA)	Manzullo	Whitfield
Duncan	McInnis	Wilson (SC)

## NOES—321

Abercrombie	Castle	Foley
Ackerman	Chandler	Ford
Aderholt	Clay	Frank (MA)
Alexander	Clyburn	Frelinghuysen
Allen	Conyers	Frost
Andrews	Cooper	Galleghy
Baca	Costello	Gerlach
Baird	Cramer	Gilchrest
Baker	Crenshaw	Gillmor
Baldwin	Crowley	Gonzalez
Bass	Culberson	Gordon
Becerra	Cummings	Granger
Bell	Cunningham	Green (TX)
Berkley	Davis (AL)	Greenwood
Berman	Davis (CA)	Grijalva
Berry	Davis (FL)	Gutierrez
Biggert	Davis (IL)	Hall
Bilirakis	Davis (TN)	Harman
Bishop (GA)	DeFazio	Hastings (FL)
Bishop (NY)	DeGette	Hastings (WA)
Blumenauer	Delahunt	Hayes
Bonilla	DeLauro	Herseth
Bonner	DeLay	Hill
Bono	Deutsch	Hinche
Boswell	Diaz-Balart, L.	Hinojosa
Boucher	Diaz-Balart, M.	Hobson
Boyd	Dicks	Hoeffel
Bradley (NH)	Dingell	Holden
Brady (PA)	Doggett	Holt
Brown (OH)	Doolittle	Honda
Brown (SC)	Doyle	Hooley (OR)
Brown, Corrine	Dreier	Hoyer
Burns	Dunn	Hulshof
Burr	Edwards	Hunter
Butterfield	Ehlers	Hyde
Buyer	Emanuel	Inslee
Calvert	Emerson	Isakson
Camp	Engel	Israel
Cantor	English	Issa
Capito	Eshoo	Jackson (IL)
Capps	Etheridge	Jackson-Lee
Capuano	Evans	(TX)
Cardin	Everett	Jefferson
Cardoza	Farr	John
Carson (IN)	Fattah	Johnson (CT)
Carson (OK)	Ferguson	Johnson (IL)
Case	Filner	Johnson, E. B.

Kanjorski	Moore	Scott (GA)
Kaptur	Moran (VA)	Scott (VA)
Kelly	Murphy	Serrano
Kennedy (MN)	Murtha	Sessions
Kennedy (RI)	Nader	Shaw
Kildee	Napolitano	Shays
Kilpatrick	Neugebauer	Sherman
Kind	Ney	Sherwood
King (NY)	Northup	Shimkus
Kirk	Nunes	Shuster
Knollenberg	Oberstar	Simmons
Kolbe	Obey	Simpson
Kucinich	Olver	Skelton
LaHood	Ortiz	Smith (NJ)
Lampson	Osborne	Smith (TX)
Langevin	Ose	Smith (WA)
Lantos	Owens	Snyder
Larsen (WA)	Oxley	Solis
Larson (CT)	Pallone	Souder
Latham	Pascrell	Spratt
LaTourette	Pastor	Stearns
Leach	Payne	Stenholm
Lee	Pearce	Strickland
Levin	Peterson (MN)	Stupak
Lewis (CA)	Peterson (PA)	Sweeney
Lewis (GA)	Pickering	Tanner
Linder	Platts	Tauscher
Lipinski	Pombo	Taylor (NC)
LoBiondo	Pomeroy	Terry
Lofgren	Porter	Thomas
Lowey	Price (NC)	Thompson (CA)
Lucas (KY)	Pryce (OH)	Thompson (MS)
Lucas (OK)	Putnam	Tiberi
Lynch	Quinn	Tierney
Majette	Rahall	Turner (TX)
Maloney	Rangel	Udall (CO)
Markey	Regula	Udall (NM)
Marshall	Renzi	Upton
Matheson	Reyes	Van Hollen
Matsui	Reynolds	Velázquez
McCarthy (MO)	Rodriguez	Visclosky
McCarthy (NY)	Rogers (AL)	Vitter
McCollum	Rogers (KY)	Walden (OR)
McCotter	Rogers (MI)	Walsh
McCrery	Ros-Lehtinen	Wamp
McDermott	Ross	Waters
McGovern	Rothman	Watson
McHugh	Roybal-Allard	Waxman
McIntyre	Ruppersberger	Weiner
McKeon	Rush	Weldon (FL)
McNulty	Ryan (OH)	Weldon (PA)
Meehan	Ryun (KS)	Weller
Meek (FL)	Sánchez, Linda	Wexler
Meeks (NY)	T.	Wickert
Menendez	Sanchez, Loretta	Wilson (NM)
Mica	Sanders	Wolf
Michaud	Sandlin	Woolsey
Miller (MI)	Saxton	Wu
Miller (NC)	Schakowsky	Wynn
Miller, George	Schiff	Young (FL)
Mollohan		

## NOT VOTING—22

Bachus	Kingston	Pelosi
Boehlt	Klecza	Slaughter
DeMint	Millender	Stark
Dooley (CA)	McDonald	Tauzin
Gephardt	Neal (MA)	Towns
Houghton	Nethercutt	Watt
Istook	Norwood	Young (AK)
Jones (OH)	Paul	

## ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. ISAKSON) (during the vote). Members are advised that 2 minutes remain in the vote.

□ 2217

Messrs. BILIRAKIS, STEARNS, SMITH of Texas, LINDER, ABERCROMBIE and NEY changed their vote from “aye” to “no”.

Mr. MANZULLO, Ms. HART and Mr. TIHART changed their vote from “no” to “aye”.

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no other amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr.

THORNBERRY) having assumed the chair, Mr. GILLMOR, 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. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes, pursuant to House Resolution 819, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 20, as follows:

[Roll No. 501]

## YEAS—412

Abercrombie	Cannon	Duncan
Ackerman	Cantor	Dunn
Aderholt	Capito	Edwards
Akin	Capps	Ehlers
Alexander	Capuano	Emanuel
Allen	Cardin	Emerson
Andrews	Cardoza	Engel
Baca	Carson (IN)	English
Bachus	Carson (OK)	Eshoo
Baird	Carter	Etheridge
Baker	Case	Evans
Baldwin	Castle	Everett
Ballenger	Chabot	Farr
Barrett (SC)	Chandler	Fattah
Bartlett (MD)	Chocola	Feeney
Barton (TX)	Clay	Ferguson
Bass	Clyburn	Filner
Beauprez	Coble	Flake
Becerra	Cole	Foley
Bell	Collins	Forbes
Berkley	Conyers	Ford
Berman	Cooper	Fossella
Berry	Costello	Frank (MA)
Biggert	Cox	Franks (AZ)
Bilirakis	Cramer	Frelinghuysen
Bishop (GA)	Crane	Frost
Bishop (NY)	Crenshaw	Galleghy
Bishop (UT)	Crowley	Garrett (NJ)
Blackburn	Cubin	Gerlach
Blumenauer	Culberson	Gibbons
Blunt	Cummings	Gilchrest
Boehner	Cunningham	Gillmor
Bonilla	Davis (AL)	Gingrey
Bonner	Davis (CA)	Gonzalez
Bono	Davis (FL)	Goode
Boozman	Davis (IL)	Goodlatte
Boswell	Davis (TN)	Gordon
Boucher	Davis, Jo Ann	Granger
Boyd	Davis, Tom	Graves
Bradley (NH)	Deal (GA)	Green (TX)
Brady (PA)	DeFazio	Green (WI)
Brady (TX)	DeGette	Greenwood
Brown (OH)	Delahunt	Grijalva
Brown (SC)	DeLauro	Gutierrez
Brown, Corrine	DeLay	Gutknecht
Brown-Waite,	DeMint	Hall
Ginny	Deutsch	Harman
Burgess	Diaz-Balart, L.	Harris
Burns	Diaz-Balart, M.	Hart
Burr	Dicks	Hastings (FL)
Burton (IN)	Dingell	Hastings (WA)
Butterfield	Doggett	Hayes
Buyer	Doolittle	Hayworth
Calvert	Doyle	Hefley
Camp	Dreier	Hensarling



Herger	McGovern	Sabo
Herseth	McHugh	Sánchez, Linda
Hill	McInnis	T.
Hinchey	McIntyre	Sanchez, Loretta
Hinojosa	McKeon	Sanders
Hobson	McNulty	Sandlin
Hoefel	Meehan	Saxton
Hoekstra	Meek (FL)	Schakowsky
Holden	Meeks (NY)	Schiff
Holt	Menendez	Schrock
Honda	Mica	Scott (GA)
Hooley (OR)	Michaud	Scott (VA)
Hostettler	Miller (FL)	Sensenbrenner
Hoyer	Miller (MI)	Serrano
Hulshof	Miller (NC)	Sessions
Hunter	Miller, Gary	Shadegg
Hyde	Miller, George	Shaw
Inlee	Mollohan	Shays
Isakson	Moore	Sherman
Israel	Moran (KS)	Sherwood
Issa	Moran (VA)	Shimkus
Istook	Murphy	Shuster
Jackson (IL)	Murtha	Simmons
Jackson-Lee	Musgrave	Simpson
(TX)	Myrick	Skelton
Jefferson	Nadler	Smith (MI)
Jenkins	Napolitano	Smith (NJ)
John	Neugebauer	Smith (TX)
Johnson (CT)	Ney	Smith (WA)
Johnson (IL)	Northup	Snyder
Johnson, E. B.	Nunes	Solis
Johnson, Sam	Nussle	Souder
Jones (NC)	Oberstar	Spratt
Kanjorski	Obey	Stearns
Kaptur	Olver	Stenholm
Keller	Ortiz	Strickland
Kelly	Osborne	Stupak
Kennedy (MN)	Ose	Sullivan
Kennedy (RI)	Otter	Sweeney
Kildee	Owens	Tancredo
Kilpatrick	Oxley	Tanner
Kind	Pallone	Tauscher
King (IA)	Pascarell	Taylor (MS)
King (NY)	Pastor	Taylor (NC)
Kirk	Payne	Terry
Kline	Pearce	Thomas
Knollenberg	Pence	Thompson (CA)
Kolbe	Peterson (MN)	Thompson (MS)
Kucinich	Peterson (PA)	Thornberry
LaHood	Petri	Tiahrt
Lampson	Pickering	Tiberi
Langevin	Pitts	Tierney
Lantos	Platts	Toomey
Larsen (WA)	Pombo	Turner (OH)
Larson (CT)	Pomeroy	Turner (TX)
Latham	Porter	Udall (CO)
LaTourette	Portman	Udall (NM)
Leach	Price (NC)	Upton
Lee	Pryce (OH)	Van Hollen
Levin	Putnam	Velázquez
Lewis (CA)	Quinn	Visclosky
Lewis (GA)	Radanovich	Vitter
Lewis (KY)	Rahall	Walden (OR)
Linder	Ramstad	Walsh
Lipinski	Regula	Wamp
LoBiondo	Rehberg	Waters
Lofgren	Renzi	Watson
Lowey	Reyes	Waxman
Lucas (KY)	Reynolds	Weiner
Lucas (OK)	Rodriguez	Weldon (FL)
Lynch	Rogers (AL)	Weldon (PA)
Majette	Rogers (KY)	Weller
Maloney	Rogers (MI)	Wexler
Manzullo	Rohrabacher	Whitfield
Markey	Ros-Lehtinen	Wicker
Marshall	Ross	Wilson (NM)
Matheson	Rothman	Wilson (SC)
Matsui	Roybal-Allard	Wolf
McCarthy (MO)	Royce	Woolsey
McCarthy (NY)	Ruppersberger	Wu
McCollum	Rush	Wynn
McCotter	Ryan (OH)	Young (FL)
McCrery	Ryan (WI)	
McDermott	Ryun (KS)	

## NOT VOTING—20

Boehlert	Millender-	Rangel
Dooley (CA)	McDonald	Slaughter
Gephardt	Neal (MA)	Stark
Houghton	Nethercutt	Tauzin
Jones (OH)	Norwood	Towns
Kingston	Paul	Watt
Klecicka	Pelosi	Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURPHY) (during the vote). There are 2 minutes remaining in this vote.

□ 2236

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow, and the votes postponed earlier today on H.R. 4661 and H.R. 5213 also will be taken tomorrow.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 854. An act to provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2608. An act to reauthorize the National Earthquake Hazards Reduction Program, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2195. An act to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors.

S. 2864. An act to extend for eighteen months the period for which chapter 12 of title 11, United States Code, is reenacted.

The message also announced 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 Senate to the bill (H.R. 4850) "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, and for other purposes."

## SPECIAL OLYMPICS SPORT AND EMPOWERMENT ACT OF 2004

Mr. McKEON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5131) to provide assistance to Special Olympics to support expansion of

Special Olympics and development of education programs and a Healthy Athletes Program, and for other purposes.

The Clerk read as follows:

H.R. 5131

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Special Olympics Sport and Empowerment Act of 2004".

## SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Special Olympics celebrates the possibilities of a world where everybody matters, everybody counts, every person has value, and every person has worth.

(2) The Government and the people of the United States recognize the dignity and value the giftedness of children and adults with an intellectual disability.

(3) The Government and the people of the United States are determined to end the isolation and stigmatization of people with an intellectual disability.

(4) For more than 36 years, Special Olympics has encouraged skill, sharing, courage, and joy through year-round sports training and athletic competition for children and adults with intellectual disabilities.

(5) Special Olympics provides year-round sports training and competitive opportunities to 1,500,000 athletes with intellectual disabilities in 26 sports and plans to expand the joy of participation through sport to hundreds of thousands of people with intellectual disabilities within the United States and worldwide over the next 5 years.

(6) Special Olympics has demonstrated its ability to provide a major positive effect on the quality of life of people with intellectual disabilities, improving their health and physical well-being, building their confidence and self-esteem, and giving them a voice to become active and productive members of their communities.

(7) In society as a whole, Special Olympics has become a vehicle and platform for breaking down artificial barriers, improving public health, changing negative attitudes in education, and helping athletes overcome the prejudice that people with intellectual disabilities face in too many places.

(8) The Government of the United States enthusiastically supports Special Olympics, recognizes its importance in improving the lives of people with intellectual disabilities, and recognizes Special Olympics as a valued and important component of the global community.

(b) PURPOSE.—The purposes of this Act are to—

(1) provide support to Special Olympics to increase athlete participation in and public awareness about the Special Olympics movement;

(2) dispel negative stereotypes about people with intellectual disabilities;

(3) build athletic and family involvement through sport; and

(4) promote the extraordinary gifts of people with intellectual disabilities.

## SEC. 3. ASSISTANCE FOR SPECIAL OLYMPICS.

(a) EDUCATION ACTIVITIES.—The Secretary of Education may award grants to, or enter into contracts or cooperative agreements with, Special Olympics to carry out the following:

(1) Activities to promote the expansion of Special Olympics, including activities to increase the participation of individuals with intellectual disabilities within the United States.

(2) The design and implementation of Special Olympics education programs, including