

I was shocked to learn that one of those documented instances of the Pentagon domestic spying happened in my district.

A student protest against military recruiters at the University of California at Santa Cruz, which occurred this past April, was not only observed for suspicious activity, but the "threat" was declared "credible."

I cannot condemn these actions strongly enough. Using government time and money to spy on people exercising their constitutional freedoms is just ridiculous.

I have already signed on to two letters about these violations of privacy, calling on the NSA to fully explain the constitutionality of their surveillances and calling on the Department of Defense and the Department of Justice to investigate NSA's actions.

As Members of Congress, we must be diligent in our oversight of the Pentagon, but our job is next to impossible when the administration hides behind the cloak of national security to thwart the civil liberties of many Americans, as they have done with the Pentagon surveillance program.

The Pentagon must come forward with an explanation about why they were spying on the UCSC rally.

The right to express differing opinions was one of the founding principles of this country.

The voices of the American people must always be heard, whether this administration agrees with them or not.

It is hypocritical for us to urge transparency in foreign governments while ignoring what our own government is doing in violation of its citizens' civil liberties.

WE SHOULD BE SUPPORTING PRESIDENT BUSH

(Mr. BURTON Indiana asked and was given permission to address the House for 1 minute.)

Mr. BURTON of Indiana. Mr. Speaker, the liberal media and my liberal colleagues are attacking the President for protecting America. The wiretaps that he has ordered are legal, and he informed the Intelligence Committees 12 times about them.

What are we going to do? Are we going to wait around until terrorists attack us and then say we ought to check what they are saying on the telephone to their al Qaeda buddies?

The fact of the matter is the President is defending the United States of America, and we should be supporting him.

The PATRIOT Act, which is being stuck in the Senate, needs to be passed. We need to get these guys and stop them before they attack buildings in New York or Indianapolis or California or Washington, D.C., and the President wants to do that. That is why the PATRIOT Act is so important.

Let's talk about torture. Putting a guy on a water board who is about to blow up a bunch of soldiers in Baghdad

and holding him under the water for a little bit to make him tell us what he is going to do or if he is going to cut somebody's head off that is an innocent civilian, or go into a school and blow up a bunch of kids is not what I call terrible. We are not pulling out their fingernails or cutting off their heads. We need to put pressure on them to tell us what's going on so we can save Americans and American troops.

This is a war. It is not a tea party. And we need to win it. The President is doing the right thing, and we need to support him. God bless President Bush.

FUNDING FOR SCHOOL DISTRICTS AFTER HURRICANES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have all appreciated the great charitable spirit of Americans as they welcomed into their homes and into their neighborhoods and into their States the victims of Hurricane Katrina and Rita and Wilma. But this appropriations bill that is making its way through the House and the Senate is crucial for survival of many of our school districts around the Nation.

Let me cite my colleagues a particular figure for Houston Independent School District. We are now paying \$186,000 a day for the additional Katrina students who are in our school districts. We welcome them, but we cannot pay this burden alone. This is costing our school district an additional \$30 million, and so far, we have been reimbursed by the Federal Government \$164,000. My friends, \$30 million, \$186,000 a day, and all we have received is \$164,000. In addition, we have got \$300 million on hold, that the school district has not received.

We need this appropriations bill to be fully funded. We need the tax cuts to be put aside. We need FEMA to be able to do its job for those who are still waiting, languishing in shelters and needing homes, languishing in tents and needing trailers. We need this system to work on behalf of the working people of America and those who are in need.

Americans have opened their hearts and pocketbooks to those in need. The Federal Government, the greatest safety net that all of the people have, needs to do its job and do it now.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 623 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 623

Resolved, That it shall be in order at any time on the legislative day of Saturday, De-

ember 17, 2005, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The bill (H.R. 4519) to amend the Public Health Service Act to extend funding for the operation of State high risk health insurance pools.

(2) The bill (H.R. 2520) to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C. W. Bill Young Cell Transplantation Program.

(3) The bill (H.R. 4568) to improve proficiency testing of clinical laboratories.

(4) The bill (H.R. 3402) to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes.

(5) The bill (H.R. 4579) to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits.

(6) The bill (H.R. 4525) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

(7) The conference report to accompany the bill (S. 1281) to reauthorize the human space flight, aeronautics, and science programs of the National Aeronautics and Space Administration, and for other purposes.

(8) The conference report to accompany the bill (S. 467) to extend the applicability of the Terrorism Risk Insurance Act of 2002.

(9) A joint resolution making further continuing appropriations for the fiscal year 2006, and for other purposes.

The SPEAKER pro tempore (Mr. MCHUGH). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this resolution provides that certain specified measures may be considered under suspension of the rules at any time on the legislative day of Saturday, December 17, 2005.

Mr. Speaker, the Republican leadership of this House has set forth a positive legislative agenda for the remainder of this week and the balance of the first session of the 109th Congress. The goal of this plan is to address a number of outstanding issues remaining on Congress's calendar before we adjourn that maintain our commitment to improving America's economy and national security.

Over the past year, we have passed a number of important new education, health care, tax, trade and national security bills that will keep Americans safer and healthier, create new jobs and improve our economy. This rule will allow the House to consider a number of additional bills today under suspension of the rules that will ensure that Congress can complete some additional important work before we adjourn for the holidays.

This rule makes in order the consideration of nine bills under suspension

of the rules. These bills accomplish necessary and noncontroversial goals, such as extending funding for the operation of State high-risk health insurance pools, providing for collection of human cord blood stem cells for medical treatment and research, and improving the proficiency testing of clinical laboratories.

The suspension authority will also allow us to consider legislation to authorize appropriations for the Department of Justice, improve medical benefits for patients, extend important educational programs and help NASA to continue its human space flight, aeronautics and science programs.

Perhaps most notably, it provides for consideration of the conference report to extend the applicability of the Terrorism Risk Insurance Act. Extending TRIA is a goal upon which I have worked very closely with my friends and fellow House conferees, Chairman MIKE OXLEY and Chairman RICHARD BAKER, and I commend them for their hard work in preparing this bill for President Bush's signature.

This legislation represents a fiscally responsible response to the threats that acts of terrorism pose to the American economy. It also includes important taxpayer protections and will ensure that this important program does not expire and leave the marketplace for terrorism insurance in uncertainty.

After the tragedy of September 11, the marketplace for terrorism insurance largely disappeared. This lack of terrorism coverage terminated or delayed billions of dollars in commercial property financing, threatening business operations and development and job creation and our overall economy.

TRIA has proven its ability to stabilize the market, and it will continue to provide essential protection for businesses of all sizes in our country. I urge my colleagues to take the opportunity later today to follow up on this program's successful record and to reauthorize TRIA so that the program does not lapse and hurt businesses and policyholders around this great Nation.

Like TRIA, all of the bills scheduled for consideration by the Republican House leadership on behalf of all Americans enjoy broad support from Members of both the majority and the minority parties. This rule simply provides us with the tools needed to ensure that all of the important work is completed before we adjourn to our families and communities to celebrate for the holidays.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to support this uncontroversial and balanced rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank my friend from Texas (Mr. SESSIONS) for the time.

Mr. Speaker, I guess it is appropriate that we are providing for suspension of

the rules, since we learned yesterday that the President has suspended the law regarding spying on American citizens. I heard one of our colleagues earlier say that it was the law. I would remind him that this House has passed no such measure permitting spying on American citizens, even babies know that.

Mr. Speaker, as my colleague has already noted, this rule will permit the House to consider nine pieces of legislation under suspension of the rules. While I will not oppose this rule and intend to support the nine bills to which the rule applies, and I say that advisedly, taking into consideration the gentleman from Wisconsin (Mr. OBEY), my distinguished colleague, who will explain in detail the circumstances regarding Labor-HHS and the drastic implications for the finances of certain agencies.

I am deeply concerned that the House is again operating outside the boundaries of regular order.

□ 1430

For the last year, my friends in the Republican leadership have consistently convened the House a mere 3 days a week, occasionally 4. They have regularly sent Members home earlier than anyone else in this country gets off work. Sure, I certainly, and I believe all of us, appreciate going home a few hours earlier during the week. But forgive me, Mr. Speaker, if I am not the most sympathetic Member when the leadership cries legislative crisis time and time again over situations that it created.

There is a better way to run this body, and the Republicans continue to show that they are incapable of leading the House in an efficient and regular manner.

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

Mr. SESSIONS. Mr. Speaker, I, like my wonderful colleague, Mr. HASTINGS, am here doing the work of the American people. We are proud of what we are doing. It is just 1 week before Christmas, and we have a lot of work left to do. That is why we are here. We are here to work.

There are a number of my colleagues who showed up for work today prepared and ready. We know they miss their family and friends. NATHAN DEAL of Georgia, TOM PRICE of Georgia, and JOHN SHIMKUS of Illinois are just an example of three Members of Congress who, even on a weekend and even a week before Christmas, show up.

So it is my hope that this same spirit we all talk about today, of accomplishing our work on behalf of the American people, the importance of completing our work because we said we would do it, to be responsible to the people of this whole country, all the people, that that spirit will carry through because that is why we are here today.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2½ minutes to the distinguished gentleman, my good friend from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I have to say I was struck by the gentleman from Texas crediting his fellow Republicans for showing up. Because if it were not for the combination of institutional incompetence and ideological extremism that dominates the Republican Party, none of us would have had to be here. So I guess we all deserve recognition as victims of that.

I actually think this motion should have been retitled. It should have been called Subversion of the Rules, not Suspension of the Rules, because that is what is happening. We are being at almost gunpoint, the metaphorical, parliamentary equivalent of gunpoint, being asked to debate under very restrictive measures bills that deserve more.

Let me talk about one, the terrorism risk insurance. I think it is an important bill, and I agree substantively with what the gentleman from Texas said. Unfortunately, the right wingers who dominate this administration and much of the congressional leadership in both Houses do not agree. They tried to kill this thing, until finally, at the overwhelming insistence of people who are involved in the economy of this country said that that would be irresponsible, they did the next best thing. They have forced us to deal with it in a constricted and inappropriate way.

We did take it up in the House, and we had a full markup in our committee, and we voted on it on the floor. In the Senate, and let us praise the rule change that now allows us to tell the truth about what goes on in the Senate, the Senate passed a very restricted version of this. The Senate chairman of the banking committee then refused to appoint conferees.

Interestingly, we are going to have to amend this rule, because the rule, reasonably, said let us take up on suspension the conference report on TRIA. And then the Rules Committee had to be reminded that there is no conference report on TRIA, because the Republican Senate chairman, knowing that he would have been outvoted in the conference, refused to allow one and, instead, individually dictated what would be in it.

So we are going to have to amend it, because if we had a vote on a conference report on TRIA, we would have no TRIA. They would not have a conference. The regular order has been totally subverted. Unfortunately, we have to accommodate it because we are up against a December 31 extension.

By the way, if the House Republican leadership had not delayed consideration of this bill, we could have done it months ago and not been vulnerable to that kind of extortion.

What we have now is a bill that leaves out, for example, the commission on how to deal with terrorism insurance that the families of September

11 have asked for. We will go into that further when we debate it, but the families of September 11 asked for a commission. We included it in the House bill. Chairman OXLEY and Chairman BAKER accommodated that reasonable request. It is not in the Senate Bill. And because of this outrageously high-handed legislative procedure, we do not have a chance to include it.

An important provision was adopted here in the House, sponsored by the gentlewoman from Florida, to prevent people who are traveling to what some insurance companies think are dangerous areas, like Israel, from being denied life insurance. That is not in the bill. Maybe some people do not like it, but we should have been able to have had a forum in which it could be debated and decided.

Instead, we have the right wing that controls the executive branch and both Houses of Congress grudgingly allowing a bare bones and, I think, inadequate form of extension. It is better than nothing. It is important to the economy, and the gentleman from Texas is right. But here is a combination of ideological extremism and a refusal to recognize the legitimacy of a democratic process here.

As we salute democracy in Iraq, and I am glad we saw it yesterday, I guess I am starting to get jealous of the Iraqis, because as of now there is more democracy being practiced under American auspices in Iraq than the leadership here in the House of Representatives is allowing on the floor of this body.

Mr. SESSIONS. Mr. Speaker, the gentleman from Massachusetts has very appropriately talked about this important act, this TRIA legislation; and I would like to take time to thank the ranking member of the Financial Services Committee (Mr. FRANK of Massachusetts) for not only his work for a long time on this bill but for working clearly and closely with industry and consumer groups to make sure that what we had control over of here in the House that we passed.

I do admit that there is frustration. There is frustration on my part, too, as the gentleman is well aware. And I will tell you that the process that has taken place may not be perfect, but I want to thank the gentleman not only for his support of the work that we were able to accomplish but for sticking with it.

The good part is there will be a process here today and the gentleman will be able to speak very clearly about his thoughts on that, and we will move forward.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman will yield for just a moment, I want to thank the gentleman for his graciousness on that, and I appreciate that.

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

Mr. HASTINGS of Florida. Mr. Speaker, at this particular moment I am privileged to yield such time as he

may consume to my good friend, the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Appropriations Committee.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me this time. I want to put the House on notice that I intend to ask for a rollcall on this rule. And if we do have a rollcall, I am going to vote against it, and I want to explain why.

One of the bills that this rule makes in order is the continuing resolution. At this point, this Congress has not passed the defense bill. It has not passed the Labor, Health, Education and Social Services appropriations bill. Together that equals about 65 percent of all the discretionary spending in the budget. We still have not passed those bills almost 3 months into the fiscal year.

Now, this resolution will allow the continuing resolution, which expires today, to continue until February 15. Now, it also says that we will not be able to amend the CR. However, there is nothing to prevent the Senate from amending the CR when it goes over there, and I fully expect them to try because they have a different set of priorities than the Republican House leadership. If you do not believe that, just ask Mr. STEVENS.

There is another problem with the CR, and that is that it funds both the Defense bill and the Labor, Health, and Education bill at a very much lower level and on a very much more restricted basis than I think is healthy. Example: on the Defense side, if the Defense appropriations bill does not pass, it means that money will trickle out to the military, but they will not be able to do the advanced procurement expenditures that they need if you are going to have intelligent planning.

On the Labor-Health side, what it means, and this is even more serious, I think, because I think there is a better chance that the defense bill may pass, but the Labor-Health bill right now is so inadequate that the majority leader in the Senate cannot get enough votes to pass it. And so now what they are doing is setting up this scenario: they are going to fund Labor-Health programs at a level \$1.4 billion below the House-passed bill and \$3 billion below last year. And because of the peculiarities of the formula, programs such as the Community Service Block Grants are going to be funded at a level 50 percent below last year. You might as well gut that program if you let that happen.

And why are they doing it? I think the reason they are doing it is because they know they cannot pass that turkey of a Labor-Health bill now as it is, so they are trying to set up a scenario in which in February Senators will have to vote for that inadequate bill in order to escape from the crisis which was manufactured by this inadequate and rigid CR.

I think House Members, if we are going to be asked to pass another CR,

ought to have an opportunity to amend it. Coming from an agricultural State, I am told that the agreement just reached between the House and the Senate is going to allow Senator COCHRAN to put \$2 billion wherever he wants it in agriculture, and I would kind of like to see some of that money going to the MILC program. But it is not going to under the way this is set up.

I would also like to amend the funding rate for a number of programs so that you do not indirectly, under the table, without a frontal vote, gut programs like the Community Services Block Grant.

So I want to put the House on notice, despite any agreement at the leadership level, I intend to ask for a rollcall vote because this is nuts.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I hope that the general body heard and understood Mr. OBEY's explanation, the fact remains that it would devastate programs in this country that people are totally relying upon; and, more importantly, my friends who espouse their support of the military, put the military in a position of not being able to do advanced procurement and to live at restrictive levels. That is not right. Therefore, we need to pay particular attention to the continuing resolution.

I would urge Members to be prepared to come back for this particular measure, in light of the explanations offered by my colleagues Mr. FRANK of Massachusetts and Mr. OBEY.

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

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SESSIONS:

In the 8th paragraph, strike "conference report to accompany the"

Mr. SESSIONS. Mr. Speaker, I want to thank my colleagues on both sides of the aisle for their thoughtful comments this morning about the circumstances, as we are here on December 17, almost a week before Christmas. I would like to thank all my colleagues for coming down and speaking clearly.

There is a lot of frustration, but I believe the process is important for us to follow through. I am proud of what we are doing. We can accomplish it all together.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. MCHUGH). The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 213, nays 190, not voting 30, as follows:

[Roll No. 663]

YEAS—213

Aderholt	Gohmert	Osborne
Alexander	Goode	Otter
Bachus	Goodlatte	Oxley
Baker	Granger	Paul
Barrett (SC)	Graves	Pearce
Bartlett (MD)	Green (WI)	Pence
Bass	Gutknecht	Peterson (PA)
Beauprez	Hall	Petri
Biggart	Harris	Pickering
Bilirakis	Hart	Pitts
Bishop (UT)	Hastings (WA)	Poe
Blackburn	Hayes	Pombo
Blunt	Hayworth	Porter
Boehrlert	Hefley	Price (GA)
Boehner	Hensarling	Pryce (OH)
Bonilla	Herger	Putnam
Bonner	Hobson	Radanovich
Bono	Hoekstra	Ramstad
Boozman	Hostettler	Regula
Boustany	Hulshof	Rehberg
Bradley (NH)	Hunter	Reichert
Brady (TX)	Inglis (SC)	Renzi
Brown (SC)	Issa	Reynolds
Brown-Waite,	Jenkins	Rogers (AL)
Ginny	Jindal	Rogers (KY)
Burgess	Johnson (CT)	Rogers (MI)
Burton (IN)	Johnson (IL)	Rohrabacher
Buyer	Johnson, Sam	Ros-Lehtinen
Calvert	Jones (NC)	Rothman
Camp (MI)	Keller	Royce
Campbell (CA)	Kelly	Ryan (WI)
Cannon	Kennedy (MN)	Ryan (KS)
Cantor	King (IA)	Saxton
Capito	King (NY)	Schmidt
Carter	Kingston	Schwarz (MI)
Castle	Kirk	Sensenbrenner
Chabot	Kline	Sessions
Chocola	Knollenberg	Shadegg
Coble	Kuhl (NY)	Shaw
Cole (OK)	LaHood	Shays
Conaway	Latham	Sherwood
Crenshaw	LaTourette	Shimkus
Culberson	Leach	Shuster
Davis (KY)	Lewis (CA)	Simmons
Deal (GA)	Lewis (KY)	Simpson
DeLay	Linder	Smith (NJ)
Dent	LoBiondo	Smith (TX)
Diaz-Balart, L.	Lucas	Sodrel
Doolittle	Lungren, Daniel	Souder
Drake	E.	Sullivan
Dreier	Mack	Sweeney
Duncan	Manzullo	Tancredo
Emerson	Marchant	Taylor (NC)
English (PA)	McCaul (TX)	Terry
Everett	McCotter	Thomas
Feeney	McHenry	Thornberry
Ferguson	McHugh	Tiahrt
Fitzpatrick (PA)	McKeon	Tiberi
Flake	McMorris	Turner
Foley	Mica	Upton
Forbes	Miller (FL)	Walden (OR)
Fortenberry	Miller (MI)	Walsh
Fossella	Miller, Gary	Wamp
Foxx	Moran (KS)	Weldon (FL)
Franks (AZ)	Murphy	Weller
Frelinghuysen	Musgrave	Whitfield
Galleghy	Neugebauer	Wicker
Garrett (NJ)	Ney	Wilson (NM)
Gerlach	Northup	Wilson (SC)
Gibbons	Norwood	Wolf
Gillmor	Nunes	Young (AK)
Gingrey	Nussle	

NAYS—190

Abercrombie	Baird	Berkley
Ackerman	Baldwin	Berman
Allen	Barrow	Berry
Andrews	Bean	Bishop (GA)

Bishop (NY)	Hinojosa	Obey
Blumenauer	Holden	Olver
Boren	Holt	Ortiz
Boswell	Honda	Owens
Boucher	Hooley	Pallone
Boyd	Inslee	Pascrell
Brady (PA)	Israel	Payne
Brown (OH)	Jackson (IL)	Pelosi
Brown, Corrine	Jackson-Lee	Peterson (MN)
Butterfield	(TX)	Pomeroy
Capps	Jefferson	Price (NC)
Capuano	Johnson, E. B.	Rahall
Cardin	Jones (OH)	Rangel
Carnahan	Kanjorski	Reyes
Carson	Kaptur	Ross
Case	Kennedy (RI)	Roybal-Allard
Chandler	Kildee	Ruppersberger
Cleaver	Kilpatrick (MI)	Rush
Clyburn	Kind	Ryan (OH)
Conyers	Kucinich	Sabo
Cooper	Langevin	Salazar
Costa	Lantos	Sánchez, Linda
Costello	Larsen (WA)	T.
Cramer	Larson (CT)	Sanchez, Loretta
Crowley	Lee	Sanders
Cuellar	Levin	Schakowsky
Davis (AL)	Lewis (GA)	Schiff
Davis (CA)	Lipinski	Schwartz (PA)
Davis (FL)	Lofgren, Zoe	Scott (GA)
Davis (IL)	Lowey	Scott (VA)
Davis (TN)	Lynch	Serrano
DeFazio	Maloney	Sherman
DeGette	Markey	Skelton
DeLauro	Marshall	Slaughter
Delahunt	Matheson	Smith (WA)
Dicks	Matsui	Snyder
Dingell	McCollum (MN)	Solis
Doggett	McDermott	Stark
Doyle	McGovern	Strickland
Edwards	McIntyre	Stupak
Emanuel	McKinney	Tanner
Engel	McNulty	Tauscher
Eshoo	Meehan	Taylor (MS)
Etheridge	Meek (FL)	Thompson (CA)
Evans	Meeke (NY)	Thompson (MS)
Farr	Melancon	Tierney
Fattah	Menendez	Towns
Filner	Michaud	Udall (CO)
Ford	Millender-	Udall (NM)
Frank (MA)	McDonald	Van Hollen
Gonzalez	Miller (NC)	Velázquez
Gordon	Miller, George	Visclosky
Green, Al	Mollohan	Wasserman
Green, Gene	Moore (KS)	Schultz
Grijalva	Moore (WI)	Watt
Gutierrez	Moran (VA)	Waxman
Harman	Murtha	Weiner
Hastings (FL)	Nadler	Woolsey
Herseth	Napolitano	Wu
Higgins	Neal (MA)	Wynn
Hinchev	Oberstar	

NOT VOTING—30

Akin	Diaz-Balart, M.	Pastor
Baca	Ehlers	Platts
Barton (TX)	Gilchrest	Spratt
Becerra	Hoyer	Stearns
Cardoza	Hyde	Waters
Clay	Istook	Watson
Cubin	Kolbe	Weldon (PA)
Cummings	McCarthy	Westmoreland
Davis, Jo Ann	McCrary	Wexler
Davis, Tom	Myrick	Young (FL)

□ 1518

Ms. HERSETH changed her vote from “yea” to “nay.”

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. STEARNS. Mr. Speaker, on rollcall No. 663 I was unavoidably detained. Had I been present, I would have voted “yes.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCHUGH). 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 later today.

PROFICIENCY TESTING IMPROVEMENT ACT OF 2005

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4568) to improve proficiency testing of clinical laboratories, as amended.

The Clerk read as follows:

H.R. 4568

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 “Proficiency Testing Improvement Act of 2005”.

SEC. 2. IMPROVEMENT OF PROFICIENCY TESTING OF CLINICAL LABORATORIES.

Notwithstanding any other provision of law, the Secretary of Health and Human Services—

(1) may not, during the one-year period beginning on the date of the enactment of this Act, conduct (or cause an entity with which the Secretary contracts to conduct) the proficiency testing referred to in section 353(f)(4)(B)(iv) of the Public Health Service Act (42 U.S.C. 263a(f)(4)(B)(iv));

(2) shall revise such proficiency testing (or cause such testing to be revised)—

(A) to reflect the collaborative clinical decision-making of laboratory personnel involved in screening or interpreting cytological preparations;

(B) to revise grading or scoring criteria to reflect current practice guidelines;

(C) to provide for such testing to be conducted no more often than every 2 years; and

(D) to make such other revisions to the standards for such testing as may be necessary to reflect changes in laboratory operations and practices since such standards were promulgated in 1992; and

(3) shall make the revisions required by paragraph (2) within one year after the date of the enactment of this Act and before resuming proficiency testing referred to in such section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Each year, the licensed physicians and cytotechnologists who screen and interpret Pap tests save the lives of thousands of women by detecting the