

this time and congratulate the chairman of the committee, the gentleman from Ohio (Mr. NEY) and his ranking member and the leadership on both sides for coming together on this funding resolution.

I could take Members back 12, 14 years ago when this committee funding resolution every year was a brawl. Having sat on the Committee on House Administration with some of my colleagues, there were times when the majority was getting 82 percent of the budget, sometimes 78 percent of the budget, and I always believed that it was fair for the minority to get at least one-third of the resources. It has really been a long struggle in bringing that about. I thought that when we were in the minority, I believed the same since we have been in the majority, and over these years I think we have accomplished an awful lot in terms of funding committees at a reasonable level, bringing comity and stability to the House.

I just want to say to my two colleagues who brought this resolution to the floor today that they deserve the congratulations of all of the Members and the leadership on both sides as well.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume.

I do not believe that I have any further speakers on this issue, but I did forget to mention the franking issue, and I agreed with that amendment. What we did is we changed the rules. We did not clarify the rules, but we changed the rules. Previously, committee mailings were not covered by the same regulations that apply to individual Members. This was the case in the 108th and the previous Congress. This rule change will treat committee mailings the same as individual mailings with respect to the blackout and the preapproval.

So we have I think made a change in the rules that, as I said, I agreed with is good, and all the chairs of the committees and the ranking members agreed with the change.

Ms. ZOE LOFGREN of California. Mr. Speaker, I strongly support the House Committee Funding Resolution for the 109th Congress as approved by the House Administration Committee on Thursday, April 21, 2005. This Resolution assures that the Minority will be treated fairly in regard to both committee budgets and staff. It abides by the 2/3–1/3 principle in which the Minority receives 1/3 of the staff, 1/3 of the budget, and control over that budget. It is my understanding that every Chair and Ranking Member in the House have come to an agreement on their individual budgets, and all treat the Minority in a fair and respectful way. I commend Chairman NEY and Ranking Member MILLENDER-MCDONALD for their hard work on this Resolution.

During Markup of the Committee Funding Resolution, Congresswoman MILLENDER-MCDONALD offered an amendment regarding House Committee's use of the Frank. Under this amendment, Committees will be limited to a \$5,000 franking budget per year, and Committees will need to abide by, and receive ap-

proval from, the House Franking Commission for any mass mailings. This is an important proposal that I strongly support. This amendment assures that House Committees will only use the Frank for official purposes, and stem the questionable franking practices that developed at the end of the 108th Congress.

Finally, I must comment on the controversy surrounding the budget of the Resources Committee during the 108th Congress.

My colleague Chairman NEY was elected to Congress in 1994, the same year as me. As you will recall, 1994 was the year that the Republicans took control of Congress for the first time in 40 years.

Led by Newt Gingrich, the incoming members of the House promoted the Contract with America. The Contract promised that under Republican rule, the House would pass a number of resolutions and bills within the first 100 days of the 104th Congress.

One of the promises made by the Republicans was to pass a resolution on the first day of the 104th Congress that would provide for the selection of a major, independent auditing firm to conduct a comprehensive audit of Congress for waste, fraud or abuse. Republicans were concerned that tax dollars were being misspent by the House of Representatives. Chairman NEY signed the Contract with America, and I can only assume that he supported this provision.

It seems odd to me now that a little over 10 years later, my friend BOB NEY and his Republican colleagues do not seem to have the same zeal for investigating waste, fraud and abuse here in the House.

During the Committee Funding Resolution hearings in March, I posed several questions about the budget and policies of the Resources Committee during the 108th Congress to Resources Committee Chairman RICHARD POMBO.

On October 6, 2004, The Hill reported that Chairman POMBO planned to close the Resources Committee for a month leading up to the November 2004 elections. It went on to state that the staff would receive a month of vacation time and Chairman POMBO's spokesman stated on-the-record that some staff may choose to go and work on campaigns during their time off.

During the hearing, I posed several questions about the vacation policy of the Resources Committee to Chairman POMBO and gave him the opportunity to clear up the confusion about the events leading up to the 2004 elections.

Chairman POMBO welcomed the opportunity to address the issue. He answered some of my questions at the hearing, and said he would need to get back to the Committee regarding others.

In an effort to get to the bottom of this issue and clear up any confusion, I put my questions in writing for Chairman POMBO. The record, at the direction of Chairman NEY, was held open so Chairman POMBO could respond to the House Administration Committee within 30 days. Chairman POMBO did respond to some, but not all, of my questions in writing on April 13, 2005.

Both Chairman NEY and representatives of Chairman POMBO have categorized these ordinary and routine inquiries as something extraordinary. Mr. POMBO's spokesman has actually compared me to Senator Joseph McCarthy. While I find that comment to be a bit

weird, I am prepared to state unequivocally that I do not believe Chairman POMBO or NEY are communists!

So the record is totally clear, I have included in the Committee Report accompanying this resolution all of the correspondence between myself, Chairman NEY and Chairman POMBO on this issue as well as the transcript of our discussion at the committee hearing. This report should be posted on the House Administration Committee Web site. I will also note that at this time, Chairman POMBO has still not answered all of my written questions.

It is the job of the House Administration Committee to oversee all operations of the House of Representatives, including the approval of taxpayer-funded committee budgets. Under this Committee Funding Resolution, the Resources Committee will receive a 7.5 increase in their operating budget in the 109th Congress.

It is only appropriate that the House Administration Committee confirm that the money spent by the Resources Committee during the 108th Congress was done so in a proper way. Chairman POMBO still has the ability to quickly clear up this confusion. I remain hopeful that Chairman POMBO will take the time to answer all the written questions in detail about the policies and practices of the Resources Committee to reassure that tax dollars are being spent in a legal, fair, and ethical manner. Chairman NEY, signers the Contract with America, and anyone else that believes in good government, should demand nothing less.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 224, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. 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 subject of H. Res. 224, as amended.

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

There was no objection.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE SIXTH CONGRESSIONAL DISTRICT OF TENNESSEE

Mr. NEY. Mr. Speaker, I offer a resolution (H. Res. 239) dismissing the election relating to the office of Representative from the Sixth Congressional District of Tennessee, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 239

Resolved, That the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee is dismissed.

The resolution was agreed to.

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, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H.R. 902, by the yeas and nays;

House Concurrent Resolution 81, by the yeas and nays;

House Resolution 235, ordering the previous question, by the yeas and nays;

House Resolution 236, ordering the previous question, by the yeas and nays.

Votes after the first in this series will be conducted as 5-minute votes.

PRESIDENTIAL \$1 COIN ACT OF 2005

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 902, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the bill, H.R. 902, as amended, on which the yeas and nays are ordered.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 6, not voting 6, as follows:

[Roll No. 136]

YEAS—422

- Abercrombie, Ackerman, Aderholt, Akin, Alexander, Allen, Andrews, Baca, Bachus, Baird, Baker, Baldwin, Barrett (SC), Barrow, Bartlett (MD), Barton (TX), Bass, Bean, Beauprez, Becerra, Berkley, Berry, Biggart, Bilirakis, Bishop (GA), Bishop (NY), Bishop (UT), Blackburn, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonner, Bonnet, Bono, Boozman, Boren, Boswell, Boucher, Boustany, Boyd, Bradley (NH), Brady (PA), Brady (TX), Brown (OH), Brown (SC), Brown-Waite, Ginny, Burgess, Burton (IN), Butterfield, Calvert, Camp, Cannon, Cantor, Capito, Capps, Cardin, Cardoza, Carnahan, Carson, Carter, Case, Castle, Chabot, ...

- Chandler, Chocola, Clay, Cleaver, Clyburn, Coble, Cole (OK), Conaway, Conyers, Cooper, Costa, Costello, Cox, Cramer, Crenshaw, Crowley, Cubin, Cuellar, Culberson, Cummings, Cunningham, Davis (AL), Davis (CA), Davis (FL), Davis (IL), Davis (KY), Davis (TN), Davis, Jo Ann, Davis, Tom, Deal (GA), DeGette, Delahunt, DeLauro, DeLay, Dent, Diaz-Balart, L., Diaz-Balart, M., Dicks, Dingell, Doggett, Doolittle, Doyle, Drake, Dreier, Duncan, Edwards, Ehlers, Emanuel, Emerson, Engel, English (PA), Eshoo, Etheridge, Evans, Everett, Farr, Fattah, Feeney, Ferguson, Filner, Fitzpatrick (PA), Flake, Foley, Forbes, Ford, Fortenberry, Fossella, Foxx, Frank (MA), Franks (AZ), Frelinghuysen, Gallegly, Garrett (NJ), Gerlach, Gibbons, Gilchrest, Gillmor, Gingrey, Gohmert, Gonzalez, Goode, Goodlatte, Gordon, Granger, Graves, Green (WI), Green, Al, Green, Gene, Grijalva, Gutierrez, Gutknecht, Hall, Harman, Harris, Hart, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Hensarling, Herger, Hereth, Higgins, Hinchey, Hinojosa, Hobson, Hoekstra, Holden, Holt, Honda, Hooley, Hostettler, Hoyer, Hulshof, Hunter, Hyde, Inglis (SC), Inslee, Israel, Issa, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, Jindal, Johnson (CT), Johnson (IL), Johnson, E. B., Johnson, Sam, Jones (NC), Jones (OH), Kanjorski, Kaptur, Keller, Kelly, Kennedy (MN), Kennedy (RI), Kildee, Kilpatrick (MI), Kind, King (IA), King (NY), Kingston, Kirk, Kline, Knollenberg, Kolbe, Kucinich, Kuhl (NY), LaHood, Langevin, Lantos, Larsen (WA), Larson (CT), Latham, LaTourette, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lofgren, Zoe, Lofgren, Zoe, Lowey, Lucas, Lungren, Daniel E., Lynch, Maloney, Manzullo, Marchant, Markey, Marshall, Matheson, Matsui, McCarthy, McCaul (TX), McCollum (MN), McCotter, McCrery, McDermott, McGovern, McHenry, McHugh, McIntyre, McKeon, McKinney, McMorris, McNulty, Meehan, Meek (FL), Meeks (NY), Melancon, Menendez, Mica, Michaud, Millender-McDonald, Miller (FL), Miller (MI), Miller (NC), Miller, Gary, Miller, George, Mollohan, Moore (KS), Moore (WI), Moran (KS), Moran (VA), Murphy, Murtha, Musgrave, Myrick, Nadler, Napolitano, Neal (MA), Neugebauer, Ney, Northrup, Norwood, Nunes, Nussle, Oberstar, Obey, Olver, Ortiz, Osborne, Otter, Owens, Oxley, Pallone, Pascrell, Pastor, Paul, Payne, Pearce, Pelosi, Pence, Peterson (MN), Peterson (PA), Petri, Pickering, Pitts, Platts, Pomo, Pomeroy, Porter, Price (GA), Price (NC), Pryce (OH), Putnam, Radanovich, Rahall, Ramstad, Rangel, Regula, Rehberg, Reichert, Renzi, Reyes, Reynolds, Rogers (AL), Rogers (KY), Rogers (MI), Rohrabacher, Ros-Lehtinen, Ross, Roybal-Allard, Royce, Ruppertsberger, Rush, Ryan (OH), Ryan (WI), Ryun (KS), Sabo, Salazar, Sanchez, Linda T., Sanchez, Loretta, Sanders, Saxton, Schakowsky, Schiff, Schwartz (PA), Schwarz (MI), Scott (GA), Scott (VA), Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Sherwood, Shimkus, Shuster, Simmons, Simpson, Skelton, Slaughter, Smith (NJ), Smith (TX), Snyder, Sodrel, Solis, Souder, Spratt, Stark, Stearns, Stupak, Sullivan, Sweeney, Tancredo, Tanner, Tauscher, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (CA), Thompson (MS), Thornberry, Tiahrt, Tiberi, Tierney, Towns, Turner, Udall (CO), Udall (NM), Upton, Van Hollen, Velázquez, Visclosky, Walden (OR), Walsh, Wamp, Wasserman, Schultz, Waters, Watson, Watt, Waxman, Weiner, Weldon (FL), Weldon (PA), Weller, Wexler, Whitfield, Wilson (NM), Wilson (SC), Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL), ...

- Wamp, Wasserman, Schultz, Waters, Watson, Watt, Waxman, Weiner, Weldon (FL), Weldon (PA), Weller, Wexler, Whitfield, Wilson (NM), Wilson (SC), Wolf, Woolsey, Wu, Wynn, Young (AK), Young (FL), ...

NAYS—6

- Berman, Capuano, DeFazio, Mack, Poe, Strickland

NOT VOTING—6

- Brown, Corrine, Portman, Rothman, Smith (WA), Westmoreland, Wicker

□ 1343

Mr. CAPUANO and Mr. BERMAN changed their vote from "yea" to "nay."

Mr. HINCHEY changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to improve circulation of the \$1 coin, create a new bullion coin, provide for the redesign of the reverse of the Lincoln 1-cent coin in 2009 in commemoration of the 200th anniversary of the birth of President Abraham Lincoln, and for other purposes."

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE TWO-YEAR ANNIVERSARY OF THE HUMAN RIGHTS CRACKDOWN IN CUBA

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 81.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 81, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 27, answered "present" 2, not voting 7, as follows:

[Roll No. 137]

YEAS—398

- Abercrombie, Ackerman, Aderholt, Akin, Alexander, Allen, Andrews, Baca, Baird, Baker, Baldwin, Barrett (SC), ...