

except for pro forma amendments to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3 The amendment referred to in section 2 is as follows:

Amendment to H.R. _____, as Reported (Science, State, Justice, and Commerce Appropriations, 2006)

Offered by Mr. Obey of Wisconsin

In title I, in the item relating to "Office of Justice Programs—State and Local Law Enforcement Assistance", after the first and second dollar amounts, insert the following: "(increased by \$270,000,000)".

In title I, in the item relating to "Office of Justice Programs—Community Oriented Policing Services", after the first dollar amount, insert the following: "(increased by \$140,000,000)".

In title II, in the item relating to "Economic Development Administration—Economic Development Assistance Programs", after the dollar amount, insert the following: "(increased by \$53,000,000)".

At the end of title VI, insert the following:

SEC. ____ In the case of taxpayers with adjusted gross income in excess of \$1,000,000, for the calendar year beginning in 2006, the amount of tax reduction resulting from enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Pub. L. 107-16) and the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Pub. L. 108-27) shall be reduced by 1.466 percent.

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

The SPEAKER pro tempore (Mr. LATHAM). The question is on ordering the previous question.

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

Ms. SLAUGHTER. 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 190, not voting 21, as follows:

[Roll No. 243]

YEAS—222

Aderholt	Boustany	Cubin
Akin	Bradley (NH)	Culberson
Alexander	Brady (TX)	Cunningham
Bachus	Brown (SC)	Davis (KY)
Baker	Brown-Waite,	Davis, Jo Ann
Barrett (SC)	Ginny	Davis, Tom
Barrow	Burgess	Deal (GA)
Bartlett (MD)	Burton (IN)	DeLay
Barton (TX)	Calvert	Dent
Bass	Camp	Diaz-Balart, L.
Beauprez	Cannon	Diaz-Balart, M.
Biggart	Cantor	Doolittle
Bilirakis	Capito	Drake
Bishop (UT)	Carter	Dreier
Blackburn	Castle	Duncan
Blunt	Chabot	Ehlers
Boehert	Chocola	Emerson
Boehner	Coble	English (PA)
Bonilla	Cole (OK)	Feeney
Bonner	Conaway	Ferguson
Bono	Cox	Fitzpatrick (PA)
Boozman	Crenshaw	Flake

Foley	Kolbe	Ramstad	Neal (MA)	Sánchez, Linda	Thompson (CA)
Forbes	Kuhl (NY)	Regula	Obey	T.	Thompson (MS)
Fortenberry	LaHood	Rehberg	Olver	Sanchez, Loretta	Tierney
Fossella	LaHram	Reichert	Ortiz	Sanders	Towns
Fox	LaTourrette	Renzi	Pallone	Schakowsky	Udall (CO)
Franks (AZ)	Leach	Reynolds	Pastor	Schiff	Udall (NM)
Frelinghuysen	Lewis (CA)	Rogers (AL)	Payne	Schwartz (PA)	Van Hollen
Galleghy	Lewis (KY)	Rogers (KY)	Pelosi	Scott (GA)	Velázquez
Garrett (NJ)	Linder	Rogers (MI)	Peterson (MN)	Scott (VA)	Visclosky
Gerlach	LoBiondo	Rohrabacher	Pomeroy	Serrano	Wasserman
Gibbons	Lucas	Ros-Lehtinen	Price (NC)	Sherman	Wasserman
Gilchrest	Lungren, Daniel	Royce	Rahall	Skelton	Schultz
Gillmor	E.	Ryan (WI)	Rangel	Slaughter	Waters
Gingrey	Manzullo	Ryun (KS)	Reyes	Smith (WA)	Watson
Gohmert	Marchant	Saxton	Ross	Snyder	Watt
Goode	Marshall	Schwarz (MI)	Roybal-Allard	Solis	Waxman
Goodlatte	McCaul (TX)	Sensenbrenner	Ruppersberger	Spratt	Weiner
Granger	McCotter	Shadeegg	Rush	Stupak	Wexler
Graves	McHenry	Shaw	Ryan (OH)	Tanner	Woolsey
Green (WI)	McHugh	Shays	Sabo	Tauscher	Wu
Gutknecht	McKeon	Sherwood	Salazar	Taylor (MS)	Wynn
Hall	McMorris	Shimkus			
Harris	Mica	Shuster			
Hart	Miller (FL)	Simmons			
Hastings (WA)	Miller (MI)	Simpson			
Hayes	Miller, Gary	Smith (NJ)			
Hayworth	Moran (KS)	Smith (TX)			
Hefley	Murphy	Sodrel			
Hensarling	Musgrave	Souder			
Hergert	Myrick	Stearns			
Hobson	Neugebauer	Sullivan			
Hoekstra	Ney	Tancredo			
Hostettler	Northup	Taylor (NC)			
Hulshof	Norwood	Terry			
Hunter	Nunes	Thornberry			
Hyde	Nussle	Tiahrt			
Inglis (SC)	Osborne	Tiberi			
Issa	Otter	Turner			
Istook	Oxley	Upton			
Jenkins	Paul	Walden (OR)			
Jindal	Pearce	Walsh			
Johnson (CT)	Pence	Wamp			
Johnson (IL)	Petri	Weldon (FL)			
Johnson, Sam	Pickering	Weldon (PA)			
Jones (NC)	Pitts	Weller			
Keller	Platts	Westmoreland			
Kelly	Poe	Whitfield			
Kennedy (MN)	Pombo	Wicker			
King (IA)	Porter	Wilson (NM)			
King (NY)	Price (GA)	Wilson (SC)			
Kingston	Pryce (OH)	Wolf			
Kirk	Putnam	Young (AK)			
Klaine	Radanovich				

NAYS—190

Abercrombie	Davis (TN)	Kaptur
Ackerman	DeFazio	Kennedy (RI)
Allen	DeGette	Kildee
Andrews	Delahunt	Kilpatrick (MI)
Baca	DeLauro	Kind
Baird	Dicks	Kucinich
Baldwin	Dingell	Langevin
Bean	Doggett	Lantos
Becerra	Doyle	Larsen (WA)
Berkley	Edwards	Lee
Berman	Emanuel	Levin
Berry	Engel	Lewis (GA)
Bishop (GA)	Eshoo	Lipinski
Bishop (NY)	Etheridge	Lofgren, Zoe
Blumenauer	Evans	Lowey
Boren	Farr	Lynch
Boswell	Fattah	Maloney
Boyd	Filner	Markey
Brady (PA)	Ford	Matheson
Brown (OH)	Frank (MA)	Matsui
Brown, Corrine	Gonzalez	McCarthy
Butterfield	Gordon	McCollum (MN)
Capps	Green, Al	McDermott
Capuano	Green, Gene	McGovern
Cardin	Grijalva	McIntyre
Cardoza	Gutierrez	McKinney
Carnahan	Harman	McNulty
Carson	Hastings (FL)	Meehan
Case	Herseth	Meek (NY)
Chandler	Higgins	Meeks (NY)
Clay	Hinchee	Melancon
Cleaver	Holden	Menendez
Clyburn	Holt	Michaud
Conyers	Honda	Millender-
Cooper	Hooley	McDonald
Costa	Hoyer	Miller (NC)
Costello	Inslee	Miller, George
Cramer	Israel	Mollohan
Crowley	Jackson (IL)	Moore (WI)
Cuellar	Jackson-Lee	Moran (VA)
Davis (AL)	(TX)	Murtha
Davis (CA)	Jefferson	Nadler
Davis (FL)	Johnson, E. B.	Napolitano
Davis (IL)	Kanjorski	

Boucher	Larson (CT)	Rothman
Buyer	Mack	Sessions
Cummings	McCrery	Stark
Everett	Oberstar	Strickland
Hinojosa	Owens	Sweeney
Jones (OH)	Pascrell	Thomas
Knollenberg	Peterson (PA)	Young (FL)

NOT VOTING—21

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATHAM) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1125

Mr. BAIRD, Mrs. MALONEY, and Mrs. CAPPS changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. I was unavoidably detained during rollcall vote No. 243, a motion ordering the previous question on H. Res. 314, a rule providing for consideration of the bill (H.R. 2862) making appropriations for Science, the Department of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes. Had I been present I would have voted "no" on this motion.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. NADLER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Resolution disapproving the manner in which Representative SENSENBRENNER has responded to the minority party's request under rule XI of the House of Representatives for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act and the manner in which such hearing was conducted.

Whereas Representative SENSENBRENNER willfully and intentionally violated the Rules of the House of Representatives by abusing and exceeding his powers as chairman;

Whereas subsequent to receiving a request for an additional day of hearings by members of the minority party pursuant to rule XI, Representative SENSENBRENNER scheduled such hearing on less than 48 hours notice;

Whereas such hearing occurred on Representative SENSENBRENNER's directive at 8:30 a.m., on Friday, June 10, 2005, a date when the House was not in session and votes were not scheduled;

Whereas Representative SENSENBRENNER directed his staff to require that the witnesses' written testimony be made available on less than 18 hours notice;

Whereas, during the course of the hearing, Representative SENSENBRENNER made several false and disparaging comments about members of the minority party in violation of rule XVII;

Whereas, Representative SENSENBRENNER failed to allow members of the committee to question each witness for a period of 5 minutes in violation of rule XI;

Whereas Representative SENSENBRENNER refused on numerous and repeated occasions throughout the hearing to recognize members of the minority party attempting to raise points of order;

□ 1130

Whereas when Representative NADLER and Representative JACKSON-Lee sought recognition to raise a point of order, Representative SENSENBRENNER refused to recognize Representative NADLER or Representative JACKSON-Lee, and intentionally and wrongfully adjourned the committee without obtaining or seeking either unanimous consent or a vote of the committee members present in violation of rule XVI;

Whereas subsequent to Representative SENSENBRENNER's improper adjournment of the hearing, his staff turned off the microphones and the electronic transmission of the proceedings and instructed the court reporter to stop taking transcription, even though the committee hearing had not been properly adjourned, and members of the minority party had invited witnesses to continue to speak; and

Whereas Representative SENSENBRENNER willfully trampled the right of the minority to meaningfully hold an additional day of hearings in violation of the Rules of the House of Representatives, and brought discredit upon the House of Representatives: Now, therefore, be it

Resolved, That

(1) the House strongly condemns the manner in which Representative SENSENBRENNER has responded to the minority party's request for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act, and the manner in which such hearing was conducted; and

(2) the House instructs Representative SENSENBRENNER, in consultation

with Representative CONYERS, to schedule a further day of hearings with witnesses requested by members of the minority party concerning the reauthorization of the USA PATRIOT Act."

The SPEAKER pro tempore (Mr. LATHAM). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from New York will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2862, and that I may include tabular material on the same.

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

There was no objection.

SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 314 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2862.

□ 1134

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. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. HASTINGS of Washington 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 Virginia (Mr. WOLF) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

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

Mr. Chairman, I am pleased to begin consideration of H.R. 2862, making appropriations for fiscal year 2006 for Science, the Departments of State,

Justice, Commerce, and related agencies. This bill provides funding for programs whose impact ranges from the safety of people in their homes and communities to the conduct of diplomacy around the world, to the farthest reaches of space exploration.

The bill before the House today reflects a delicate balance of needs and requirements. We have drafted what I consider a responsible bill for fiscal year 2006 spending levels for the departments and agencies under the subcommittee's jurisdiction. We have had to carefully prioritize funding in the bill and make hard choices about how to spend scarce resources.

I want to thank the gentleman from California (Chairman LEWIS) for supporting us with a fair allocation and helping us to move the bill forward. I also would like to thank the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), who has been very effective and a valued partner and colleague on this bill. I appreciate his principled commitment and understanding of the programs in the bill.

Also I wanted to thank all members of the subcommittee for their help and assistance; the gentleman from North Carolina (Mr. TAYLOR), the gentleman from Illinois (Mr. KIRK), the gentleman from Illinois (Mr. LAHOOD), the gentleman from Florida (Mr. WELDON), the gentleman from Texas (Mr. CULBERSON), the gentleman from Louisiana (Mr. ALEXANDER), the gentleman from New York (Mr. SERRANO), who used to be the ranking member on the committee, the gentleman from Alabama (Mr. CRAMER), the gentleman from Rhode Island (Mr. KENNEDY), and the gentleman from Pennsylvania (Mr. FATTAH), and also the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee.

Mr. Chairman, I also want at the outset to thank the members of the staff who have worked incredibly hard, as I am sure all subcommittee staff on this committee do on appropriations, but particularly want to thank them publicly. Mike Ringler, the clerk of the subcommittee, who has led the subcommittee through the House appropriations process. Also I want to thank Christine Kojac, John Martens, Anne Marie Goldsmith, Joel Kaplan and Celia Aloavado for their tireless efforts. Their work is very much appreciated. They have done an outstanding job.

In my personal office, I want to thank Dan Scandling, Janet Shaffron, J.T. Griffin, Samantha Stockman and Courtney Schlieter for their efforts and work with the subcommittee.

From the minority staff, I want to thank David Pomerantz, Michelle Burkett, Rob Nabors, Sally Moorhead and Julie Aaronson for their insight and input on the bill.

It has been a good bipartisan effort. Sometimes those things are said, but sometimes there is not a lot of reality to them. But this has been a good bipartisan effort. As in past years, we