

Sherwood	Tancredo	Weldon (FL)
Shimkus	Taylor (NC)	Weldon (PA)
Shuster	Terry	Weller
Simmons	Thornberry	Westmoreland
Simpson	Tiahrt	Whitfield
Smith (NJ)	Tiberi	Wicker
Sodrel	Turner	Wilson (NM)
Souder	Upton	Wilson (SC)
Stearns	Walden (OR)	Wolf
Sullivan	Walsh	Young (AK)
Sweeney	Wamp	Young (FL)

## NOES—192

Abercrombie	Green, Al	Neal (MA)
Ackerman	Green, Gene	Oberstar
Allen	Grijalva	Obey
Andrews	Gutierrez	Olver
Baca	Harman	Ortiz
Baird	Hastings (FL)	Owens
Baldwin	Herseth	Pallone
Barrow	Higgins	Pascarella
Bean	Hinchey	Pastor
Becerra	Holden	Payne
Berkley	Holt	Pelosi
Berman	Honda	Peterson (MN)
Berry	Hooley	Price (NC)
Bishop (GA)	Hoyer	Rahall
Bishop (NY)	Inslee	Reyes
Blumenauer	Israel	Ross
Boren	Jackson (IL)	Rothman
Boswell	Jefferson	Royer-Allard
Brady (PA)	Johnson, E. B.	Ruppersberger
Brown (OH)	Jones (OH)	Rush
Brown, Corrine	Kanjorski	Ryan (OH)
Butterfield	Kaptur	Salazar
Capps	Kennedy (RI)	Sánchez, Linda T.
Capuano	Kildee	Sánchez, Loretta
Cardin	Kilpatrick (MI)	Sanders
Cardoza	Kind	Schakowsky
Carnahan	Langevin	Schiff
Carson	Lantos	Schwartz (PA)
Case	Larsen (WA)	Scott (GA)
Chandler	Larson (CT)	Scott (VA)
Clay	Lee	Serrano
Cleaver	Levin	Sherman
Clyburn	Lipinski	Skelton
Conyers	Lofgren, Zoe	Slaughter
Cooper	Lowey	Smith (WA)
Costa	Lynch	Maloney
Costello	Markey	Markley
Cramer	Marshall	Marshall
Crowley	Matheson	Matheson
Cuellar	Matsui	Matsui
Cummings	McCarthy	McCarthy
Davis (CA)	McCollum (MN)	McCollum (MN)
Davis (FL)	McDermott	McDermott
Davis (IL)	McGovern	McGovern
Davis (TN)	McIntyre	McIntyre
DeFazio	McKinney	McKinney
DeGette	McNulty	McNulty
Delahunt	Meehan	Meehan
DeLauro	Meek (FL)	Meek (FL)
Dicks	Meek (NY)	Meek (NY)
Dingell	Melancon	Melancon
Doyle	Menendez	Menendez
Edwards	Michaud	Michaud
Emanuel	Millender-McDonald	Millender-McDonald
Engel	Miller (NC)	Miller (NC)
Eshoo	Miller, George	Miller, George
Etheridge	Mollohan	Mollohan
Evans	Moore (KS)	Moore (WI)
Farr	Moore (WI)	Moore (VA)
Fattah	Moran (VA)	Murtha
Filner	Murtha	Nadler
Ford	Napolitano	Napolitano
Frank (MA)		
Gonzalez		
Gordon		

NOT VOTING—21		
Barton (TX)	Doggett	Oxley
Bonner	Hinojosa	Pomeroy
Boucher	Jackson-Lee	Rangel
Boyd	(TX)	Sabo
Carter	Kucinich	Smith (TX)
Conaway	Lewis (GA)	Thomas
Davis (AL)	McCaull (TX)	
Davis, Tom	Ney	

## □ 1601

Mr. WELLER changed his vote from “no” to “aye.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2985, and that I may include tabular and extraneous material.

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

There was no objection.

## LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 334 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. 2985.

## □ 1603

## 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. 2985) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes, with Mr. LINDER 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 California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I might consume.

The legislative branch bill, Mr. Chairman, provides for \$2,870 billion, an increase of only 1.7 percent over the fiscal year 2005. The bill represents a \$270 million reduction from the budget request.

Mr. Chairman, although we did not agree on every item on this bill, we worked very closely with the gentleman from Wisconsin (Mr. OBEY) to produce a bipartisan bill for the legislative branch. I want to thank all the committee members for their contributions in putting this bill together.

While small in size, this is the bill that funds the work of the Congress, and it is a bill that we all can be very proud of.

The bill includes funding for the operations of the House and several joint items, the Capitol Police, the Compliance Board, the Congressional Budget Office, the Architect of the Capitol, the Library of Congress, the Government Printing Office, the General Accountability Office, and the Open World Leadership Program.

There will be no reductions in the current workforce.

The bill provides for all personnel cost-of-living increases and all other pay-related costs.

The bill also was reported out of the full committee on a voice vote.

The Capitol Visitor Center is funded at the cost-to-complete level of \$36.9 million. The bill does not include funding for CVC operating expenses.

The bill establishes an Inspector General for the Capitol Police. The bill terminates the mounted horse unit and transfers the horses and equipment to the U.S. Park Service.

As part of an amendment in the full committee, I offered, and the committee adopted, the Continuity in Representation Act at the Speaker's request. This bill has passed the House twice, and just recently, the vote in March was 329 to 68.

Mr. Chairman, this is a good bill and one that benefits the entire legislative branch. Ultimately, this is the bill that reflects the work of the House. We are all in this together, Mr. Chairman, and because of that, I feel very strongly that this legislation should have the support of the entire House.

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2006 (H.R. 2985)  
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - LEGISLATIVE BRANCH</b>					
<b>HOUSE OF REPRESENTATIVES</b>					
Payments to Widows and Heirs of Deceased Members of Congress (emergency) (P.L. 109-13).....	162	---	---	-162	---
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker.....	2,708	2,788	2,788	+80	---
Office of the Majority Floor Leader.....	2,027	2,089	2,089	+62	---
Office of the Minority Floor Leader.....	2,840	2,928	2,928	+88	---
Office of the Majority Whip.....	1,741	1,797	1,797	+56	---
Office of the Minority Whip.....	1,303	1,345	1,345	+42	---
Speaker's Office for Legislative Floor Activities.....	470	482	482	+12	---
Republican Steering Committee.....	881	906	906	+25	---
Republican Conference.....	1,500	1,548	1,548	+48	---
Republican Policy Committee.....	---	307	307	+307	---
Democratic Steering and Policy Committee.....	1,589	1,945	1,945	+356	---
Democratic Caucus.....	792	816	816	+24	---
Nine minority employees.....	1,409	1,445	1,445	+36	---
Training and Program Development:					
Majority.....	290	290	290	---	---
Minority.....	290	290	290	---	---
Cloakroom Personnel:					
Majority.....	419	434	434	+15	---
Minority.....	419	434	434	+15	---
Subtotal, House Leadership Offices.....	18,678	19,844	19,844	+1,166	---
Members' Representative Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses.....	525,195	564,536	538,109	+12,914	-26,427
Committee Employees					
Standing Committees, Special and Select.....	113,499	117,913	117,913	+4,414	---
Committee on Appropriations (including studies and investigations).....	24,726	25,668	25,668	+942	---
Subtotal, Committee employees.....	138,225	143,581	143,581	+5,356	---
Salaries, Officers and Employees					
Office of the Clerk.....	20,534	21,911	21,911	+1,377	---
Office of the Sergeant at Arms.....	5,879	6,284	6,284	+405	---
Office of the Chief Administrative Officer.....	143,645	119,804	116,971	-26,674	-2,833
Office of the Inspector General.....	3,986	3,991	3,991	+5	---
Office for Emergency Planning, Preparedness and Operations.....	1,000	5,000	5,000	+4,000	---
Office of General Counsel.....	962	962	962	---	---
Office of the Chaplain.....	155	161	161	+6	---
Office of the Parliamentarian.....	1,673	1,767	1,767	+94	---
Office of the Parliamentarian.....	(1,459)	(1,546)	(1,546)	(+87)	---
Compilation of precedents of the House of Representatives.....	(214)	(221)	(221)	(+7)	---
Office of the Law Revision Counsel of the House.....	2,346	2,453	2,453	+107	---
Office of the Legislative Counsel of the House.....	6,721	6,963	6,963	+242	---
Office of Interparliamentary Affairs.....	687	720	720	+33	---
Other authorized employees.....	156	161	161	+5	---
Office of the Historian.....	---	---	405	+405	+405
Subtotal, Salaries, officers and employees.....	187,744	170,177	167,749	-19,995	-2,428

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2006 (H.R. 2985)  
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Allowances and Expenses</b>					
Supplies, materials, administrative costs and Federal tort claims.....	4,350	4,179	4,179	-171	---
Official mail for committees, leadership offices, and administrative offices of the House.....	410	410	410	---	---
Government contributions.....	203,900	214,422	214,422	+10,522	---
Miscellaneous items.....	690	703	703	+13	---
Capitol Visitor Center.....	---	9,965	3,410	+3,410	-6,555
Subtotal, Allowances and expenses.....	209,350	229,679	223,124	+13,774	-6,555
Total, Salaries and expenses.....	1,079,192	1,127,817	1,092,407	+13,215	-35,410
Total, House of Representatives.....	1,079,354	1,127,817	1,092,407	+13,053	-35,410
<b>JOINT ITEMS</b>					
Joint Economic Committee.....	4,139	4,276	4,276	+137	---
Joint Committee on Taxation.....	8,366	8,781	8,781	+415	---
<b>Office of the Attending Physician</b>					
Medical supplies, equipment, expenses, and allowances.....	2,508	2,545	2,545	+37	---
Capitol Guide Service and Special Services Office.....	3,844	4,268	4,268	+424	---
Statements of Appropriations.....	30	30	30	---	---
Total, Joint items.....	18,887	19,900	19,900	+1,013	---
<b>CAPITOL POLICE</b>					
Salaries.....	201,812	230,191	210,350	+8,538	-19,841
General expenses.....	39,657	59,948	29,345	-10,312	-30,603
Total, Capitol Police.....	241,469	290,139	239,695	-1,774	-50,444
<b>OFFICE OF COMPLIANCE</b>					
Salaries and expenses /1.....	2,402	3,112	3,112	+710	---
/1 Includes pending budget amendment of \$470,000.					
<b>CONGRESSIONAL BUDGET OFFICE</b>					
Salaries and expenses.....	34,640	35,853	35,450	+810	-403
<b>ARCHITECT OF THE CAPITOL</b>					
General administration.....	79,704	76,982	77,002	-2,702	+20
Capitol building.....	28,626	27,105	22,097	-6,529	-5,008
Capitol grounds.....	15,118	7,801	7,723	-7,395	-78
House office buildings.....	64,830	68,698	59,616	-5,214	-9,082
Capitol Power Plant.....	60,744	65,755	65,185	+4,441	-570
Offsetting collections.....	-4,365	-6,500	-6,600	-2,235	-100
Net subtotal, Capitol Power Plant.....	56,379	59,255	58,585	+2,206	-670
Library buildings and grounds.....	39,776	83,318	31,318	-8,458	-52,000
Capitol police buildings and grounds.....	9,906	34,959	16,830	+6,924	-18,129
Botanic garden.....	6,275	10,613	7,211	+936	-3,402

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2006 (H.R. 2985)  
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
<hr/>					
Capitol Visitor Center					
CVC Project (cost-to-complete).....	---	36,900	36,900	+36,900	---
CVC Operations.....		35,285	---	---	-35,285
	=====	=====	=====	=====	=====
Total, Capitol Visitor Center.....	---	72,185	36,900	+36,900	-35,285
	=====	=====	=====	=====	=====
Total, Architect of the Capitol.....	300,614	440,916	317,282	+16,668	-123,634
<hr/>					
LIBRARY OF CONGRESS					
Salaries and expenses.....	381,593	409,079	388,144	+6,551	-20,935
Authority to spend receipts.....	-6,299	-6,350	-6,350	-51	---
	=====	=====	=====	=====	=====
Subtotal, Salaries and expenses.....	375,294	402,729	381,794	+6,500	-20,935
Copyright Office, salaries and expenses.....	53,182	58,191	58,601	+5,419	+410
Authority to spend receipts.....	-33,209	-30,657	-35,946	-2,737	-5,289
	=====	=====	=====	=====	=====
Subtotal, Copyright Office.....	19,973	27,534	22,655	+2,682	-4,879
Congressional Research Service, salaries and expenses.	96,118	105,289	99,952	+3,834	-5,337
Books for the blind and physically handicapped,					
Salaries and expenses.....	53,977	55,243	54,049	+72	-1,194
	=====	=====	=====	=====	=====
Subtotal, Library of Congress.....	545,362	590,795	558,450	+13,088	-32,345
Rescission, Chapter 9, Division A, Misc.					
Appropriations Act, 2001.....	---	---	-15,500	-15,500	-15,500
	=====	=====	=====	=====	=====
Total, Library of Congress.....	545,362	590,795	542,950	-2,412	-47,845
<hr/>					
GOVERNMENT PRINTING OFFICE					
Congressional printing and binding.....	88,090	92,283	88,090	---	-4,193
<hr/>					
Office of Superintendent of Documents					
Salaries and expenses.....	31,697	33,837	33,337	+1,640	-500
Government Printing Office Revolving Fund.....	---	5,000	1,200	+1,200	-3,800
	=====	=====	=====	=====	=====
Total, Government Printing Office.....	119,787	131,120	122,627	+2,840	-8,493
<hr/>					
GOVERNMENT ACCOUNTABILITY OFFICE					
Salaries and expenses.....	474,565	493,548	489,560	+14,995	-3,988
Offsetting collections.....	-7,360	-7,165	-7,165	+195	---
	=====	=====	=====	=====	=====
Total, Government Accountability Office.....	467,205	486,383	482,395	+15,190	-3,988
<hr/>					
OPEN WORLD LEADERSHIP CENTER					
Payment to the Open World Leadership Center					
Trust Fund.....	13,392	14,000	14,000	+608	---
	=====	=====	=====	=====	=====
Grand total.....	2,823,112	3,140,035	2,869,818	+46,706	-270,217
	=====	=====	=====	=====	=====

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2006 (H.R. 2985)  
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>RECAPITULATION</b>					
House of Representatives.....	1,079,354	1,127,817	1,092,407	+13,053	-35,410
Joint Items.....	18,887	19,900	19,900	+1,013	---
Capitol Police.....	241,469	290,139	239,695	-1,774	-50,444
Office of Compliance.....	2,402	3,112	3,112	+710	---
Congressional Budget Office.....	34,640	35,853	35,450	+810	-403
Architect of the Capitol.....	300,614	440,916	317,282	+16,668	-123,634
Library of Congress.....	545,362	590,795	542,950	-2,412	-47,845
Government Printing Office.....	119,787	131,120	122,627	+2,840	-8,493
Government Accountability Office.....	467,205	486,383	482,395	+15,190	-3,988
Open World Leadership Center.....	13,392	14,000	14,000	+608	---
<b>Grand total.....</b>	<b>2,823,112</b>	<b>3,140,035</b>	<b>2,869,818</b>	<b>+46,706</b>	<b>-270,217</b>

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

Mr. OBEY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I know this seems a strange thing to say on a bill as small as the bill to fund the congressional budget, but I honestly believe, because of the attachment of the proposal for the continuity of Congress, that this bill is by far the worst bill to come to the floor in this session of Congress.

I believe that that continuity of representation provision attached to this bill is an assault on constitutional government. I believe it is an assault on checks and balances. It is an assault on the rule of law. It is an invitation to one-man rule and dictatorship. I think it is profoundly misguided, profoundly misgotten, and I think a profound disservice is done in not having months and months of hearings with constitutional scholars before such a drastic proposal is brought before the House.

I think there is a very good reason that the Senate has not taken it up. It is because it is a turkey of a proposal. It could leave us literally with 75 and 80 percent of the congressional districts in this country unrepresented in a time of crisis, at a time of terrorist attack, and unrepresented in the halls of Congress, and I think that is a bad way to do business.

What I would like to do now is to talk about another problem in this bill. That is the Congressional Visitors Center. I really believe that the Congressional Visitors Center has been mismanaged in such spectacular fashion that it is really sort of a metaphor for the way that the entire Federal budget deficit has been mismanaged, and let me explain what I mean.

This project originally started as a \$95 million project to have a modest expansion of the Capitol, to give tourists an opportunity to come in and see a movie about what the Congress was all about before they visited the Capitol. But the security assault on this Capitol and 9/11 has, in my view, been used as an excuse to expand this operation. We have also had other efforts from the Library of Congress and other institutions to further expand this proposition; and so as a result, today, this project is a \$500 million-plus project. It is more than a year behind schedule, and I think it is wasting taxpayers' money and wasting an opportunity that we had to provide much-needed usable space for the Congress at the same time.

What is happening out on the East Front is that over 2 acres of underground space is being added to the Capitol. Some of that is being added for purposes of a visitors center and some of the other space is being added for the purpose of expanding space under control of the Senate and the House to do their work.

We all know that this Congress needs more working space. In my view, the number one need of the Congress for working space is the need for addi-

tional rooms for conference committees between the Senate and the House because most of our hearings, especially on the Committee on Appropriations. When I came here, they were held behind closed doors. The press was not in, the public was not in. So there was plenty of room for a few people to get behind closed doors and work out deals and that is not the way government is supposed to work today.

Today, when we have a conference committee, the press has a right to be there. We need our staffs there, and the public has the right to be there, too. We have no real room in the Capitol for that kind of facility.

This is an opportunity to create that kind of room. Instead, what has happened? Instead, the only appreciable room of any quality in the new House space is what is called the House hearing room, but in plain language, that room is really a media center. That is going to be where the press focuses whenever there is a hearing in that room because it will have all of the creature comforts for the press. That room will have ample room for one hearing, one presentation, and whoever runs the Congress will be able to decide what subject it is that gets that attention. If you are trying to hold another public hearing on another subject in the Capitol, you are going to be stuck in tiny rooms that are worthless in terms of public access.

When I visited the visitors center, I asked the Architect why, with these vaulted ceilings that you have set aside for this hearing room, why could you not simply reduce the height of those rooms and at least provide two rooms of approximately the same size so that we had enough overflow room for the committees to do our work and to have conference committees? I have yet to get an answer from the Architect's office.

That is my problem. My problem is that with all of this space being created, much of it is not usable for the purpose that we need it used for.

Then we come to the other portion of the add-on, which is the portion devoted to the visitors center. Originally, that visitors center was supposed to have two media theaters so that the public could come in, see a short film about the Congress, and then be on its way.

Here is the problem. We have those two small orientation theaters, but in addition to that, we have this huge congressional auditorium, which is going to seat 450-plus people. I asked the Architect, and this is a vaulted theater, I asked why do we need another theater in the Capitol? What I was told by the Architect is, "Well, you can bring in large constituency groups." I would like to know how many Members of the House have ever brought 500 people into the Capitol. I do not think there are going to be many people who would raise their hands.

The second thing the Architect told me is that, "Well, we need a place for

where the House of Representatives can meet when the House Chamber is being remodeled."

□ 1615

That I found a little strange, because we have just redecorated the Committee on Ways and Means room in the Longworth Building. That room was originally created to serve as an alternative meeting place for the House of Representatives when we had to repair this Chamber. So we have already got a spare room.

In addition, we have another spare room I cannot talk about because it is classified, but it is being built off campus somewhere. So in essence we will have three spare rooms. I do not know how much the off-campus room is costing the taxpayers or how much the Committee on Ways and Means room cost the taxpayers, but this room is going to cost a bundle.

I keep asking "What is the real purpose for this room?" You finally go back 10 years and look at the original plans, what do we find out. We find out that this was originally included in the plans at the request of the Library of Congress because they wanted another theater to show movies and give presentations. That might be nice for them to have, but this project is already 400 percent over original cost. I do not think it makes any sense. I think this is the last chance that we are going to have to reconfigure this center so we have some additional working space instead of the Taj Mahal show space we are going to have.

Another thing I do not like, we have been told we are likely to have three congressional seals in the new visitors center. Those seals, I have been told, will cost up to a million bucks. Does any Member really want to take the political heat when taxpayers find out that somebody is talking about spending \$1 million on three congressional seals? Do Members remember the Cain that was raised when marble floors were put in four of our elevators in the Capitol? Does anybody have any memory? I would like to think so, but I guess not.

Mr. Chairman, I consider myself to be an institutional man. I usually support this piece of legislation; but out of frustration, I am not going to support it today because I think this Capitol Visitors Center, when it is finally built, is going to draw flies in terms of bad stories about waste of taxpayer money, misuse of space, and we are going to wind up not having enough room for the principal function of government. If this is, indeed, supposed to be a working Capitol, then we ought to be able to do better than this floor plan.

I really believe this package has been brought to us by staff who do not really understand how committees work and do not really understand the principal needs of this institution. This is the last time we are going to have a chance to repair this package and

make it more usable for the 100 years at least that it will be used. I urge Members to vote against this bill so we can start over.

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

Mr. LEWIS of California. Mr. Chairman, I yield 7 minutes to the gentleman from Illinois (Mr. LAHOOD).

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

Mr. LAHOOD. Mr. Chairman, first of all, I want to extend thanks to the chairman of the full Committee on Appropriations, the gentleman from California (Mr. LEWIS). By this time next week, we will have completed all of the appropriation bills. This is a history-making event in the House of Representatives. I have been here for 11 years; and for the 11 years I have been here, I do not know of another time when we have completed all of our appropriation bills going right up to the July 4 recess break.

That is in large part due to the cooperation that the chairman received from the ranking member, the gentleman from Wisconsin (Mr. OBEY), but in large part also from the leadership exhibited by the chairman of the full committee. He set a very, very high bar, a high standard, and all of the subcommittee chairs comported with that; and we will have sent to the Senate all of our appropriation bills as of a week from today or a week from tomorrow. That is an accomplishment that should not go unnoticed, and I compliment the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) for their leadership and also the subcommittee chairmen for that kind of goal setting and then meeting those goals.

Secondly, this is an important bill. This is the legislative branch bill. This is the bill where we say to all of the people, and I personally say to all of the people around the Capitol campus, thank you for the good work you do. The clerks, the people taking down our words here, the CONGRESSIONAL RECORD that will be printed overnight, the Parliamentarians who do such good work in directing the proceedings of the House, all of the Capitol Hill police who stand guard 24-7 and protect the Capitol, the attending physician's office who keep us all healthy, the people who work in the cloakrooms, the people who help us write bills, the people at CRS who help us make sure that we get the words correct and get them done correctly in the bills that we prepare and take a lot of credit for.

The folks who work at the Library of Congress. The most magnificent facility on the Capitol campus is the Library of Congress. I hate to say it, but it is even more magnificent than this building, but the Library of Congress is a magnificent facility. Members have an opportunity to take full advantage of many of the books there and research that can be done. The Botanical Gardens is also a part of our campus. This is the bill that funds all of that.

This is Congress' opportunity to say thank you to all of the people who work around here. It includes the lawyers who make sure that we do things correctly, and all of the people who work hard day and night to keep this building open, keep Members on the right track, and make sure that the things we do are done by the book.

So I pay my compliments to all of the people who make this magnificent facility that we call the United States Capitol the great place that it is, where we make the laws and have the debates and have the opportunity to represent the people from all over the country. We could not do it without this bill, without the funding in this bill, and we could not do it without the people who provide all of the services, and are very dedicated, many of whom work late hours to keep this place going. I want to take my hat off to those folks.

I want to say a word about the visitors center. I want to say this: it is a done deal. The leadership decided several years we needed a visitors center. Has it been done all correctly? No. And the points that the gentleman from Wisconsin (Mr. OBEY) makes are correct points. A lot of the work that has been done has been done by direction of staff of the principals. The principals really have not been that involved. They said they wanted a visitors center, and then they allowed the staff over the last 4 or 5 years to give direction. The architects have had many masters on this visitors center, unfortunately.

But it is going to be built, and it is going to be a magnificent opportunity for people to have good shelter and safety. And after 9/11, we do not want people standing outside, we do not want people standing in inclement weather, and there will be an opportunity for people to get a little bit of history before they enter the Capitol. To say we should throw the whole bill out because of the visitors center does not make sense.

I also want to say something about a subject I have felt very strongly about for the last few years, thank the architect and the chief operating officer and others for helping me with this, and that is the development of a staff health fitness center. It is under way in the Rayburn garage. It is for the staff around here who work long hours. There will be a health fitness center that they will be able to take advantage of, to stay healthy and be able to exercise, to have an opportunity to do the same thing that all of the Members have the opportunity to do. I am grateful that we are finally getting that kind of opportunity for our staff to be able to make this happen.

With respect to the provision that was put in the bill having to do with respect to what do we do around here if another disaster happens, if the Members are injured or killed in some kind of an attack, there has to be something that guides the direction of the House in the event that something happens.

The Speaker decided in order to get this moving and in order to get the Senate to go along with something, it had to be included in a bill, and it was put in this bill. It was put in, really, to get something done, to make something happen, to have some provision in the event that something happens.

It is probably not the best way to do it, but maybe it will end up to be the most efficient way to do it, to get the Senate finally to come around and sit down and talk to us about what do we do if something happens around here and how do we account for succession.

The Constitution calls for elections, not appointment. When there is a vacancy, there has to be an election. That is the way we get Members to congregate in this House. That is the way it should be.

My point is the idea that this was included and is some sort of nonessential thing, it is essential that we have a provision in the law that allows us to account for a situation in the event that Members need to be replaced. That is really the reason it was put in.

It is a part of the process here. If we want to get things moving, this is one of the ways to do it. It is not unprecedented. We have included other provisions in bills before to try and get some compromise with the Senate. I congratulate the Speaker for trying to get something done on this. If it does not happen here, it probably will not happen. We need to have this provision in the law.

I ask every Member to consider the good work that goes on around here, the fact that this is the bill that funds all of this. This is the bill that takes care of all of the work that we do around here. It is a good bill. My compliments go to the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) and the work of the staff people that made it possible for this bill to come to the floor today.

Mr. OBEY. Mr. Chairman, I yield 6 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the ranking member of the Committee on Appropriations for yielding me this time, but most particularly for his leadership.

The gentleman from Wisconsin (Mr. OBEY) made several points. Some of them were consistent with the comments of the gentleman from Illinois (Mr. LAHOOD) that there are a lot of good things about this institution and the facilities that we fund.

But the gentleman from Wisconsin (Mr. OBEY) pointed out some of the concerns that many of us share over the Capitol Visitors Center. I share those concerns as well, having been the ranking member of the legislative branch subcommittee before it was incorporated in the full committee. We raised these, the gentleman from Georgia (Mr. KINGSTON), and I.

It is not meant to be argumentative, but we have created a situation where

the Capitol Visitors Center is going to create some substantial problems in the future. We have a facility that is going to cost well over what was originally estimated. The original estimate was \$165 million. We are now over half a billion dollars. We were going to try to get private money. It is all Federal money now, of course. We were going to have it ready for the January 2005 inauguration. Obviously, we are way behind schedule; but that happens in a lot of construction projects.

We recognize this is going to be completed, and there will be a number of things that we will be proud to show. But some of these situations are going to cause more problems than they are worth. For example, we are creating an enormous capacity for visitors. One would think that would be a good thing, but what is going to wind up happening, they are going to be given a virtual tour of the Capitol. The reason for that is we have the capacity for twice as many people to come into that Capitol Visitors Center as can ever come into the Capitol itself.

Now, do you want to be the Member who tells your constituents, after traveling from any place in the United States, and for many of them it takes a whole day to get here, they stay here, they are all excited and they get to the Capitol Visitors Center and want to go to the Capitol and you have to tell them well, actually, there is no room?

Half of the people coming into the Capitol Visitors Center are probably going to have to be informed there is no room in the actual Capitol for you to be able to make a visit today. That is a substantial problem. I think we should have figured that out. I am glad we have capacity; but, again, is it consistent with our real objective, which is to enable all our constituents to see the U.S. Capitol itself?

□ 1630

The taxpayer is paying for this. A lot of the decisions have really not been made by the Members as much as staff, I have to say. It is not the staff of the appropriations subcommittee that has made those decisions, but we have got some major concerns. I think they are well-founded concerns.

I want to raise one now, though, that is not a matter of legislation, but it is one that has been brought to my attention as cochair of the Congressional Prevention Coalition. We have tried to do some things to address public health concerns.

One of them is in regard to smoking. We have a ban on smoking in all Federal buildings but we exempt congressional office spaces. I do not want to change that necessarily, I can understand why there is an exemption in place, but we have a particular problem with the Rayburn cafeteria.

With that, I would like to enter into a colloquy with the chairman of the full committee on this because I do think we need to address it. In the Rayburn cafeteria, the main dining

room is overflowing with patrons generally every Tuesday, Wednesday and Thursday; and so those patrons are forced to spill over into the designated smoking area. The same thing happens when we close the main cafeteria for receptions and special events. Because that main designated area is the only place available on that floor for smoking, it gets pretty asphyxiating according to many of the staff who have contacted me. I think we need to address it because some of these people have real serious health problems in terms of their breathing capabilities; some have asthma and other related problems. They just cannot deal with all of that smoke and they do not have any choice to avoid it given the situation that frequently occurs.

I yield to the chairman of the full committee to see if he has some suggestions in how we could alleviate this problem for the nonsmokers.

Mr. LEWIS of California. I appreciate very much the gentleman having this colloquy with me and raising this important issue. As we have discussed, the smoking policy in the House office buildings is under the jurisdiction of the House Office Building Commission. That commission is made up of leaders on both sides of the aisle; and, frankly, I am very hesitant to interfere with their responsibility or their work. But I think it is very important that the gentleman is raising this issue today, and I am happy to have this discussion with him.

Mr. MORAN of Virginia. I thank the chairman and I thank the interest of Ms. Johnson, the lead staff for the committee on legislative branch issues. Would the chairman be willing to make sure that this gets raised to the appropriate people so we could address it in a constructive way?

Mr. LEWIS of California. I would be very happy to join with the gentleman in that discussion. I think I probably will discuss it with my wife as well; but in the meantime, you and I work together on the committee, and I am happy to work with you on almost any issue you might raise.

Mr. MORAN of Virginia. I appreciate the gentleman's suggestion. I think we will pursue it in that manner rather than trying to find some legislative solution.

Mr. LEWIS of California. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to commend Chairman LEWIS, the committee and the staff for their fine work on this bill and the process. We are coming down the home stretch, and we should all be proud of that.

This bill contains \$10.5 million to pay our heating bill, natural gas. That is a 25 percent increase over last year. When we get that kind of an increase, the Architect asks us for more money

and we provide it. If natural gas prices continue as they are, next year we will be looking at a 3 to \$4 million increase to heat our Capitol complex for the same amount of heat. We can do that. We will provide the money. But when our folks back home heating their homes, running their businesses have these kind of natural gas increases, I think it is time for Congress to act.

As we speak, the fertilizer industry, the petrochemical industry, and the polymers and plastic industry are all making plans to leave this country permanently, because they use natural gas as heat and they use it to make products as an ingredient. Forty to 55 percent of their costs are natural gas. Natural gas prices in this country are an island to themselves. When we buy 58 or \$60 oil, the whole world does. Our gas prices this week are \$7.60. Canada's are \$6, Europe's are 5-something, China's are \$4 giving them a huge advantage, Trinidad \$1.60, Russia 90 cents and North Africa 80 cents.

Folks, we will be looking next year at a 3 to \$4 million increase to heat this Capitol. By that time, we will have lost some of the industries that I have talked about, and we will have seniors leaving their homes because they cannot afford to heat them. I am challenging this Congress to deal with the natural gas issue, the clean fuel, the fuel that does not have pollutants, the fuel we have an unlimited supply of for the next 50 to 100 years; and I am challenging this Congress to deal with natural gas.

Mr. LEWIS of California. Mr. Chairman, I yield 3½ minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman from California for allowing me to participate in this discussion. Would the chairman enter into a colloquy with me regarding an amendment I had wished to offer relative to placing a plaque in Statuary Hall?

Mr. LEWIS of California. If the gentleman will yield, I would be pleased to do so.

Mr. PRICE of Georgia. As the gentleman knows, I was interested in offering an amendment today that would require a plaque to be placed in Statuary Hall which would recognize that church services were held in the House Chamber from 1800 to 1868. Throughout the 1800s, the Speaker's podium in the Old House Chamber was converted into a preacher's pulpit on Sundays for church services. These services were nondiscriminatory and voluntary. The services were open to the public and became so popular that Thomas Jefferson and James Madison attended regularly.

As the gentleman knows, I withdrew my proposal in light of ongoing activities relative to the exhibit in the Capitol Visitors Center. I wonder if the gentleman would not mind, please, explaining his understanding relative to Statuary Hall and the exhibit hall in the soon-to-be-opened Capitol Visitors Center.

Mr. LEWIS of California. Mr. Chairman, let me tell the gentleman that I am very appreciative of his interest in the institution's history. As he is aware, the Speaker controls the placement of plaques on the House side of the Capitol. Their placement is very restricted, and we attempt to achieve recognition of events and places normally through other means.

The Capitol Visitors Center is being designed to provide our visitors with a much fuller understanding and history of the House and Senate. Included in the CVC is a 16,000 square-foot exhibit hall. In this exhibit hall, the architectural and legislative history of the institution are highlighted.

As part of the currently proposed CVC exhibits are detailed sections on the history of the Capitol and included in this is the fact that when the Capitol was originally built, it was used for more than legislative meetings. It was commonly used as the community center for the citizens of Washington, D.C. During that time, there were few places for meetings or church services. Thus, it is correct that such religious services were held here.

All these facts are included in the CVC exhibits, and I would encourage that the education of citizens be pursued in this venue so that a more complete history beyond a plaque can be presented.

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman, and I appreciate so much his working with me on this and look forward to appropriately recognizing the fact that there have been religious activities in this Capitol from the beginning of our Nation through the first 70 or 80 years.

Mr. LEWIS of California. There have been, and I very much appreciate the gentleman's interest in this matter. He and I will be pursuing it as we go forward in the months and, indeed, the years ahead.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of this legislation and commend my chairman for the good job that he has done, but I am opposed to one portion of the bill. The Baird/Rohrabacher amendment, which we will debate in a few moments, will remove title III from this appropriations bill. Title III not only should not be in this appropriations bill; it should not become law no matter how it is brought up. Title III is a statutory plan that has been rejected by the United States Senate because it will not work. It will not work because it was intended to ensure not the continuity of Congress but, as it turned out, it was intended and it is intended by what you can see and what it does to ensure

the continuity of the election process, which are two different items.

The task force that got together to try to come up with a solution to this challenge of what we are going to do in case of a catastrophe where many of our people are killed or incapacitated became confused about what they were supposed to be doing. The idea is not to ensure the election process, but to ensure that this Congress can act in a time of emergency.

Instead, what we have gotten as our alternative, which is in title III of this bill, will put us in grave jeopardy for 7 weeks after a national catastrophe. I am pleading with my Republican friends to please open their eyes and not let the ego of the people on this task force who put together this and now will not look at any other alternative get in the way of watching out for the people of the United States.

If al Qaeda or any other enemy of our country manages to create a situation or explode a bomb or murder or incapacitate large numbers of our people, we cannot wait for 7 weeks of a special election in order to deal with that. What we have been offered is a plan that will lead to martial law at exactly the time when we need Congress functioning to represent the interests of the American people.

I am pleading with my Republicans to please not blindly follow along with a task force that got its working orders confused with what they were trying to do. Please think about what will happen if we have another major bombing in this country and it happens in this city. Let us not incapacitate Congress from working for 7 weeks, which is what title III does. Title III would say that we have to wait for special elections for up to 7 weeks. This is outrageous.

There is an alternative. The Baird/Rohrabacher constitutional alternative changes the rules. The alternative to what we have been offered by this task force which, as I say, lost their way on this is that we should change the way we do things so that we can cope with the challenge of this type of threat to our society, that is, we will run, we will select an alternate to run with us, the voters will vote for a team of people so that if we are incapacitated or murdered, the alternate can take that seat right away and Congress will not cease to function for 7 weeks.

□ 1645

That person is elected, just like the Vice President of the United States is elected and will take over for the President of the United States. No one claims that the Presidency would not be elected if the Vice President takes over.

We have to get rid of these cliches. We have got to get rid of these blocks on thinking what will happen. Put ourselves in a position of what will happen in a catastrophe. Waiting 7 weeks for special elections, as presented in this bill, would be a disaster.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I must say I understand the points that the gentleman is making. I believe he has a constitutional amendment that proposes an alternative approach. I must say the Speaker has been most concerned, and he asked me to put this in this bill, because a constitutional amendment takes so long to accomplish. We could be out there for Lord knows how long if it is ever accomplished. In the meantime, he has a proposal that will go forward and will be altered significantly as we go forward in order to expedite the process. That is what the Speaker is asking us to do here.

Mr. ROHRABACHER. Mr. Chairman, reclaiming my time, is there any reason that we could not move forward with a constitutional amendment and a statutory proposal at exactly the same time that would accomplish the mission rather than leave us vulnerable for 7 weeks after a catastrophe?

Mr. LEWIS of California. Mr. Chairman, if the gentleman would yield further, he does have a constitutional amendment proposed. He knows how long and how risky constitutional proposals are. They hardly ever happen. And, therefore, the Speaker wants to make sure this proposal goes forward, and that is what we are suggesting.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

I want to simply say I congratulate the gentleman from California. I agree with the gentleman from California. I would be perfectly willing to vote for this proposition today if we had a constitutional amendment going at the same time, so that the solution in this bill would be only a temporary solution until we got a real one.

Without the Rohrabacher approach, or something similar, and I happen to prefer the one he introduced in the last Congress, but without something like that, we guarantee that we can have the President governing with literally a handful of people in the Congress. We could have hundreds of districts with no representation whatsoever. That is not continuity. That is chaos. That is martial law. That is one-man rule.

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

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MICA).

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

Mr. Chairman, I rise in strong support both of the legislation and appropriation bill before us and also in strong support of the Capitol Visitors Center project. Having been very intimately involved in this project, I had the only two bills that were introduced and actually had congressional hearings on authorizing the visitors center, and then being the Speaker's designee to the Capitol Preservation Commission, which oversees this also on public

works. I followed this project from day one.

Let me just for the record set the record straight. First, about private money, we did start out raising private money. Mr. Chairman, the last fundraiser that was held to raise private money I participated in downstairs in the Speaker's dining room on the evening of Monday, September 10, 2001. As the Members know, our world changed and the project changed, and after that we put substantial money into the project. Correct, it then went to \$265 million. There was money put in the project prior to that time because we had two police officers killed at the front door of the Capitol. Go back and read the testimony of the Sergeant at Arms where he described the scenario that we should have prevented if we had built the structure in advance. So that is why there was additional money put in.

If we look at the record, in October of 2001, we put in \$38.5 million; and then in April of 2002, \$33 million. Add that up, and it is about \$70 million. It was all for security after September 11 to protect this, the people's House.

The additional \$70 million for expansion of space, when we built the project it was supposed to be smaller. I insisted, as a developer and former real estate person, that it be larger; that we create as much shell space as possible, because we are not going to dig up the front yard of the United States Capitol every year. So we built all of that shell space.

In November of 2001, we decided to build out the additional space for the House of Representatives. It was a wise decision because we will save a tremendous amount of money. As a developer, I could tell my colleagues if we go back afterwards, it will cost us twice as much. So we actually saved money.

Other improvements are for utilities. Some utilities fell apart as we dug them up, and we could see some of the results; so we will actually save money in utilities.

This is a wise investment. It gives the people of the United States a place to visit, to see the history, the artifacts, and also deal with the capacity issue, because we could never fit them all in this wonderful historic building that is overcrowded, without even the basic accommodations for visitors like restrooms.

So I strongly urge the adoption of this bill and also every Member's strong support of the largest addition in the history of the Capitol for the people of the United States.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman from California for yielding me this time.

I wanted to speak on this bill and in support of this bill. As a former chairman of the Legislative Branch Subcommittee, I had the honor of serving as the chairman, along with the gen-

tleman from Virginia (Mr. MORAN) as ranking member, and during our period of time, holding the gavel for this, we did a lot of reforms, and I think we worked very closely with groups that are well used but underappreciated, such as the Office of Compliance or the Library of Congress or the Government Printing Office. We tried to work with these agencies and come up with some reforms that we thought were helpful, and ideas, and we worked for them.

I wanted to say to the gentleman from Wisconsin (Mr. OBEY) we did a lot of work on the Capitol Visitors Center. I think we had a lot of good suggestions. Many of those suggestions were adopted by the House in our bill, but unfortunately as the bill progressed through the Chambers and got on the other side, the other body insisted on doing things which we thought could have addressed some of the concerns which he has raised today.

So I want to say the House is on record as trying to get a grip on the Capitol Visitors Center, unfortunately without the cooperation of the Senate.

Another group that we have had a lot of, I will say, growing pains with is the Capitol Hill Police. There are a lot of concerns about making the Capitol campus a fortress. As we walk up here with the eighth grade class from home to be greeted by officers with machine guns on the House steps, it is a little much; and this is something that we have a good discussion about on a Member-to-Member basis, how much security should we have?

The Chief of Police has suggested in the past, several times, that we build a wall all around the Capitol, to which, on a bipartisan basis, we have rejected the notion; and yet a wall is not just made out of bricks and mortars but can, in fact, be made out of human beings, and I think to some degree we do have that boundary right now.

And that is why it is perplexing to me that the Chief of Police would insist on a mounted horse unit, a unit which the House had decided was not cost efficient in the past and had cut out. This year the bill does not fund the horse mounted unit, and I think that it should remain that way. I know that there is going to be an amendment to restore it, but if we look at the strategic plan of the Capitol Hill Police, they do not even mention their own horse mounted unit. In fact, to quote the GAO report, it says: "Upon review of the draft United States Capitol Hill Police Strategic Plan for FY 2004 to 2008, and the United States Capitol Threat Assessment, it is unclear how the horse mounted unit supports the Capitol Hill Police strategic mission or how the horse mounted unit would be deployed against threats to the Capitol, because there is no mention of the horse mounted unit in the documents."

The point is that if the Capitol Hill Police feel that the horses are so important, why are they not mentioning it in their strategic plan? Last year during the debate on this, it was suggested they are better for crowd control. But we do not have crowd control problems here at the Capitol. We do not have demonstrations. We do not have rock concerts. We do not have large masses of people who are coming out to watch or participate in an exhibit. We do have lines of people. We do have lots of people, but mounted police are used best on queuing up large groups of people and pushing back crowds, and that is a threat that we just frankly do not have.

But what is the cost of this? Their budget calls for \$145,000, they say, and we get free rent. But they do not mention that the stable for these horses is 20 miles away from the United States Capitol and that each day not only do the horses have to commute, and Members know what stress that must be on the horses because, good gosh, we have to put up for that, and I do not remember the horses being allowed to get on the Metro system.

But in addition to the horses having to commute, so does the manure. That is right. We have a gigantic pooper-scooper program for the mounted horses, that not only do they come here commuting like the rest of us, but then somebody has to follow behind them, I guess with a baggy from Safeway, as they do in the neighborhoods down in Alexandria. But they have to haul manure off campus at a cost, Mr. Chairman, of \$53,000 a year. And for what? To keep some guys on horses in a very tight, small area. This is not acres and acres of land that goes all the way to the Washington Monument. This is a confined area called the United States Capitol.

This is just one of the reforms that this House has gone on record of supporting. This bill does support it now. I think that we should pass the bill as it has been passed by the committee.

I do want to say one other thing. I am supporting the bill. I do think that the committee has done a good job on continuing a lot of the reforms that are in it.

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

Mr. BLUMENAUER. Mr. Chairman, I appreciated the gentleman from Illinois (Mr. LAHOOD) earlier comments about the fitness center for our employees. When I first came here soon after the gentleman from Illinois (Mr. LAHOOD), I was struck that the showers that were available for our employees were kind of secret. We, I think, cracked the code, found out where they were, and published a map. And we were able to work with the gentleman from New York (Mr. WALSH), the gentleman from Virginia (Mr. KINGSTON), the gentleman from Virginia (Mr. MORAN), the former subcommittee chairs and ranking members in slowly moving some things forward. There are now some new showers. Now the fitness center is under construction.

I congratulate the gentleman from Illinois (Mr. LAHOOD) and the committee. I think this is an important development for our employees. It is important for their health, for their morale, for their efficiency, for their being able to bike and walk and run to work, I think it is an important signal for them that we value their work.

I also appreciated comments that he made about the gem, which is the Library of Congress. I must confess I have some concerns in looking at this budget. We basically flatlined the Library of Congress, and we have missing from this, and part of the reduction is, the money that has been set aside for facilities to deal with the massive amount of information that is compiled by the library. The Library of Congress is the largest repository of information in the world. We have an obligation in Congress to support their efforts, and it is time sensitive. Not only are they running out of space, running out of room, there are issues of being able to protect the materials that they have. And I am afraid that if we slip a year, then we slip another year, we end up putting a burden on the people who run the Library of Congress and we put part of that collection in jeopardy.

Look at what happened to the Library of Congress Jefferson Building being neglected for decades and it took a major renovation for the library, that gem that we are all so proud of, to be fit for use in time for its centennial.

□ 1700

I know the committee has a difficult time because there are tight spending restraints, but I would urge the Committee on Appropriations and, indeed, each Member of this body to take a careful look at our stewardship responsibilities for the Library of Congress.

We all direct our constituents there because we are proud of it. We all take advantage of the material. This is an important little detail that is going to make their job harder; and I am afraid in the long run, if we are not careful, it is going to be the abrogation of our responsibility to maintain this largest collection of information in the history of the world.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I thank my distinguished colleague, and I appreciate his leadership on this issue. The gentleman from California (Mr. ROHRABACHER) spoke eloquently about the need for the Rohrabacher/Baird amendment; and I would like to address it briefly, if I may.

Madison is quoted on this topic, but let me quote Madison from Federalist 47. He said: "The accumulation of all powers, legislative, executive, and judiciary in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elected, may justly be pronounced the very definition of tyranny."

Now, I would like, if I may, to ask my colleagues, before we pass this appropriations bill with legislative language in it alleging to maintain continuity, to maybe address a couple of questions, before my colleagues vote on this, and I will yield time. Not for a filibuster, but just to address some questions.

How will we, given Madison's concern, maintain checks and balances during the 49-day period until we have the special elections? I would be happy to yield 30 seconds to anyone who plans to vote for this bill to address that question.

Mr. LAHOOD. Mr. Chairman, will the gentleman yield?

Mr. BAIRD. I yield to the gentleman from Illinois.

Mr. LAHOOD. Mr. Chairman, I will address it in this way: I was here on 9/11, as the gentleman was. There is absolutely nothing for the Members of Congress to do. That is the answer to the gentleman's question. The whole thing was taken over by the administration. There is not going to be anything for any Member of Congress, any major decisions to be made during that period of time. We do not need to be around here.

Mr. BAIRD. Mr. Chairman, reclaiming my time, the fact is this Congress took a number of very important actions, as the distinguished gentleman from Illinois knows, during that same time period. Let me ask this: If what the gentleman is saying is that we are not going to do anything, the executive branch has all the control, then how do we not just define Madison's very definition of tyranny? And if that is the case, are we not with this bill promoting tyranny in this country?

Mr. LAHOOD. Mr. Chairman, will the gentleman yield?

Mr. BAIRD. I yield to the gentleman from Illinois.

Mr. LAHOOD. Mr. Chairman, we were all meandering around here trying to figure out what to do, trying to figure out how to get our phones working. All of the major legislation that was created was created long after the period of time that the gentleman is talking about.

Mr. BAIRD. Mr. Chairman, reclaiming my time, I would beg to differ, and the gentleman, I think, is inaccurate historically.

Mr. LAHOOD. If the gentleman will further yield, what is the time frame?

Mr. BAIRD. Mr. Chairman, I do not have it on the top of my head, my friend; but I can say that it is much faster than 7 weeks. I would assert, furthermore, that if the gentleman's assertion is that we do not need the United States Congress post a catastrophic attack, I think you are making a mistake and doing a disservice. If that is what you are voting for, then let us be honest with the American public, as apparently the chairman of the Committee on the Judiciary has been.

We are voting with this bill to allow martial law, and I think that is a grave mistake.

Let me continue, if I may, and ask a few other questions. How many millions of Americans are you willing to leave without representation as article I, section 8 responsibility such as declarations of war, appropriations of funds, et cetera, are made? How many millions of Americans is the gentleman willing to leave without representation?

Mr. LAHOOD. I was going to respond to the gentleman's other questions.

Mr. BAIRD. Okay. So we do not have that answer.

Let me ask this question: under the bill, the section that is proposed, I have yet to figure out what happens to this body.

The CHAIRMAN. The time of the gentleman from Washington (Mr. BAIRD) has expired.

Mr. OBEY. Mr. Chairman, I yield 10 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I would suggest that with these questions remaining, we should not be passing this legislation in the manner in which we are. We need a full and open and extensive debate on this.

Mr. LEWIS of California. Mr. Chairman, I rise to yield time to the gentleman from California (Mr. DREIER); but before doing so, I just want to mention that the previous speaker had a constitutional amendment regarding the issue of continuity in the last Congress, and on that constitutional amendment the vote was 63 yeas and 353 nays. To say the least, the constitutional approach is difficult.

Mr. Chairman, I am glad to yield 3 minutes to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I thank the distinguished gentleman from California, the chairman of the Committee on Appropriations, for yielding me this time; and I want to congratulate him on the fine work that he has done, not only on this legislation, but on all of the appropriations bills.

We have debated this issue, Mr. Chairman. We debated this issue in the 108th Congress. We have had three markups on this issue, two in the Committee on House Administration, one in the Committee on the Judiciary, and we had 122 Democrats who joined with us in support of a responsible piece of legislation which, in fact, encourages the Madisonian vision of an elected people's House.

Now, I heard my friend from Wisconsin talk about the fact that if we are going to pass this legislation, he would support it if we went ahead with a constitutional amendment. It was the distinguished chairman of the Committee on Appropriations who just said we had that debate. Sixty-three Members of this House chose to support a constitutional amendment. The only reason that we are here at this moment having this debate is that the other body has refused, last year and since March of this year, to proceed with acting on this House's housekeeping

matter. It is a housekeeping matter for the House of Representatives to maintain the process of elections.

Now, I think that if we look at the debate that we have had, if we look at the fact that we have continued since September 11 of 2001 to focus on a wide range of matters that impact this institution and the challenge that we never faced in our history, I believe that having this very important legislation that was passed by a margin of 329 in this Congress, 329 to 68, that including it now in the legislative appropriations bill is the most appropriate way to deal with it.

We chose in the Committee on Rules to allow the gentleman from Washington (Mr. BAIRD) to have an opportunity to strike this measure; and in just a few minutes, we are going to, once again, have a vote on whether or not we allow the process of elections to go ahead.

Now, it is very true, it is very true that it would be difficult, it would be messy, it would be ugly; but Walter Dellinger, the former Solicitor General, a great constitutional scholar from Duke University, made it very clear in his testimony before the Committee on Rules, when we talked about this issue, that he would prefer to see a House of Representatives that is comprised of fewer Members that are actually elected by the people than would be appointed.

Now, my friend from Washington State talks about the fact that these appointed people would be running our country and we would not have elected people. Under the constitutional amendment that my friend supports, we could see this institution, the people's House, consist of individuals who are appointed making decisions over those who are elected; and I think that is counter to the entire intention that was put forward by the Framers of our Constitution.

So when this comes up, I am going to urge a "no" vote on the Baird amendment.

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

Mr. Chairman, with respect to the Congressional Visitors Center, we are not saying there should not be one; all we are saying is that the one that is being proposed is screwed up and spectacularly wasteful and needs to be changed.

With respect to the assertion of my friend from Illinois that we do not have to worry about not having a Congress for 45 days because there will not be anything for Members of Congress to do, all I can tell my colleague is, if that is the case, then I wonder why it is that the gentleman from Florida (Chairman BILL YOUNG) and I negotiated a \$20 billion supplemental appropriation just a few days after 9/11; and I wonder why it is we were sitting in the office of the gentleman from Illinois (Speaker HASTERT) until 12:30 at night hammering out differences with people on the Senate side who did not

agree with what we had done; and why it is that the President made a commitment of \$10 billion to New York; and why we had to spend a lot of time backing him up.

I would also remind the gentleman we had a debate on the House floor when the Committee on Transportation and Infrastructure tried to slip into that bill an extra \$10 billion appropriation for the airlines.

There was plenty for us to do after 9/11; and thank God, in contrast to the proposition being set out today, thank God that then we had a Congress around to do it.

If you want to vote for a situation in which we can have no Congress whatsoever for 45 days, then by all means vote for this provision. If you do not, if you think we ought to have some kind of balance and check on the Presidency during that period by having somebody here to do the Nation's business, then my colleagues will reconsider and listen to what the gentleman from California (Mr. ROHRABACHER) and the gentleman from Washington (Mr. BAIRD) have to say.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, it was not my intention to speak in these closing moments.

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

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, just one point. We did that 3 days after 9/11, 3 days.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I think it is important for the public to know that all of us are concerned about continuity of government in the event of a tragedy. We certainly would not be having this discussion if it had not been for 9/11.

But, indeed, there are differences in the approach that one might take. Some prefer a constitutional amendment; and yet we have tried that on more than one occasion. We have had the debate, and very few in this House have supported that proposition. So the Speaker has asked us to go forward with an idea that will be worked on carefully between now and the time we finish our work with the Senate.

But from that point forward, let me talk a bit about the Capitol Visitors Center. My colleague, the gentleman from Wisconsin (Mr. OBEY), and I, early on in this Congress, were not active supporters of a CVC. But, indeed, his leadership and my leadership, at a higher pay grade, made a different decision; so we are carrying forward their work in this process.

I have looked at the visitors center very carefully. It is rather a fabulous addition to the Capitol, the greatest addition that has been made in this century, I believe. Indeed, within the

mix of that, while I might change some things, I prefer not to suggest what the details ought to be that the Architect moves forward with. I am critical of the Architect; but in the meantime, I am not one. Therefore, we are going to add this major change whereby visitors can enter the Capitol, and it will have a very significant piece of our future history in the Capitol complex. It is going to be a fabulous addition. Indeed, it will be a very high-quality addition that we will all be proud of, but I think it would be a mistake for me to try to be the architect between now and then.

So with that, Mr. Chairman, this has been a very interesting debate about the work of the people's House. I am very happy to participate in this with my friend, the gentleman from Wisconsin (Mr. OBEY).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in support of H.R. 2985 the Legislative Branch Appropriations for fiscal year 2006. However, I find it truly unfortunate that these Appropriations were consistently under-funded because of the tight budget due to the massive tax cuts given to the richest Americans. These Bush Administration tax cuts have created gaps in so many programs and these Legislative Branch Appropriations are no different.

The total funding for this legislation is \$2.87 billion which is only 2% more than current levels and \$270 million (9%) less than requested by the various legislative offices and agencies. This bill appropriates \$1.1 billion for operations of the House of Representatives which is only \$13 million (1%) more than current funding and \$35 million (3%) less than requested. It is unfortunate that these Appropriations are so tight, when the cost of operating the House of Representatives is in fact getting higher. These costs are becoming higher because the needs of our constituencies are becoming greater. With these unfortunate budget cuts in place it will be our constituents who suffer. Regardless of these cuts, Congress will continue to function properly and we will serve our constituents proudly, but these cuts in our funding undermine our efforts.

In addition to insufficient funding to the House of Representatives, the greatest deficiencies can be found in the legislative branch agencies that directly or indirectly support Congressional operations. This funding is only \$32.6 million (2%) more than current levels and a staggering \$234.8 million (12%) less than requested. Funding for the Capitol Police, who are entrusted with protecting the Capitol Complex and all those who work and visit here actually received \$2 million (1%) less than in FY 2005, and \$50.4 million (17%) less than requested in this Appropriation. The Architect of the Capitol who have worked so hard in the last year to make the Capitol Complex more accessible to visitors received only \$317.3 million, \$16.7 million (6%) more than current funding but a full \$123.6 million (28%) less than requested. The Government Printing Office (GPO) which serves the demanding printing needs of hundreds of legislators every year received only \$122.6 million which is \$2.8 million (2%) more than current funding but \$8.5 million (6%) less than requested. Indeed, even the Library of Congress, the resource for Members and staff to conduct research and the institution meant to be our nation's greatest repository of reading materials, even their

funding was cut in this Appropriation. The Library of Congress received \$543 million, about equal to the FY 2005 level but \$47.8 million (8%) less than requested. It is sad to see these legislative branch agencies, which work so hard and diligently to support the work of Congress, have their funding needs not met. Again, these agencies will continue to support Congress and they will do their jobs well, but these cuts in funding can only lessen their effectiveness.

However, the issue that has me most concerned about this Appropriation is the language of H.R. 841, which would require states to hold special elections within 49 days of the Speaker declaring that more than 100 vacancies exist in the House. First of all, this language has no business being in this Appropriations measure, it clearly legislates on what is supposed to be a spending bill. Truly, the other side of the aisle is trying to sneak in a piece of legislation within this Appropriation in order to force its passage upon the Senate. Furthermore, this language within this bill threatens to weaken the electoral process, to disenfranchise overseas, disabled, and lower-income voters and thereby reduce individual rights. The more expedited the process of replacing the members of the House and the smaller body constituted is, the less legitimacy it will have. Unless the House constitutes members from all 50 States and through a full, fair, and transparent process, this body will lack qualities that make it truly "representative."

Despite my objections with certain provisions of this legislation I will vote in favor of this Appropriation because it serves the needs of our Congress. However, I hope that soon our economic and budgeting practices would change so that we are not forced to make so many cuts in vital areas. I also hope that in the future we do not use these Appropriations bills as a way to further our legislative agendas. It is my sincere hope that the institution of Congress, which was made to serve the needs of the people, will continue to be effective no matter the obstacle.

Mr. NUSSLE. Mr. Chairman, at a time when nearly all Federal agencies are facing the need for spending discipline, it is imperative that we apply restraint to ourselves as well—to the operations of Congress itself. This bill—the Legislative Branch Appropriations Act for Fiscal Year 2006 (H.R. 2985)—does that it holds congressional spending to a modest 1.7 percent increase, compared with 2005. I rise in support of this bill, which complies with the budget resolution for fiscal year 2006.

Most of the funding in this bill goes to non-political agencies, and non-elected people, who make it possible to do our work: the people who provide vital data and analysis to inform our policy decisions; who keep our buildings and grounds functioning; and—of special importance—providing security for all of the legislative branch.

#### SPENDING TOTALS

H.R. 2985 provides \$2.87 billion in new budget authority and \$2.5 billion in new outlays for programs within the Legislative Branch. This funding covers various legislative support agencies such as the Architect of the Capitol, Library of Congress, Congressional Research Service, Congressional Budget Office and the Government Accountability Office, and the Capitol Police. The funding level represents an increase of \$42 million in BA and

\$241 million in outlays over last year, a 1.7 percent increase from FY 2005 levels. Consistent with a long-standing practice—under which each chamber of Congress determines its own housekeeping requirements, and the other concurs without change, appropriations for the Senate are not included in the bill reported to the House.

#### BUDGET COMPLIANCE

This measure, in providing \$2.865 billion in budget authority for the operations of the Legislative Branch excluding Senate functions, is well below the overall suballocation of \$3.719 billion. However a level was set within this \$3.719 billion for legislative operations excluding Senate functions of \$2.831 billion. Hence, though this measure complies with the relevant points of order under the Budget Act, it breaches the level internally set by the Appropriations Committee. It is expected that, when this measure is reported from conference committee, the overall level of spending for all legislative operations, including House, Senate and support agencies, will be at or below the level set pursuant to 302(b) of the Congressional Budget Act.

The bill contains a small recession in BA for the Library of Congress for the Copyright Re-engineering Project and no advance appropriations or emergency-designated spending.

#### PROGRAMMATIC SPENDING

The bill provides \$311 million to the Architect of the Capitol (AOC) for various operational and maintenance activities under the jurisdiction of the AOC, including, \$37 million to complete construction of the Capitol Visitor Center. This bill also recommends the establishment of a Capitol Visitors Center Governing Board to address the issue of daily operations of the visitor center.

\$543 million to the Library of Congress, a decrease of \$2 million from FY 2005, \$122 million to the Government Printing Office, an increase of \$3 million from FY 2005 and \$482 million for Government Accountability Office, an increase of \$15 million over FY 2005.

The bill also provides \$240 million for the Capitol Police. As we all know, ever since 9-11 the demands on these officers have grown significantly. Finally, the bill provides \$1.092 billion for operations of the House of Representatives and a modest increase of \$13 million or 1.2 percent, compared with 2005.

#### CONCLUSION

I commend the Committee on Appropriations for bringing us a bill that funds the operations of this House at levels generally consistent with the levels authorized under the Fiscal Year 2006 Budget Resolution.

Mr. LEWIS of California. 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. 2985 is as follows:

#### H.R. 2985

*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 Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes, namely:*

#### HOUSE OF REPRESENTATIVES

##### SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,092,407,000, as follows:

##### HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$19,844,000, including: Office of the Speaker, \$2,788,000, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,089,000, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$2,928,000, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$1,797,000, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,345,000, including \$5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, \$482,000; Republican Steering Committee, \$906,000; Republican Conference, \$1,548,000; Republican Policy Committee, \$307,000; Democratic Steering and Policy Committee, \$1,945,000; Democratic Caucus, \$816,000; nine minority employees, \$1,445,000; training and program development—majority, \$290,000; training and program development—minority, \$290,000; Cloakroom Personnel—majority, \$434,000; and Cloakroom Personnel—minority, \$434,000.

##### MEMBERS' REPRESENTATIONAL ALLOWANCES

##### INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$538,109,000.

##### COMMITTEE EMPLOYEES

##### STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$117,913,000: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2006.

##### COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$25,668,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2006.

##### SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$167,749,000, including: for salaries and expenses of the Office of the Clerk, including not more than \$13,000, of which not more than \$10,000 is for the Family Room, for official representation and reception expenses, \$21,911,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than \$3,000 for official representation and reception expenses, \$6,284,000; for salaries and expenses of the Office of the Chief Administrative Officer, \$116,971,000, of which \$8,306,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$3,991,000; for salaries and expenses of the Office of Emergency Planning, Preparedness and Operations, \$5,000,000, to remain available until expended; for salaries and expenses of the Office of General Counsel, \$962,000; for the Office of the Chaplain,

\$161,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and \$2,000 for preparing the Digest of Rules, \$1,767,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$2,453,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$6,963,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$720,000; for other authorized employees, \$161,000; and for salaries and expenses of the Office of the Historian, \$405,000.

#### ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$223,124,000, including: supplies, materials, administrative costs and Federal tort claims, \$4,179,000; official mail for committees, leadership offices, and administrative offices of the House, \$410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$214,422,000; supplies, materials, and other costs relating to the House portion of expenses for the Capitol Visitor Center, \$3,410,000, to remain available until expended; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$703,000.

#### CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2112), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

#### ADMINISTRATIVE PROVISIONS

**SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.**—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2006. Any amount remaining after all payments are made under such allowances for fiscal year 2006 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

**(b) REGULATIONS.**—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

**(c) DEFINITION.**—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

#### JOINT ITEMS

For Joint Committees, as follows:

##### JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,276,000, to be disbursed by the Secretary of the Senate.

##### JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$8,781,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

##### OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms,

and for the Attending Physician and his assistants, including: (1) an allowance of \$2,175 per month to the Attending Physician; (2) an allowance of \$725 per month each to four medical officers while on duty in the Office of the Attending Physician; (3) an allowance of \$725 per month to two assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (4) \$1,834,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$2,545,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

#### CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, \$4,268,000, to be disbursed by the Secretary of the Senate: *Provided*, That no part of such amount may be used to employ more than 58 individuals: *Provided further*, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than 10 additional individuals for not more than 6 months each, for the Capitol Guide Service.

#### STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the 109th Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, \$30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

#### CAPITOL POLICE

##### SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$210,350,000, to be disbursed by the Chief of the Capitol Police or his designee.

##### GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$29,345,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2006 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

##### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

**SEC. 1001. TRANSFER AUTHORITY.**—Amounts appropriated for fiscal year 2006 for the Cap-

itol Police may be transferred between the headings "SALARIES" and "GENERAL EXPENSES" upon the approval of the Committees on Appropriations of the Senate and the House of Representatives.

**SEC. 1002. (a)** The United States Capitol Police may not operate a mounted horse unit during fiscal year 2006 or any succeeding fiscal year.

(b) Not later than 60 days after the date of the enactment of this Act, the Chief of the Capitol Police shall transfer to the Chief of the United States Park Police the horses, equipment, and supplies of the Capitol Police mounted horse unit which remain in the possession of the Capitol Police as of such date.

**SEC. 1003. (a)** Section 103(h)(1)(A)(i)(I) of the Ethics in Government Act of 1978 (5 U.S.C. App. 103(h)(1)(A)(i)(I)) is amended by inserting "United States Capitol Police," after "Architect of the Capitol."

(b) The amendment made by subsection (a) shall apply with respect to reports filed under the Ethics in Government Act of 1978 for calendar year 2005 and each succeeding calendar year.

**SEC. 1004.** Section 1003 of the Legislative Branch Appropriations Act, 2004 (Public Law 108-83; 117 Stat. 1021), is hereby repealed, and each provision of law amended by such section is hereby restored as if such section had not been enacted into law.

**SEC. 1005. (a)** During fiscal year 2006 and each succeeding fiscal year, the United States Capitol Police may not carry out any reprogramming, transfer, or use of funds described in subsection (b) unless—

(1) the Chief of the Capitol Police submits a request for the reprogramming, transfer, or use of funds to the Committees on Appropriations of the House of Representatives and Senate on or before August 1 of the respective year, unless both such Committees agree to accept the request at a later date because of extraordinary and emergency circumstances cited by the Chief;

(2) the request contains clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of funds;

(3) the request contains a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until both Committees have approved the request; and

(4) both Committees approve the request.

(b) A reprogramming, transfer, or use of funds described in this subsection is any reprogramming or transfer of funds, or use of unobligated balances, under which—

(1) the amount to be shifted to or from any object class, approved budget, or program involved under the request, or the aggregate amount to be shifted to or from any object class, approved budget, or program involved during the fiscal year taking into account the amount contained in the request, is in excess of \$250,000 or 10 percent, whichever is less, of the object class, approved budget, or program;

(2) the reprogramming, transfer, or use of funds would result in a major change to the program or item which is different than that presented to and approved by the Committees on Appropriations of the House of Representatives and Senate; or

(3) the funds involved were earmarked by either of the Committees for a specific activity which is different than the activity proposed under the request, without regard to whether the amount provided in the earmark is less than, equal to, or greater than the amount required to carry out the activity.

**SEC. 1006. (a) ESTABLISHMENT OF OFFICE.**—There is established in the United States Capitol Police the Office of the Inspector General (hereafter in this section referred to as the "Office"), headed by the Inspector

General of the United States Capitol Police (hereafter in this section referred to as the "Inspector General").

(b) INSPECTOR GENERAL.—

(1) APPOINTMENT.—The Inspector General shall be appointed by the Capitol Police Board, in consultation with and subject to the approval of the Speaker of the House of Representatives and the President pro tempore of the Senate, acting jointly, and shall be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(2) TERM OF SERVICE.—The Inspector General shall serve for a term of 5 years, and an individual serving as Inspector General may be reappointed for not more than 2 additional terms.

(3) REMOVAL.—The Inspector General may be removed from office prior to the expiration of his term only by the unanimous vote of all of the members of the Capitol Police Board, and the Board shall communicate the reasons for any such removal to the Speaker of the House of Representatives and President pro tempore of the Senate.

(4) SALARY.—The Inspector General shall be paid at an annual rate equal to \$1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(5) DEADLINE.—The Capitol Police Board shall appoint the first Inspector General under this section not later than 180 days after the date of the enactment of this Act.

(c) DUTIES.—

(1) APPLICABILITY OF DUTIES OF INSPECTOR GENERAL OF EXECUTIVE BRANCH ESTABLISHMENT.—The Inspector General shall carry out the same duties and responsibilities with respect to the United States Capitol Police as an Inspector General of an establishment carries out with respect to an establishment under section 4 of the Inspector General Act of 1978 (5 U.S.C. App. 4), under the same terms and conditions which apply under such section.

(2) SEMIANNUAL REPORTS.—The Inspector General shall prepare and submit semiannual reports summarizing the activities of the Office in the same manner, and in accordance with the same deadlines, terms, and conditions, as an Inspector General of an establishment under section 5 of the Inspector General Act of 1978 (5 U.S.C. App. 5). For purposes of applying section 5 of such Act to the Inspector General, the Capitol Police Board shall be considered the head of the establishment, except that the Inspector General shall transmit to the Chief of the Capitol Police a copy of any report submitted to the Board pursuant to this paragraph.

(3) INVESTIGATIONS OF COMPLAINTS OF EMPLOYEES AND MEMBERS.—

(A) AUTHORITY.—The Inspector General may receive and investigate complaints or information from an employee or member of the Capitol Police concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety, including complaints or information the investigation of which is under the jurisdiction of the Internal Affairs Division of the Capitol Police as of the date of the enactment of this Act.

(B) NONDISCLOSURE.—The Inspector General shall not, after receipt of a complaint or information from an employee or member, disclose the identity of the employee or member without the consent of the employee or member, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.

(C) PROHIBITING RETALIATION.—An employee or member of the Capitol Police who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee or member as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(4) INDEPENDENCE IN CARRYING OUT DUTIES.—Neither the Capitol Police Board, the Chief of the Capitol Police, nor any other member or employee of the Capitol Police may prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities assigned to the Inspector General under this section.

(d) POWERS.—

(1) IN GENERAL.—The Inspector General may exercise the same authorities with respect to the United States Capitol Police as an Inspector General of an establishment may exercise with respect to an establishment under section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App. 6(a)), other than paragraphs (7) and (8) of such section.

(2) STAFF.—

(A) IN GENERAL.—The Inspector General may appoint and fix the pay of such personnel as the Inspector General considers appropriate. Such personnel may be appointed without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no personnel of the Office (other than the Inspector General) may be paid at an annual rate greater than \$500 less than the annual rate of pay of the Inspector General under subsection (b)(4).

(B) EXPERTS AND CONSULTANTS.—The Inspector General may procure temporary and intermittent services under section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title.

(C) INDEPENDENCE IN APPOINTING STAFF.—No individual may carry out any of the duties or responsibilities of the Office unless the individual is appointed by the Inspector General, or provides services procured by the Inspector General, pursuant to this paragraph. Nothing in this subparagraph may be construed to prohibit the Inspector General from entering into a contract or other arrangement for the provision of services under this section.

(D) APPLICABILITY OF CAPITOL POLICE PERSONNEL RULES.—None of the regulations governing the appointment and pay of employees of the Capitol Police shall apply with respect to the appointment and compensation of the personnel of the Office, except to the extent agreed to by the Inspector General. Nothing in the previous sentence may be construed to affect subparagraphs (A) through (C).

(3) EQUIPMENT AND SUPPLIES.—The Chief of the Capitol Police shall provide the Office with appropriate and adequate office space, together with such equipment, supplies, and communications facilities and services as may be necessary for the operation of the Office, and shall provide necessary maintenance services for such office space and the equipment and facilities located therein.

(e) TRANSFER OF FUNCTIONS.—

(1) TRANSFER.—To the extent that any office or entity in the Capitol Police prior to

the appointment of the first Inspector General under this section carried out any of the duties and responsibilities assigned to the Inspector General under this section, the functions of such office or entity shall be transferred to the Office upon the appointment of the first Inspector General under this section.

(2) NO REDUCTION IN PAY OR BENEFITS.—The transfer of the functions of an office or entity to the Office under paragraph (1) may not result in a reduction in the pay or benefits of any employee of the office or entity, except to the extent required under subsection (d)(2)(A).

SEC. 1007. (a) IN GENERAL.—Not later than 60 days after the last day of each semiannual period, the Chief of the Capitol Police shall submit to Congress, with respect to that period, a detailed, itemized report of the disbursements for the operations of the United States Capitol Police.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) the name of each person or entity who receives a payment from the Capitol Police;

(2) the cost of any item furnished to the Capitol Police;

(3) a description of any service rendered to the Capitol Police, together with service dates;

(4) a statement of all amounts appropriated to, or received or expended by, the Capitol Police and any unexpended balances of such amounts for any open fiscal year; and

(5) such additional information as may be required by regulation of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

(c) PRINTING.—Each report under this section shall be printed as a House document.

(d) EFFECTIVE DATE.—This section shall apply with respect to the semiannual periods of October 1 through March 31 and April 1 through September 30 of each year, beginning with the semiannual period in which this section is enacted.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$3,112,000, of which \$780,000 shall remain available until September 30, 2007: *Provided*, That the Executive Director of the Office of Compliance may, within the limits of available appropriations, dispose of surplus or obsolete personal property by interagency transfer, donation, or discarding: *Provided further*, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$35,450,000.

ADMINISTRATIVE PROVISION

SEC. 1100. (a) PERMITTING WAIVER OF CLAIMS FOR OVERPAYMENT OF PAY AND ALLOWANCES.—Section 5584(g) of title 5, United States Code, is amended—

(1) by striking "and" at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting ";" and"; and

(3) by inserting immediately after paragraph (6) the following new paragraph:

"(7) the Congressional Budget Office.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2006 and each succeeding fiscal year.

ARCHITECT OF THE CAPITOL  
GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$77,002,000, of which \$350,000 shall remain available until September 30, 2008.

CAPITOL BUILDING

For all necessary expenses for maintenance, care, and operation of the Capitol, \$22,097,000, of which \$6,580,000 shall remain available until September 30, 2008.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$7,723,000, of which \$740,000 shall remain available until September 30, 2008.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$59,616,000, of which \$20,922,000 shall remain available until September 30, 2008.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$58,585,000, of which \$1,592,000 shall remain available until September 30, 2008: *Provided*, That not more than \$6,600,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2006.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$31,318,000, of which \$6,325,000 shall remain available until September 30, 2008.

CAPITOL POLICE BUILDINGS AND GROUNDS

For all necessary expenses for the maintenance, care and operation of buildings and grounds of the United States Capitol Police, \$16,830,000, of which \$5,500,000 shall remain available until September 30, 2008.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$7,211,000: *Provided*, That this appropriation shall not be available for construction of the National Garden: *Provided further*, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care, and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect or a duly authorized designee.

CAPITOL VISITOR CENTER

For an additional amount for the Capitol Visitor Center project, \$36,900,000, to remain available until expended: *Provided*, That the Architect of the Capitol may not obligate any of the funds which are made available for the Capitol Visitor Center project without an obligation plan approved by the Committees on Appropriations of the Senate and House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 1201. (a) Section 108 of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 1849), is amended—

- (1) in subsection (b), by striking “8 positions” and inserting “10 positions”; and
- (2) in subsection (c), by striking “4 positions” and inserting “2 positions”.

(b) The amendments made by subsection (a) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.

SEC. 1202. (a) Section 905 of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States (2 U.S.C. 1819) is amended—

- (1) by redesignating subsection (d) as subsection (e); and
- (2) by inserting after subsection (c) the following new subsection:

“(d) In the case of a building or facility acquired through purchase pursuant to subsection (a), the Architect of the Capitol may enter into or assume a lease with another person for the use of any portion of the building or facility that the Architect of the Capitol determines is not required to be used to carry out the purposes of this section, subject to the approval of the entity which approved the acquisition of such building or facility under subsection (b).”

(b) The amendments made by subsection (a) shall apply with respect to leases entered into on or after the date of the enactment of this Act.

SEC. 1203. (a) There is hereby established the Capitol Visitor Center Governing Board (hereafter in this section referred to as the “Governing Board”), consisting of each of the following individuals:

- (1) The Speaker of the House of Representatives, or the Speaker’s designee.
- (2) The minority leader of the House of Representatives, or the minority leader’s designee.

(3) The majority leader of the Senate, or the majority leader’s designee.

(4) The minority leader of the Senate, or the minority leader’s designee.

(5) The chairman of the Committee on House Administration of the House of Representatives, who shall serve as co-chairman of the Governing Board.

(6) The ranking minority member of the Committee on House Administration of the House of Representatives.

(7) The chairman of the Committee on Rules and Administration of the Senate, who shall serve as co-chairman of the Governing Board.

(8) The ranking minority member of the Committee on Rules and Administration of the Senate.

(b) The Governing Board shall be responsible for establishing the policies which govern the operations of the Capitol Visitor Center, consistent with applicable law.

(c) This section shall apply with respect to fiscal year 2006 and each succeeding fiscal year.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

(INCLUDING RESCISSON)

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library’s catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$388,144,000, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2006, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2006 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,350,000: *Provided further*, That of the total amount appropriated, \$13,972,000 shall remain available until expended for the partial acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including \$40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: *Provided further*, That of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, \$500,000 shall remain available until expended, and shall be transferred to the Abraham Lincoln Bicentennial Commission for carrying out the purposes of Public Law 106-173, of which \$10,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission: *Provided further*, That of the total amount appropriated, \$11,078,000 shall remain available until expended for partial support of the National Audio-Visual Conservation Center: *Provided further*, That of the amounts made available under this heading in chapter 9 of division A of the Miscellaneous Appropriations Act, 2001 (Public Law 106-554; 114 Stat. 2763A-194), \$15,500,000 is rescinded.

COPYRIGHT OFFICE  
SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, \$58,601,000, of which not more than \$30,481,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2006 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than \$5,465,000 shall be derived from collections during fiscal year 2006 under sections 111(d)(2), 119(b)(2), 802(h), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$35,946,000: *Provided further*, That not more than \$100,000 of the amount appropriated is available for the maintenance of an “International Copyright Institute” in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than \$4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program.

CONGRESSIONAL RESEARCH SERVICE  
SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$99,952,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED  
SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$54,049,000, of which \$15,831,000 shall remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 1301. INCENTIVE AWARDS PROGRAM.—Of the amounts appropriated to the Library of Congress in this Act, not more than \$5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 1302. REIMBURSABLE AND REVOLVING FUND ACTIVITIES. (a) IN GENERAL.—For fiscal year 2006, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$109,943,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and re-

volving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) TRANSFER OF FUNDS.—During fiscal year 2006, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading “LIBRARY OF CONGRESS” under the subheading “SALARIES AND EXPENSES” to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106-481; 2 U.S.C. 182c): *Provided*, That the total amount of such transfers may not exceed \$1,900,000: *Provided further*, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

SEC. 1303. UNITED STATES DIPLOMATIC FACILITIES.—Funds made available for the Library of Congress under this Act are available for transfer to the Department of State as remittance for a fee charged by the Department for fiscal year 2006 for the maintenance, upgrade, or construction of United States diplomatic facilities only to the extent that the amount of the fee so charged is equal to or less than the unreimbursed value of the services provided during fiscal year 2006 to the Library of Congress on State Department diplomatic facilities.

SEC. 1304. (a) Section 208 of the Legislative Branch Appropriations Act, 1996 (Public Law 104-53; 109 Stat. 532), is hereby repealed.

(b) The amendment made by this section shall take effect on the date of the enactment of this Act or October 1, 2005, whichever occurs earlier.

GOVERNMENT PRINTING OFFICE  
CONGRESSIONAL PRINTING AND BINDING  
(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semi-monthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed without charge to the recipient, \$88,090,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the pur-

poses of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

OFFICE OF SUPERINTENDENT OF DOCUMENTS  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$33,337,000: *Provided*, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2004 and 2005 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the Government Printing Office Revolving Fund, \$1,200,000 for workforce retraining. The Government Printing Office may make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: *Provided*, That not more than \$5,000 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That the revolving fund and the funds provided under the headings “OFFICE OF SUPERINTENDENT OF DOCUMENTS” and “SALARIES AND EXPENSES” together may not be available for the full-time equivalent employment of more than 2,621 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate): *Provided further*, That activities financed through the revolving fund may provide information in any format: *Provided further*, That not more than \$10,000 may be expended from the revolving fund in support of the activities of the Benjamin Franklin Tercentenary Commission established by Public Law 107-202.

GOVERNMENT ACCOUNTABILITY OFFICE  
SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the

United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$482,395,000: *Provided*, That not more than \$5,104,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2006: *Provided further*, That not more than \$2,061,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2006: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

#### PAYMENT TO THE OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$14,000,000.

#### TITLE II—GENERAL PROVISIONS

**SEC. 201. MAINTENANCE AND CARE OF PRIVATE VEHICLES.**—No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

**SEC. 202. FISCAL YEAR LIMITATION.**—No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2006 unless expressly so provided in this Act.

**SEC. 203. RATES OF COMPENSATION AND DESIGNATION.**—Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

**SEC. 204. CONSULTING SERVICES.**—The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures

are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

**SEC. 205. AWARDS AND SETTLEMENTS.**—Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

**SEC. 206. COSTS OF LBFMCA.**—Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMCA) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMCA costs as determined by the LBFMCA, except that the total LBFMCA costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

**SEC. 207. LANDSCAPE MAINTENANCE.**—The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I-395 tunnel on the southeast.

**SEC. 208. LIMITATION ON TRANSFERS.**—None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

**SEC. 209. COMPENSATION LIMITATION.**—None of the funds contained in this Act or any other Act may be used to pay the salary of any officer or employee of the legislative branch during fiscal year 2006 or any succeeding fiscal year to the extent that the aggregate amount of compensation paid to the employee during the year (including base salary, performance awards and other bonus payments, and incentive payments, but excluding the value of any in-kind benefits and payments) exceeds the annual rate of pay for a Member of the House of Representatives or a Senator.

#### TITLE III—CONTINUITY IN REPRESENTATION

**SEC. 301. Section 26 of the Revised Statutes of the United States (2 U.S.C. 8) is amended—**

(1) by striking “The time” and inserting “(a) IN GENERAL.—Except as provided in subsection (b), the time”; and

(2) by adding at the end the following new subsection:

“(b) SPECIAL RULES IN EXTRAORDINARY CIRCUMSTANCES.—

“(1) IN GENERAL.—In extraordinary circumstances, the executive authority of any State in which a vacancy exists in its representation in the House of Representatives shall issue a writ of election to fill such vacancy by special election.

“(2) TIMING OF SPECIAL ELECTION.—A special election held under this subsection to fill a vacancy shall take place not later than 49 days after the Speaker of the House of Representatives announces that the vacancy exists, unless, during the 75-day period which begins on the date of the announcement of the vacancy—

“(A) a regularly scheduled general election for the office involved is to be held; or

“(B) another special election for the office involved is to be held, pursuant to a writ for a special election issued by the chief executive of the State prior to the date of the announcement of the vacancy.

“(3) NOMINATIONS BY PARTIES.—If a special election is to be held under this subsection, the determination of the candidates who will run in such election shall be made—

“(A) by nominations made not later than 10 days after the Speaker announces that the vacancy exists by the political parties of the State that are authorized by State law to nominate candidates for the election; or

“(B) by any other method the State considers appropriate, including holding primary elections, that will ensure that the State will hold the special election within the deadline required under paragraph (2).

“(4) EXTRAORDINARY CIRCUMSTANCES.—

“(A) IN GENERAL.—In this subsection, ‘extraordinary circumstances’ occur when the Speaker of the House of Representatives announces that vacancies in the representation from the States in the House exceed 100.

“(B) JUDICIAL REVIEW.—If any action is brought for declaratory or injunctive relief to challenge an announcement made under subparagraph (A), the following rules shall apply:

“(i) Not later than 2 days after the announcement, the action shall be filed in the United States District Court having jurisdiction in the district of the Member of the House of Representatives whose seat has been announced to be vacant and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

“(ii) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives.

“(iii) A final decision in the action shall be made within 3 days of the filing of such action and shall not be reviewable.

“(iv) The executive authority of the State that contains the district of the Member of the House of Representatives whose seat has been announced to be vacant shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the announcement of such vacancy.

“(5) PROTECTING ABILITY OF ABSENT MILITARY AND OVERSEAS VOTERS TO PARTICIPATE IN SPECIAL ELECTIONS.—

“(A) DEADLINE FOR TRANSMITTAL OF ABSENTEE BALLOTS.—In conducting a special election held under this subsection to fill a vacancy in its representation, the State shall ensure to the greatest extent practicable (including through the use of electronic means) that absentee ballots for the election are transmitted to absent uniformed services voters and overseas voters (as such terms are defined in the Uniformed and Overseas Citizens Absentee Voting Act) not later than 15 days after the Speaker of the House of Representatives announces that the vacancy exists.

“(B) PERIOD FOR BALLOT TRANSIT TIME.—Notwithstanding the deadlines referred to in paragraphs (2) and (3), in the case of an individual who is an absent uniformed services voter or an overseas voter (as such terms are defined in the Uniformed and Overseas Citizens Absentee Voting Act), a State shall accept and process any otherwise valid ballot or other election material from the voter so long as the ballot or other material is received by the appropriate State election official not later than 45 days after the State transmits the ballot or other material to the voter.

“(6) APPLICATION TO DISTRICT OF COLUMBIA AND TERRITORIES.—This subsection shall apply—

“(A) to a Delegate or Resident Commissioner to the Congress in the same manner as it applies to a Member of the House of Representatives; and

“(B) to the District of Columbia, the Commonwealth of Puerto Rico, American Samoa,

Guam, and the United States Virgin Islands in the same manner as it applies to a State, except that a vacancy in the representation from any such jurisdiction in the House shall not be taken into account by the Speaker in determining whether vacancies in the representation from the States in the House exceed 100 for purposes of paragraph (4)(A).

“(7) RULE OF CONSTRUCTION REGARDING FEDERAL ELECTION LAWS.—Nothing in this subsection may be construed to affect the application to special elections under this subsection of any Federal law governing the administration of elections for Federal office (including any law providing for the enforcement of any such law), including, but not limited to, the following:

“(A) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.), as amended.

“(B) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.), as amended.

“(C) The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.), as amended.

“(D) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), as amended.

“(E) The Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), as amended.

“(F) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended.

“(G) The Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), as amended.”

This Act may be cited as the “Legislative Branch Appropriations Act, 2006”.

The CHAIRMAN. No amendment to the bill shall be in order except those printed in House Report 109-144. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, 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 a division of the question.

It is now in order to consider amendment No. 1 printed in House Report 109-144.

AMENDMENT NO. 1 OFFERED BY MR. BAIRD

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BAIRD:

Page 44, strike line 4 and all that follows through page 49, line 25.

The CHAIRMAN. Pursuant to House Resolution 334, the gentleman from Washington (Mr. BAIRD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington (Mr. BAIRD).

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

I want to revisit this issue, and I want to clarify a couple of things. The opponents of a real continuity solution have asserted that the gentleman from California (Mr. ROHRABACHER) and I would take away the right to election. Nothing could be further from the truth. We believe we need real elections, not hasty elections, not elections in which the candidates are chosen by the party, but elections in which there is time for deliberation,

elections in which there is time for overseas people to vote, elections in which we can have real candidates, real debate, real primaries, et cetera.

So we all agree that we should have real elections; that is the ideal. But the question is, should we have a Congress in the interim?

I have heard the chairman of the Committee on the Judiciary point out that in the days post-9/11 it was an elected Congress, not an appointed Congress, that made decisions. He is absolutely right, because we had a Congress. My colleague from Illinois will recall that, in fact, the PATRIOT Act was passed during that 7-week interregnum; and interregnum may be the proper word because if we do not have a Congress, we would have effectively a monarchy or an appointed administration.

□ 1715

Let me raise a couple of other points. Article I, Section 8, of the Constitution, as we all know, details a host of functions of this Congress. I have yet to hear how those functions get carried out during this 7-week period, save for the apparent explanations that the Congress does not have anything to do, and the Constitution Subcommittee chair’s explanation that we will have marshal law.

I for one did not run for this seat to bequeath marshal law as our legacy if we are eliminated by terrorists. People on the other side of this argument have said, oh, if we have anything but a direct election, the terrorists have won. I personally consider marshal law a substantial victory for the terrorists, a substantial victory.

Far preferable would be some mechanism in which the terrorists and the rest of the world could see the Congress of the United States reconvening with legitimacy and with distinguished statesmen from both sides of the aisle to conduct the people’s business until such time as we had really elections.

It has been argued that we need to do this statutory fix because constitutional amendments take time. Yes, they do. But the Constitution did not say if it is going to take you too long to amend the Constitution, do it by House rule.

At the start of this Congress, the first order of business was to pass the House rules. The second order of business was to pass a rule that was unconstitutional. Sorry. The first order of business was to swear an oath to uphold the Constitution. The second order was to pass a rule that was patently unconstitutional. By that I mean we passed a rule that essentially says a quorum can be one or two people. The first order of business of the first Congress of the United States was to adjourn for lack of a quorum.

Now, the distinguished gentlemen from California (Mr. DREIER) likes to quote Madison. So do I. Madison was present in that first Congress. He was a Member.

He supported movements to adjourn because they lacked a quorum. And yet this body says, well, gee, you know, it takes too long to amend the Constitution, so let us do things unconstitutionally at a time of national crisis.

This is not the way to go about it. The gentleman from Georgia (Mr. KINGSTON) was right. The gentleman earlier spent some time talking about horse manure. I think we need to spend more time on constitutional issues than we spend on horse manure, but we have not. In this Congress we have spent so much time debating so many things of much less importance, and it is fair enough to say that my amendment did not pass. I respect that. That is what this process is about.

But, here is what you have not said, that myself and the gentleman from California (Mr. ROHRABACHER) put forward a rules proposal that would have allowed multiple solutions to this to be debated. Multiple amendments. We could have had a serious and open and extensive debate. I have to tell you, when I talk to my colleagues and I ask them these questions, how many constituents are you willing to leave, how many millions of Americans with no representation at all, no representation, during a time of national crisis; how willing are you to have a Cabinet member serve as President, with no checks and balances, Secretary of Agriculture, Health and Human Services. Most Americans do not even know these folks.

If you are so concerned about elected representation, are you not equally concerned about an unelected President with no checks and balances? I certainly am.

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

Mr. DREIER. Mr. Chairman, I seek the time in opposition.

Mr. Chairman, I would like to begin by yielding 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the distinguished chairman of the Judiciary Committee, with whom I have been very pleased to work on this issue really since September 11, 2001.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the Baird amendment. The gentleman from Washington has been very sincere in stating that there ought to be a Constitution amendment to provide for temporary appointments to the House of Representatives in case of a tragedy.

The House debated that amendment in the last Congress, and it was rejected by the resounding margin of 63 ayes to 353 noes. That should have closed the issue of having appointed Members serve, even on a temporary basis. Evidently it has not, and that is why we are debating this here today.

Earlier this year, the House passed the continuity of Representation Act. It was passed overwhelming, 329 to 68, a nearly 5-to-1 margin. And those who voted for that bill in February ought to vote against the Baird amendment today.

The expedited special election procedure will mean that the House will be filled up within 49 days. In this 49-day time frame, the election center has shown that there can be special elections that will have the vigorous debate that the gentleman from Washington (Mr. BAIRD) wants to have in terms of selecting replacement Representatives for those of us who are wiped out.

But I would say that if the gentleman from Washington (Mr. BAIRD) has his way, we could have a House of 350 appointed Members outvoting the 85 elected Members that survive the enemy attack.

That is not democracy. We would have an appointed House and perhaps an appointed Senate, and an appointed President of the United States. We ought to reject the Baird amendment. We ought to get the Continuity of Representation Act passed through the other body and made law because it is an important and vital homeland security measure.

Mr. BAIRD. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, it is a perverse reasoning that suggests that having no representation here at all somehow provides you better representation than to have someone appointed by the person you last elected.

You are trying to say that we do not have a Democratic Republic if the elected representatives from other States can have a vote equal to someone from your State. I believe the best way to have a Republic is to have representation from all of the constituents.

If that means temporary appointments, so be it. Finally, we have heard so many times one distinguished scholar quoted, and he is indeed a distinguished scholar. But let me point out to the gentleman from California (Mr. DREIER) as he well knows, the bipartisan 9/11 Commission, which included Newt Gingrich, Tom Foley, Alan Simpson, Lloyd Cutler, a host of other scholars, has rejected essentially the proposal by the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), and has concluded with great reluctance that we do indeed need a mechanism to amend the Constitution so that whatever mechanism is arrived at is constitutionally valid.

I would weigh the weight of their testimony and their objectivity and their bipartisanship against one single individual that you continually quote.

MAJOR VOTES IN THE U.S. HOUSE OF REPRESENTATIVES, SEPTEMBER 11–OCTOBER 26, 2001

September 13, 2001. H.R. 2884, Victims of Terrorism Relief Act of 2001. The bill exempted individuals killed in the 9/11 terrorist attacks, or who die as a result of injuries suffered in those attacks, from paying federal income tax in the year of their death.

September 13, 2001. H.R. 2882, Expedite Public Safety Office Benefits. This bill directed the Justice Department to expedite the benefit payment process for the public safety officers (and their families) that were

killed or suffered catastrophic injuries sustained in the line of duty in connection with the terrorist attacks of Sept. 11.

September 14, 2001. H.R. 2888, 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States. The bill appropriated \$40 billion in emergency funds to pay for the costs of recovery from the 9/11 terrorist attacks and to counter, investigate and prosecute terrorist activities.

September 14, 2001. H.J. RES. 64, Authorization of Force. The resolution authorized the president to use "all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on Sept. 11, 2001."

September 21, 2001. H.R. 2904, Military Construction Appropriations for FY 2002. The bill appropriates \$10.5 billion for military construction programs in FY 2002.

September 21, 2001. H.R. 2926, Air Transportation Safety and System Stabilization Act. This bill provided \$15 billion in assistance to the U.S. airline industry to help stabilize the financial condition of the industry in the wake of the terrorist attacks on Sept. 11—\$5 billion in immediate cash assistance and \$10 billion in loan guarantees.

September 24, 2001. H.J. RES. 65, Continuing Appropriations for FY 2002.

September 25, 2001. H.R. 2586, Department of Defense Authorization for Fiscal Year 2002.

September 25, 2001. H.R. 2944, District of Columbia Appropriations for Fiscal Year 2002.

October 5, 2001. H.R. 2646, Farm Security Act.

October 11, 2001. H.R. 3061, Labor-HHS-Education Appropriations for Fiscal Year 2002.

October 12, 2001. H.R. 2975, PATRIOT Act.

October 17, 2001. H.R. 3004, Financial Anti-Terrorism Act. The bill gives the Treasury Department new powers to combat money laundering by imposing additional record-keeping requirements and by restricting or banning dealings with suspect foreign financial entities.

October 17, 2001. H.R. 2904, Military Construction Appropriations for FY 2002.

October 17, 2001. H.R. 2217, Interior and Related Agencies Appropriations for FY 2002.

October 23, 2001. H.R. 3160, Bioterrorism Enforcement Act of 2001. The bill established criminal penalties for the unsafe or illegal possession or transfer of certain biological agents and toxins—including anthrax—and it required the Health and Human Services Department (HHS) to develop new regulations governing the possession and use of those substances.

October 24, 2001. H.R. 3090, Tax Incentives for Economic Recovery. The measure provided business and individual tax cuts totaling \$99.5 billion in 2002 and \$159.4 billion over 10 years.

October 24, 2001. H.R. 3162, USA PATRIOT Act Conference Report.

October 25, 2001. H.J. RES. 70, Continuing Appropriations for FY 2002.

Mr. DREIER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, James Madison said the problems of democracy are solved with more democracy. Now, we regularly talk about the fact that the worst, the worst attack on our soil, was what took place on September 11, 2001.

And it is very true that that is the case for what has happened in modern times. But I would like to remind my colleagues that the Civil War was a very tough time for the United States

of America. In fact, the Battle of Antietam saw Southern troops get within miles of this Capitol.

The President of the United States, Abraham Lincoln, made a very firm decision at that point: Proceed with elections. He felt it very important that the American people have an opportunity to participate through elections.

Now, when we think of the unthinkable, a tragic attack which would be launched against the United States of America, what is it that the people would do? Well, obviously, one would think about feeding and clothing their family, ensuring that they have a roof over their head.

And, Mr. Chairman, a very important part of coming together following a tragedy is the important role of choosing one's leaders. Now, I do not believe that appointed Members should be making the decision in the people's House. Yes, they can do that as Members of the other body. Yes, that can even happen for the Chief Executive of the country.

But in the people's House, no one has ever served here in our more than 200-year history without having first been elected. And this notion of creating a scenario whereby people could serve in the people's House without having first been elected is anathema to the entire basis on which the United States of America was founded.

We would have to deal with a crisis, but we would come up with a compromise. Forty-nine days is the amount of time during which people could come together and hold elections and have their representative, that is why we are called representatives, their representative could come here and have the chance to serve.

It is very clear to me that the House of Representatives has, as has been said, spoken. Sixty-three Members of 435 voted in favor of our proceeding with a constitutional amendment. Sixty-three Members for a constitutional amendment. We know that it takes a two-thirds vote. We found that out earlier today. And obviously that is not what the people's House wants.

And so, Mr. Chairman, I urge my colleagues to reject the Baird amendment, and create an opportunity for us to let the other body act on a House provision which is so vitally important to the deliberative nature of this great body.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I congratulate the gentleman from Washington for his long-time leadership on this issue.

Mr. Chairman, I support this amendment to strike legislation which has nothing to do with the appropriations process, legislation which has been improperly placed in this bill, the text of H.R. 841, the "Continuity in Representation Act of 2005." That bill has already passed the House twice, in slightly different forms, in the spring of 2004 and most recently on March 3, 2005. The Senate refused to consider it the first time, and it is currently pending on the Legislative Calendar in the Senate, where it

will remain unless objections by various senators are dealt with.

Make no mistake: there are senators who strongly oppose this bill, and virtually none who care about it, or strongly support it, or want to take up the Senate's time with it. This means that, if the bill is to move at all, its supporters need to take the objections seriously, be prepared to negotiate, and avoid further antagonizing the opponents.

As Ranking Member of the committee of actual jurisdiction, the Committee on House Administration, I have never been consulted by the Majority about beginning negotiations with the Senate to try to resolve the objections and get a bill which can clear both chambers. Whether such an effort could succeed is unclear, but—nothing ventured, nothing gained. Instead, the House Appropriations Committee has, to its obvious discomfort, effectively been hijacked by the House majority leadership to load the bill onto Legislative Branch Appropriations in the belief that the Senate will meekly submit to anything tucked into the House title.

I am not going to reargue the substantive issues here. H.R. 841 was and is a bad bill. I oppose it and voted against it. We should not be recycling failed legislation. If the bill's supporters ever hope to get it passed in some form, they need to make a serious effort to address the objections rather than to employ parliamentary games. They should not be misled by the margins by which the House has passed the bill. Congress consists of two chambers.

Unfortunately, some of the House sponsors appear to be treating a controversial and sensitive subject as if it were a perk of the House, as though the House alone somehow had acquired, contrary to the Constitution and other Federal laws, the right to control the procedure under which its Members are elected. This position has gotten them nowhere. I believe it is in fact counter-productive.

During the Appropriations markup, there were numerous questions about the continuity amendment which Chairman LEWIS, who offered it, was unable to answer. It was obvious that the committee had no idea what it was being asked to do and, based on the thunderous chorus of "nays" on the voice vote, was reluctant to be forced to do it.

Mr. Chairman, H.R. 841 is under the jurisdictions of the Committee on House Administration. It has nothing to do with the appropriations process. It has serious problems. The sponsors need to change their tune. Attempting an end run around the regular order on what is, despite their spin, a very controversial bill, does nothing to enhance credibility in potential negotiations with the Senate.

If this bill is to be saved, let the Members who care about and understand the issues engage seriously with those of differing views. That is how legislation becomes law. Not this way.

I urge adoption of the Baird amendment to strike Title 3.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support of my colleague Mr. BAIRD's amendment to H.R. 2985 the Legislative Branch Appropriations for fiscal year 2006. The Baird amendment would strike the language of H.R. 841, which would require states to hold special elections within 49 days of the Speaker declaring that more than 100 vacancies exist in the House. First of all, this language has no business being in this Appropriations

measure, it clearly legislates on what is supposed to be a spending bill. Truly, the other side of the aisle is trying to sneak in a piece of legislation within this Appropriation in order to force its passage upon the Senate.

Furthermore, this language within this bill threatens to weaken the electoral process, to disenfranchise overseas, disabled, and lower-income voters and thereby reduce individual rights. The more expedited the process of replacing the members of the House and the smaller the body constituted is, the less legitimacy it will have. Unless the House constitutes members from all 50 States and through a full, fair, and transparent process, this body will lack qualities that make it truly "representative."

Forty-nine days is simply not enough time for a state to hold the most free and fair elections. Special elections on average, take four months. In the event of a catastrophic disaster, elections should be held on an expedited time schedule. The pillars of what makes American democracy unique, however, should not be toppled in the pursuit to do so. True democracy dictates that every eligible woman or man has the right to run for office and to vote freely and under fair circumstances. Under the guidelines of this language, this would not be possible. Many states would have to forgo party primaries and the system would lend itself to the wealthiest and most well-known candidates' ability to run virtually unopposed. All debate of the candidates' platforms or characters would be nearly muted, and in effect, Americans would vote "in the blind."

Significant disenfranchisement will likely occur in the unrealistic time frame that the language of H.R. 841 offers in this Appropriations measure. There would be no way to mail out and receive absentee ballots in time. Overseas Americans, including those in the military, would not have a realistic chance to vote. Yes, the legislation ostensibly offers military and overseas voters an opportunity to be heard, but 15 days simply are not enough. There is something unseemly about denying our men and women of the military the right to vote in the most consequential elections imaginable, when we would be replacing perhaps the entire House. Logistically, many states would not have sufficient time for voter registration. It would be difficult to even print the ballots in the time allotted under this Act. There are only a few ballot printing companies in this country and a limited supply of ballot-appropriate paper stock. In the case of electronic voting, programs must be written, and even under ideal circumstances, not all the technical glitches have been sufficiently worked out to assure voter privacy or the fidelity of the system.

The language of H.R. 841 in this bill proposes to make the issue of state elections a "federal question." However, just because this issue would become federalized does not mean that we should frustrate the essential elements of democracy. The processes of establishing the eligibility of state candidates, voter registration, voter freedom of choice, and equal access to voting under the Civil Rights Act must be preserved—even in the face of a catastrophe. Democracy should not be abandoned simply because our leadership may have to suddenly change.

Clearly, this language does not belong in this Appropriations bill, nor does it serve the

best interest of the American people. I urge all my colleagues to support the Baird amendment and remove this improper language from the Legislative Appropriations bill.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. BAIRD).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BAIRD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington (Mr. BAIRD) will be postponed.

It is now in order to consider Amendment No. 2 printed in House Report 109-144.

AMENDMENT NO. 2 OFFERED BY MRS. JO ANN DAVIS OF VIRGINIA

Mrs. JO ANN DAVIS of Virginia. 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 Mrs. JO ANN DAVIS of Virginia:

Strike section 1002.

The CHAIRMAN. Pursuant to House Resolution 334, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, my amendment is very simple. It strikes the language from the bill that prevents the Capitol Police from continuing the horse mounted unit, and it strikes language that requires the current horse mounted unit to be transferred to the Park Police.

This small yet valuable unit is irreplaceable in protecting the Capitol grounds against potential threats. The benefits of mounted patrols are recognized worldwide by law enforcement communities. Transferring the horse mounted unit to the Park Police is inadequate to meet the security needs of the Capitol complex.

In the past, the Park Police's horse mounted unit has been unavailable when requested by the Capitol Police. Additionally, with the Capitol Police's mounted unit dismantled, in the event the Park Police were able to respond, all of that manure that they were talking about, there would be no one to clean it, no mechanism in place.

The mounted unit is an important component of the Capitol Police's force to protect the Capitol grounds. I and Chief Gainer believe that the mounted unit is an inexpensive and effective resource in guarding the Capitol against potential threats, as well as an important part of improving community relations.

It is my understanding that the cost of maintaining this unit for fiscal year 2006 is somewhere around \$155,000 to \$160,000. Currently five horses are used by five mounted officers and two sergeants. The mounted unit provides greater mobility, increased visibility and an ability to view a larger area from a greater distance as compared to other officers.

Additionally the work of one mounted officer is akin to the work of 10 officers on foot. In these dangerous times with constant and changing threats against the United States Capitol Complex, the Capitol Police deserve all of the tools that they deem necessary at their disposal.

The mounted unit has proven very successful over the last 6 months. It has assisted with three arrests, worked 33 demonstrations, issued more than 200 notices of infraction, responded to assists in 9 reports of suspicious packages, responded to 16 calls for crowd control assistance, and responded to 28 calls for assistance in traffic accident incidents.

Mr. Chairman, I sincerely hope the Capitol Police's mounted unit can continue, as it provides an invaluable and unmatched service at protecting our Capitol grounds.

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

Mr. LEWIS of California. Mr. Chairman, I rise to claim the time in opposition to the amendment, and I ask unanimous consent that the gentleman from Wisconsin (Mr. OBEY) control 2½ minutes of that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the esteemed leader from Wisconsin for yielding me this time.

Mr. Chairman, this is a Trojan horse of a new and growing financial obligation that we really need to deal with now and to accept the committee's recommendation that it be consolidated with the U.S. Park Police mounted unit. That is what makes the most sense.

In May of 2004 we began with six horses. We were told it would cost about \$100,000. Now it costs \$145,000. They want another \$10,000 for a replacement horse. But, the salaries and the benefits of the Capitol Police officers that are involved in this come to approximately \$600,000. So it is not \$145,000, it is three-quarters of a million dollars.

Where they are housed is 20 miles away. These police officers have to travel for at least an hour mile down the whole distance of Route 1 to pick them up, another hour back. We are going to move another 18,000 people down to Fort Belvoir, so it is going to be a lot longer than that.

And now, Mr. Chairman, really, we are now told that they had not figured

this out, but they are going to need what is basically a giant pooper scooper to be able to clean the grassy area after the horses have gone by it.

Now, I would suggest to the Chairman and to this body that there is not much grass left to patrol.

□ 1730

I was out jogging today. It was one little grassy area left, and they were putting up a chest-high fence to keep the public off that grassy area. I do not know where these horses are going to be parading. And the little spot, what is left now is about the size of somebody's backyard, and I guess it makes it easier for the pooper scooper, but the problem is that we are paying a substantial amount of money, about three-quarters of a million dollars for very limited benefit.

I just cannot imagine why the Capitol Police need a mounted police unit, particularly given all of our other priorities.

Mr. OBEY. If the gentleman will yield, could the gentleman share with us the names of these horses?

Mr. MORAN of Virginia. I do not know the names.

Mr. OBEY. My understanding is that their names are Justice, Honor, Patriot, Freedom, and Tribute. Great names, but still not much of a purpose for their use.

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

Mr. Chairman, I consider myself to be a horse person. As a matter of fact, at one time in my life I thought I might be a veterinarian because I loved horses and ducks so much. In the meantime, I watch them parade around the Capitol, and I have wondered from time to time about their relative value. The GAO has cited that the Capitol Police have difficulty quantifying the benefit the unit provides. GAO was not able to substantiate the claim of one horse doing the work of 10 people.

I do not see how the elimination of five horses is going to impact the patrol. We have scout cars, motorcycles, and mountain bikes all patrolling the same area. The real point is here I was concerned about the horses myself, but when the staff came up with the thought that perhaps we could transfer them to the Park Service and make sure they are well taken care of and used for meaningful activity, I felt very comfortable with this change. So, frankly, I think we ought to proceed with the language that is in the bill.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentlewoman from Virginia (Mrs. Jo ANN DAVIS) has 3 minutes remaining.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I heard my colleague from Virginia say the cost is now up to

three quarters of a million dollars. I do not think we are getting rid of the police officers; I think we are just moving the five horses. Their salaries, I think, would be fungible. So I do not think you can count that. As far as being something we do not need because the Park Police are already out there with their horses, let me state that the Capitol grounds are statutorily defined, and because of that the Park Police do not have jurisdictions over the Capitol grounds, it is my understanding.

This program has only been in existence and operational since May of 2004. The GAO study, as the chairman stated, said that it is hard for them to quantify the benefits of the horse patrol because the performance measures are evolving, he failed to say the rest of it, and that data is still being collected on these measures. So we are trying to get rid of something that we have not even given a chance to see if it works. We are talking about \$155,000.

I am quoting from the GAO results that they gave when they appeared before the Committee on Appropriations. The horses right now are housed, I heard my colleague from Virginia say earlier, that they were housed 20 miles away. That is correct, they are. And he says that they have to be under stress whenever they are in traffic. Well, I am a horsewoman. I have seven horses of my own. Let me tell you, it does not cost me \$155,000 for seven horses. We have five horses here, and it certainly does not cost three-quarters of a million dollars, and we do not have to provide health benefits and retirement and the like to the horses.

I think we are cutting short a program that we have not given a chance. I urge my colleagues to support my amendment. I think it is a good cause. I think the horses do a great job. It is great PR for us. I see folks going up and talking to our Capitol Police Officers. Yes, the police officers do have the bicycles, but I would venture to say the guys on the bicycles are not sitting up as high as the guys and gals on top of the horses. So if there is a problem, they cannot see over the cars; they cannot see through the crowds.

I am pretty passionate about this whole situation. Yes, I am. I just do not think we have given this program the time it needs to really be evaluated, and I go back to what the GAO study says, that it is still evolving. I will remind Members in the GAO study they do not recommend eliminating the mounted horse patrol. That is critical. They do not recommend eliminating it. Give it time. Let us let them have their day.

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

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

I found one other reason to love the gentlewoman from Virginia (Mrs. Jo ANN DAVIS). Her caring for horses as much as I do is a thrill to me. The problem is I have studied this material

and cannot find that this is the best way to use our funding, especially when these horses will have a new home where they might be used more effectively.

Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. LAHOOD).

Mr. MORAN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. Mr. Chairman, number one, when is the best time to eliminate a program other than before it gets fully established? So I think it is important to follow the committee's recommendation.

The second thing is that we know that the police have asked for stables. Once they establish stables, the costs goes up; the program is more established. We have got more investment. Now is the time to kill it. Consolidate it with the Park Police. I fully agree with the committee's recommendation.

I thank the gentleman for yielding to me.

Mr. LAHOOD. Mr. Chairman, this is the second year that we have attempted to do this. That is pretty good time for eliminating a program. We had a big debate about this last year. We had a big debate about it this year. There is nobody who spends any time around here that does not think this place is secure. It is not going to be made any more secure by having a few people riding horses around here. Now, for the aesthetic part of it, it might be lovely; but for the security part of it, it is nonsense. It is a waste of money. They will be better used by the Park Service, certainly, than they will be around here. Vote down the gentleman's amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, as Ranking Member of the Committee on House Administration, which has jurisdiction over the United States Capitol Police, I rise to oppose the amendment offered by my friend from Virginia (Ms. JO ANN DAVIS).

The USCP mounted unit was not authorized by either the Committee on House Administration nor the Senate's Committee on Rules and Administration. It reportedly came into existence as the brainchild of a Senator from Colorado, now retired, without any formal examination of the merits and demerits of using horses in the Capitol Police environment. Unlike the U.S. Park Police, which must patrol thousands of acres of wooded parkland in northwest Washington, the Capitol Police patrols a confined area readily accessible to non-mounted officers, and much of which is not even accessible to the public at all.

Some argue that the mounted unit is especially useful in crowd control, and maybe that is so. However, on those occasions where crowds needing control may develop on the Capitol grounds—and these occasions are usually well anticipated—the Capitol Police can easily ask for assistance from their Park Police colleagues, who are well trained in the use of horses and can also be trained about the Capitol and working here.

Finally, some offer the intangible value of public relations as a justification for spending

the hundreds of thousands to maintain the horses and train their handlers. Maybe there is value in that, when elsewhere on and around the grounds, other Capitol Police officers are routinely brandishing automatic weapons. But what about the public relations cost of the horse manure deposited across the grounds, and the tens of thousands it costs to clean it up?

I urge a "no" vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mrs. JO ANN DAVIS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mrs. JO ANN DAVIS) will be postponed.

It is now in order to consider amendment No. 3 printed in House Report 109-144.

AMENDMENT NO. 3 OFFERED BY MR. FLAKE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. FLAKE: Page 35, line 22, insert "(reduced by \$5,400,000)" after "\$88,090,000".

The CHAIRMAN. Pursuant to House Resolution 334, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

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

Beside me I have a stack of CONGRESSIONAL RECORDS. It used to be that the Government Printing Office would print thousands and thousands and thousands of these because we did not use computers much. We did not have a searchable data base. These were very important and they still are, but by and large when these come around to congressional offices, they go straight to the waste basket.

We did an informal survey in our office of the CONGRESSIONAL RECORD. When the printed copy comes, we called about 20 offices or so, what do you do with them? Overwhelmingly, nearly all of them said it goes straight to the wastepaper basket because we have it online now, a searchable data base. You can search anything back to 1989 immediately the following day.

So our legislation would simply do this: it would save \$5.4 million annually by instructing the Government Printing Office to print 1,000 per day rather than the 6,000 per day that they are doing now. We simply need to move into the 21st century. It used to be that we needed a lot more of them than we need today. We simply do not need to do that. This would also save about 57 tons of paper that are discarded every year, and all of the environmental damage that goes along with that.

This is a good amendment. It is a commonsense amendment. We simply are moving away from buggy whips and other things. We need to recognize that we simply do not have the need any more for printed record. To the extent that we need them, we will still present them. One thousand a day is pretty generous, and we need to save money where we can. And we need to have credibility when we tell Federal agencies to cut their budgets to live within their means. For us to go on printing 6,000 of these a day when we simply do not need them is not right.

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

Mr. LEWIS of California. Mr. Chairman, I rise to claim the time in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to yield 2½ minutes of that time to the gentleman from Wisconsin (Mr. OBEY) for purposes of control.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, the fiscal year 2006 appropriations has been held at the fiscal year 2005 level. This is a decrease of \$2.5 million below the 2004 level.

The RECORD is distributed in accordance with title 44, chapter 9 of the U.S. Code; and within that there are 3,000 copies that go to Members, of the House and Senate, 153 copies to the Library of Congress, et cetera. I can provide the balance of this in the RECORD.

3,018 copies to Members, House 1,479 copies, Senate 1,539 copies; 153 copies to the Library of Congress; 754 copies to public agencies and institutions designated by Senators; 698 copies to Federal agencies that pay for the copies; 521 copies to subscribers who pay for the copies; 692 copies to Federal Depository libraries nationwide.

I would say to the gentleman from Wisconsin (Mr. OBEY), that it is my feeling that an amendment like this where people are kind of reacting to the CONGRESSIONAL RECORD, et cetera, will likely pass overwhelmingly. And if I am correct in that, I would be inclined for us to stand back in this discussion, if the gentleman agrees with me, and perhaps discuss this further as we go to conference.

What would be the gentleman's reaction to that?

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

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply say that passing this amendment will not eliminate the distribution of the RECORD. It will simply create a financial shortfall which will have to be dealt with in the future. I personally prefer to use the printed RECORD than I do the online RECORD.

Mr. LEWIS of California. And I do as well.

Mr. OBEY. I do my work in lots of places besides the office, and I do not

use a computer. I use a pencil. So I would just suggest that I think the amendment is outrageous and misbegotten; but if the gentleman wants to accept it, we can deal with it in conference. We will work it out.

Mr. LEWIS of California. Reclaiming my time, the gentleman is always a gentleman.

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

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I am pleased to join the gentleman in co-authoring this amendment. And I hope that our distinguished chair and ranking member of the Committee on Appropriations will be able to, in fact, deal with this in conference in a serious manner because it is not just a matter here of saving over \$5 million a year just in printing costs, and it is not a matter of saving some 57 tons of paper.

What this is about is being able to, with all due deference to the ranking member, not impose on this Congress a regimen of printing 6,000 copies of a relic of the past that is not necessary for everybody. There are 521 subscribers in America to the printed version of the CONGRESSIONAL RECORD. They will be, under this amendment, available to any Member of Congress who wants them; but it is important for us to have your help as members of the committee to be able to nudge us along to get into the 21st century.

This is an opportunity for us to be able to take advantage of paperless activities, having paper where people need it, having a certified smart person who works for us print off what we need and save us the time not to thumb through to try and find it.

□ 1745

I think it is important for us to approve this. This is not a minuscule item. This is symbolic of what we can do in the vast Federal bureaucracy to break the stranglehold of past action and move to take advantage of this technology that we have invested, not hundreds of millions, but billions of dollars every year.

This is a small important step to move us in the right direction.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman for the time.

The only point I would like to make is that since 1995, this appropriation has only grown by 4 percent. So in more than 10 years we have only had a 4 percent growth, much less than inflation.

We have worked hard to reduce the number of copies. We have eliminated the bound copies of the CONGRESSIONAL RECORD. I do not know if people have noticed, but we eliminated that which used to be a tradition, and since 1995

we have reduced the number of copies from 18,000 per day to 6,000. I mean, that is substantial progress. The largest cost of the RECORD is preparing the data for printing and on-line dissemination, and that cost is going to be occurred regardless.

Ms. MILLENDER-MCDONALD. Mr. Chairman, as the Ranking Member of the Joint Committee on Printing, I oppose the amendment offered by my friends from Arizona (Mr. FLAKE) and Oregon (Mr. BLUMENAUER).

According to the GPO, the congressional printing and binding appropriation supports the distribution of 3,994 copies of the CONGRESSIONAL RECORD, of which 2,293 copies, or more than 57 percent, go to the Senate. If there are too many copies of the RECORD being charged to the Congress, the problem lies in the other chamber.

Mr. Chairman, Congress has addressed this problem in recent years. Not long ago, there were 18,000 copies of the RECORD produced each day. Now there are fewer than 4,000. The law provides for Members to receive three copies, and Members who don't need three copies can reduce printing costs by informing the Clerk of that fact. This is a reasonable approach, since the RECORD is available on-line, and perhaps for some Members the on-line version will suffice. But the printed RECORD remains an important resource for many Members of both Houses, and I don't believe the proper approach to this question is to reduce funds for the RECORD by 83 percent, as this amendment would do.

I believe the Appropriations Committee has looked at this very carefully over the past several years. Speaking for the minority side of the Joint Committee on Printing, I am certainly willing to examine this question further.

I urge a "no" vote.

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

The CHAIRMAN. The gentleman from California's (Mr. LEWIS) time has expired. The gentleman from Wisconsin (Mr. OBEY) has 2½ minutes remaining. The gentleman from Arizona (Mr. FLAKE) has 1 minute remaining.

Mr. OBEY. Mr. Chairman, if the gentleman is willing to stop talking, I am willing to stop talking. I will vote for whichever side stops talking first.

Mr. FLAKE. Mr. Chairman, I am willing to save time and money, and I yield back the balance of my time.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 109-144.

AMENDMENT NO. 4 OFFERED BY MR. MCHENRY

Mr. MCHENRY. Mr. Chairman, I offer an amendment as the designee of the gentleman from Texas (Mr. McCaul).

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MCHENRY: Page 9, line 23, insert "(increased by \$2,000,000)" after "\$29,345,000".

Page 35, line 22, insert "(reduced by \$2,000,000)" after "\$88,090,000".

The CHAIRMAN. Pursuant to House Resolution 334, the gentleman from North Carolina (Mr. MCHENRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY).

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

Mr. Chairman, I rise today to offer an amendment for the gentleman from Texas (Mr. McCaul), my good friend and fellow freshman Republican colleague, who unfortunately could not be here this afternoon to offer this amendment. One of his predecessors in the 10th District of Texas died tragically just a few days ago, Congressman Pickle, and the gentleman from Texas (Mr. McCaul) did attend his funeral and could not be here today to vote nor could he be here today to offer this amendment. So I offer it in his stead.

As a good conservative and someone who minds the fiscal house of the United States Government, the gentleman from Texas (Mr. McCaul) offered this amendment that would simply rein in the cost of printing, just much like the gentleman from Arizona (Mr. FLAKE) offered a few moments ago.

This would simply take \$2 million out of the printing budget for our legislative branch and give that \$2 million to security. It would take care of security equipment and weapons for Capitol Hill Police.

So at this time, I would simply like to recommend the House do accept this amendment that would rein in excessive spending. It is not that I am against printing or paper, or it is not that I am against ink either, but certainly I think we should restrain spending where it has gotten out of hand, and our printing budget is clearly out of hand. I think we and each individual Congressman's office can actually rein in that spending ourselves and actually print out the bills that we need.

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

Mr. LEWIS of California. Mr. Chairman, I rise to claim the time in opposition to the amendment, and I ask unanimous consent that the gentleman from Wisconsin (Mr. OBEY) control 2½ minutes of that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, since 1999 we have appropriated over \$170 million to the Capitol Police specifically for security enhancement. In addition, we have provided \$84 million for the Architect for perimeter security. In addition to the \$2,345,000 provided in this bill for general expenses, the Capitol Police have \$32,653,000 in unobligated balances, for a total of almost \$62 million.

This \$2 million amendment is interesting, but the police, in this instance, do not need an additional \$2 million, and because of that, I strongly oppose the amendment.

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

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

As someone considerably more famous once said, The world will little note nor long remember what we either say or do here today on this matter.

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

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

I thank the gentleman for the eloquence and the simplicity of his statement, and as a new Member here, I certainly respect my senior Member's opinions on this matter, and I do concur.

With that, I would certainly appreciate the kindness of the House in voting for this amendment that would somewhat restrain our spending in the matter of printing here in Congress. And we are not going to eliminate jobs in this instance. I just think we need to fund security rather than paper and printing, and with that, I would urge the adoption of this amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I oppose the amendment offered by the gentleman from North Carolina [Mr. McHENRY].

As the Ranking Member of the Joint Committee on Printing, I can appreciate the gentleman's interest in reducing excessive printing and diverting the funds to more useful purposes. However, rather than shifting spending from GPO to the Capitol Police, the amendment has the potential merely to increase spending.

This is because the congressional printing and binding appropriation is not a traditional appropriation to support a predetermined amount of work by the GPO. It is a pre-payment for the work Congress orders from GPO. The GPO will perform whatever work Congress orders, and Congress will pay for it in a subsequent appropriation, if necessary. Merely reducing the printing and binding appropriation will not reduce the amount of printing.

By contrast, the amendment would shift the GPO funds to the Capitol Police, which could and presumably would spend the money for its general expenses. The Appropriations Committee has recommended the sum of \$29.3 million for the Capitol Police's general expenses. As Ranking Member of the House Administration Committee, which has jurisdiction over the Capitol Police, I believe we should accept the Appropriations Committee's recommendation. I urge a "no" vote.

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

Mr. LEWIS of California. Mr. Chairman, I urge a "no" vote, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. McHENRY).

The amendment was rejected.

The CHAIRMAN. It is in now order to consider amendment No. 5 printed in House Report 109-144.

AMENDMENT NO. 5 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. HEFLEY:

Add at the end of title II the following new section:

SEC. 210. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

The CHAIRMAN. Pursuant to House Resolution 334, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from California (Mr. LEWIS) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

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

I rise today to offer an amendment to cut 1 percent of the level of funding in this appropriation bill. This amounts to roughly \$28 billion for the legislative branch appropriations bill, and it is no reflection on the chairman or the ranking member. They have done some very good things in here, particularly in that hole of waste we have in the East Front of our Capitol which goes on and on and on. They have done a great job in trying to rein that in.

I simply think that with all of these appropriation bills, with most of them, we can find 1 percent to cut, and that will move us in a tiny way towards a balanced budget. So I offer the amendment.

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

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

I appreciate very much my colleague's comments. Mr. Chairman, during the markup of this bill, we pared down the total requests considerably from roughly \$3 billion to \$2.8 billion, a 9 percent reduction from the requested amount.

The bill is currently only 1.7 percent over fiscal year 2005. This increase barely sustains services. It provides for cost-of-living increases, some inflationary items, and a minimal number of projects to keep our buildings and grounds in reasonably good order.

A further reduction of 1 percent will adversely impact the operation of the legislative branch during the fiscal year ahead.

The amendment would reduce the total bill to a level that is less than 1 percent over current services.

The reduction will severely impair the ability of the House and legislative branch agencies to provide the full cost-of-living increases for all of our employees.

This is a good bill that has received balanced consideration. It is nice to say we will cut 1 percent across the board, but frankly, that is really not the way to legislate, and because of

that, I strongly oppose the gentleman's amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin (Mr. OBEY), my colleague.

Mr. OBEY. Mr. Chairman, let me simply say that while I am opposed to this bill because I think it wastes too much money on the visitors center, I agree that an across-the-board cut is not a responsible way to approach budgeting. If all of this cut came out of the visitors center, I would vote for it in a flash.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today against Mr. HEFLEY's amendment to H.R. 2985 the Legislative Branch Appropriations for fiscal year 2006, which would reduce this spending bill by 1 percent. The Hefley amendment is inappropriate at this time when funding needs have already been neglected in this Appropriation. Truly, the Committee had difficult decisions to make, but cutting even 1 percent more from this legislation would be a tremendous mistake.

The total funding for this legislation is \$2.87 billion which is only 2 percent more than current levels and \$270 million (9 percent) less than requested by the various legislative offices and agencies. This bill appropriates \$1.1 billion for operations of the House of Representatives which is only \$13 million (1 percent) more than current funding and \$35 million (3 percent) less than requested. It is unfortunate that these Appropriations are so tight, when the cost of operating the House of Representatives is in fact getting higher. These costs are becoming higher because the needs of our constituencies are becoming greater. If the Hefley amendment is to pass it will be our constituents who suffer. Regardless of any possible cuts, Congress will continue to function properly and we will serve our constituents proudly, but these cuts in our funding undermine our efforts.

In addition to insufficient funding to the House of Representatives, the greatest reason to reject the Hefley amendment can be found in the legislative branch agencies that directly or indirectly support Congressional operations. This funding is only \$32.6 million (2 percent) more than current levels and a staggering \$234.8 million (12 percent) less than requested. Funding for the Capitol Police, who are entrusted with protecting the Capitol Complex and all those who work and visit here actually received \$2 million (1 percent) less than in FY 2005, and \$50.4 million (17 percent) less than requested in this Appropriation. The Architect of the Capitol who have worked so hard in the last year to make the Capitol Complex more accessible to visitors received only \$317.3 million, \$16.7 million (6 percent) more than current funding but a full \$123.6 million (28 percent) less than requested. The Government Printing Office (GPO) which serves the demanding printing needs of hundreds of legislators every year received only \$122.6 million which is \$2.8 million (2 percent) more than current funding but \$8.5 million (6 percent) less than requested. Indeed, even the Library of Congress, the resource for Members and staff to conduct research and the institution meant to be our nation's greatest repository of reading materials, even their funding was cut in this Appropriation. The Library of Congress received \$543 million, about equal to the FY 2005 level but \$47.8 million (8 percent) less than requested. It is sad to see

these legislative branch agencies, which work so hard and diligently to support the work of Congress, have their funding needs not met. Again, these agencies will continue to support Congress and they will do their jobs well, but any further cuts in funding can only lessen their effectiveness.

I urge all my colleagues to reject the Hefley amendment as its passage will only make it more difficult for us to meet the needs of the American people. Cutting 1 percent from the Legislative Appropriations will not lead to any dramatic monetary savings, but it will hinder efforts to provide the best Congressional support services possible. It takes a lot to keep the great halls of Congress going and it is our responsibility to ensure that all of it is properly funded.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BAIRD of Washington.

Amendment No. 2 by Mrs. JO ANN DAVIS of Virginia.

Amendment No. 5 by Mr. HEFLEY of Colorado.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 1 OFFERED BY MR. BAIRD

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. BAIRD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 143, noes 268, not voting 23, as follows:

[Roll No. 299]

AYES—143

Abercrombie	Baird	Becerra
Ackerman	Baldwin	Berkley
Andrews	Bean	Berman

Berry	Honda	Pallone	Mack	Peterson (PA)	Sherwood
Bishop (NY)	Hooley	Pascrell	Manzullo	Petri	Shimkus
Blumenauer	Hoyer	Pastor	Marchant	Pickering	Shuster
Boren	Inslee	Payne	Markey	Pitts	Simmons
Boswell	Jackson (IL)	Pelosi	Marshall	Platts	Simpson
Boucher	Jefferson	Price (NC)	McCotter	Poe	Skelton
Brady (PA)	Johnson, E. B.	Rohrabacher	McCrary	Pombo	Smith (NJ)
Brown (OH)	Kaptur	Rothman	McHenry	Porter	Snyder
Brown, Corrine	Kildee	Ruppertsberger	McIntyre	Price (GA)	Sodrel
Butterfield	Kilpatrick (MI)	Rush	McKeon	Pryce (OH)	Souder
Capps	Kind	Ryan (OH)	McMorris	Putnam	Stark
Capuano	Langevin	Sabo	McNulty	Radanovich	Stearns
Caranahan	Lantos	Salazar	Melancon	Rahall	Stupak
Carson	Larson (WA)	Sánchez, Linda	Mica	Ramstad	Sullivan
Chandler	Larson (CT)	T.	Regula	Rehberg	Sweeney
Cleaver	Lee	Sanchez, Loretta	Michaud	Reichert	Tancredo
Clyburn	Levin	Sanders	Miller (FL)	Renzi	Taylor (NC)
Conyers	Lipinski	Schakowsky	Miller, Gary	Reyes	Terry
Crowley	Lofgren, Zoe	Scott (VA)	Mollohan	Reynolds	Thornberry
Cummings	Lowey	Serrano	Moore (WI)	Rogers (AL)	Tiaht
Davis (AL)	Lynch	Slaughter	Moran (KS)	Rogers (KY)	Turner
Davis (CA)	Maloney	Smith (WA)	Murphy	Rogers (MI)	Upton
Davis (IL)	Matheson	Solis	Murtha	Ros-Lehtinen	Walden (OR)
DeFazio	Matsui	Spratt	Musgrave	Royal-Allard	Walsh
DeLauro	McCarthy	Strickland	Myrick	Royce	Wamp
Dicks	McCollum (MN)	Tauscher	Neal (MA)	Ryan (WI)	Weldon (FL)
Dingell	McDermott	Taylor (MS)	Neugebauer	Ryun (KS)	Weldon (PA)
Edwards	McGovern	Thompson (CA)	Northup	Saxton	Weller
Emanuel	McKinney	Thompson (MS)	Norwood	Schiff	Westmoreland
Eshoo	Meehan	Tierney	Nunes	Schwartz (PA)	Wexler
Etheridge	Meek (FL)	Towns	Nussle	Schwarz (MI)	Whitfield
Evans	Meeks (NY)	Udall (CO)	Ortiz	Scott (GA)	Wicker
Farr	Menendez	Udall (NM)	Osborne	Sensenbrenner	Wilson (NM)
Filner	Millender-	Van Hollen	Otter	Sessions	Wilson (SC)
Frank (MA)	McDonald	Velázquez	Paul	Shadegg	Wolf
Gordon	Miller (NC)	Wasserman	Pearce	Shaw	Wynn
Green, Al	Miller, George	Schultz	Pence	Shays	Young (AK)
Green, Gene	Moore (KS)	Waters	Peterson (MN)	Sherman	Young (FL)
Grijalva	Moran (VA)	Watt			
Gutierrez	Nadler	Waxman			
Harman	Napolitano	Weiner			
Hastings (FL)	Oberstar	Woolsey			
Higgins	Obey	Wu			
Hinchey	Olver				
Holt	Owens				

NOES—268

Aderholt	Cuellar	Gutknecht
Akin	Culberson	Hall
Alexander	Cunningham	Harris
Allen	Davis (FL)	Hart
Baca	Davis (KY)	Hastert
Bachus	Davis, Jo Ann	Hastings (WA)
Baker	Davis, Tom	Hayes
Barrett (SC)	Deal (GA)	Hayworth
Barrow	DeGette	Hefley
Bartlett (MD)	Delahunt	Hensarling
Bass	DeLay	Herger
Beauprez	Dent	Herseth
Biggert	Díaz-Balart, L.	Hobson
Bilirakis	Díaz-Balart, M.	Hoekstra
Bishop (GA)	Doolittle	Holden
Bishop (UT)	Doyle	Hostettler
Blackburn	Drake	Hulshof
Blunt	Dreier	Hunter
Boehlert	Duncan	Hyde
Boehner	Ehlers	Inglis (SC)
Bonilla	Emerson	Israel
Bono	Engel	Issa
Boozman	English (PA)	Istoak
Boustany	Everett	Jenkins
Bradley (NH)	Fattah	Jindal
Brady (TX)	Feeney	Johnson (CT)
Brown (SC)	Ferguson	Johnson (IL)
Brown-Waite,	Fitzpatrick (PA)	Johnson, Sam
Ginny	Flake	Jones (NC)
Burgess	Foley	Kanjorski
Burton (IN)	Forbes	Keller
Buyer	Ford	Kelly
Calvert	Fortenberry	Kennedy (MN)
Camp	Fossella	King (IA)
Cannon	Foxx	King (NY)
Cantor	Franks (AZ)	Kingston
Capito	Frelinghuysen	Kirk
Cardin	Gallegly	Kline
Cardoza	Garrett (NJ)	Knollenberg
Case	Gerlach	Kolbe
Castle	Gibbons	Kuhl (NY)
Chabot	Gilchrest	LaHood
Chocola	Gillmor	Latham
Coble	Gingrey	Leach
Cooper	Gohmert	Lewis (CA)
Costa	Gonzalez	Lewis (KY)
Costello	Goode	Linder
Cox	Goodlatte	LoBiondo
		Lucas
		Lungren, Daniel
		E.

Pallone	Mack	Peterson (PA)	Sherwood
Pascrell	Manzullo	Petri	Shimkus
Pastor	Marchant	Pickering	Shuster
Payne	Markey	Pitts	Simmons
Jackson (IL)	Pelosi	Platts	Simpson
Jefferson	Rohrabacher	Poe	Skelton
Johnson, E. B.	Rothman	Pombo	Smith (NJ)
Kaptur	Ruppertsberger	Porter	Snyder
Kilpatrick (MI)	Rush	Price (GA)	Sodrel
Kildee	Ruppertsberger	Pryce (OH)	Souder
Langevin	Ryan (OH)	Putnam	Stark
Kind	Sabio	McMorris	Radanovich
Lantos	Salazar	McNulty	Stearns
Larsen (WA)	Sánchez, Linda	Melancon	Stupak
Larson (CT)	T.	Mica	Sullivan
Lee	Sanchez, Loretta	Regula	Rehberg
Levin	Sanders	Michaud	Reichert
Lipinski	Schakowsky	Miller (FL)	Tanner
Lofgren, Zoe	Scott (VA)	Miller (MI)	Taylor (NC)
Lowey	Serrano	Miller (WI)	Tiaht
Lynch	Slaughter	Moore (KS)	Turner
Maloney	Smith (WA)	Moran (KS)	Upton
Matheson	Solis	Murphy	Ros-Lehtinen
Matsui	Spratt	Murtha	Royal-Allard
McCarthy	Strickland	Mollohan	Royce
McCollum (MN)	Tauscher	Myrick	Ryan (WI)
McDermott	Taylor (MS)	Neal (MA)	Ryun (KS)
McGovern	Thompson (CA)	Ortiz	Saxton
McKinney	Thompson (MS)	Osborne	Northup
Meehan	Tierney	Otter	Northup
Meek (FL)	Towns	Paul	Shadegg
Meeks (NY)	Udall (CO)	Pearce	Shaw
Menendez	Udall (NM)	Waters	Shays
Miller (NC)	Van Hollen	Watt	Sherman
Miller, George	Velázquez	Waxman	Young (AK)
Moore (KS)	Wasserman	Weiner	Young (FL)
Moran (VA)	Schultz	Wu	
Nadler	Waters		
Napolitano	Watt		
Oberstar	Waxman		
Obey	Weiner		
Olver	Woolsey		
Owens	Wu		

NOT VOTING—23

Barton (TX)	Hinojosa	Ney
Bonner	Jackson-Lee	Oxley
Boyd	(TX)	Pomeroy
Carter	Jones (OH)	Rangel
Cole (OK)	Kucinich	Smith (TX)
Conaway	LaTourette	Thomas
Davis (TN)	Lewis (GA)	Tiberi
Doggett	McCaull (TX)	Watson

□ 1819

Mr. FORD and Mr. HOLDEN changed their vote from “aye” to “no.”

Messrs. SANDERS, AL GREEN of Texas and McDERMOTT and Ms. KAP-TUR changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MRS. JO ANN DAVIS OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 226, not voting 22, as follows:

[Roll No. 300]

AYES—185

Abercrombie	Bishop (UT)	Boswell
Ackerman	Bono	Boucher
Baldwin	Brennan	Boustany
Andrews	Cubin	Boren
	Green (WI)	Brady (PA)

Brown (OH)	Inglis (SC)	Ross	Johnson, Sam	Millender	Rohrabacher	[Roll No. 301]
Brown, Corrine	Inslee	Rothman	Keller	McDonald	Royal-Allard	AYES—114
Burton (IN)	Israel	Ruppersberger	Kelly	Miller (NC)	Royce	
Buyer	Issa	Rush	Kennedy (MN)	Miller, Gary	Ryan (WI)	Garrett (NJ)
Capuano	Jefferson	Ryan (OH)	Kildee	Miller, George	Sabo	Gibbons
Cardin	Jones (NC)	Ryun (KS)	Kilpatrick (MI)	Moore (KS)	Schwartz (PA)	Gohmert
Carnahan	Kanjorski	Salazar	Kind	Moore (WI)	Scott (VA)	Myrick
Case	Kaptur	Sánchez, Linda	King (IA)	Moran (KS)	Sensenbrenner	Graves
Chabot	Kennedy (RI)	T.	Kingston	Moran (VA)	Sessions	Neugebauer
Chandler	King (NY)	Sanchez, Loretta	Kirk	Murphy	Beauprez	Northwood
Clay	Langevin	Sanders	Kline	Musgrave	Berry	Otter
Cleaver	Lantos	Saxton	Knollenberg	Myrick	Harris	Paul
Clyburn	Larsen (WA)	Schakowsky	Kolbe	Neal (MA)	Sherwood	Hart
Cooper	Larson (CT)	Schiff	Kuhl (NY)	Neugebauer	Shimkus	Pence
Costello	Lee	Schwarz (MI)	LaHood	Northup	Shuster	Blackburn
Crowley	Lofgren, Zoe	Scott (GA)	Latham	Norwood	Slaughter	Hayworth
Cuellar	Lowey	Serrano	Leach	Nunes	Smith (WA)	Bradley (NH)
Cunningham	Lynch	Shadegg	Levin	Nussle	Ginny	Hefley
Davis, Jo Ann	Maloney	Lewis (CA)	Oberstar	Snyder	Burgess	Hensarling
Davis, Tom	Markey	Shays	Lewis (KY)	Souder	Hostettler	Price (GA)
DeFazio	Marshall	Simmons	Linder	Obey	Burton (IN)	Pitts
DeGette	Matsui	Simpson	Osborne	Sullivan	Hulshof	Poe
Delahunt	McCarthy	Skelton	LoBiondo	Cannon	Ingilis (SC)	Ryan (WI)
Diaz-Balart, L.	McCullom (MN)	Smith (NJ)	Lucas	Tanner	Insllee	Ryan (KS)
Diaz-Balart, M.	McCotter	Sodrel	Pastor	Chandler	Chabot	Ramstad
Dingell	McIntyre	Solis	Paul	Jenkins	Jindal	Rohrabacher
Doyle	McKinney	E.	Taylor (MS)	Chocola	Saxton	Rohrabacher
Drake	McNulty	Pearce	Taylor (NC)	Coble	Jindal	Sensenbrenner
Engel	Meehan	Mack	Terry	Jones (NC)	Sessions	
Etheridge	Meek (FL)	Pence	Cox	Keller	Shadegg	
Evans	Meeks (NY)	Manzullo	Tiaht	Kennedy (MN)	Shimkus	
Fattah	Melancon	Pombo	Upton	Cubin	Kind	
Filner	Michael	Stearns	Visclosky	Davis, Jo Ann	Shuster	
Fitzpatrick (PA)	Miller (FL)	Strickland	Price (GA)	King (IA)		
Forbes	Miller (MI)	Matheson	Price (NC)	Deal (GA)	Lewis (KY)	
Fossella	Mollohan	McKeon	Walder (OR)	DeGette	Snyder	
Franks (AZ)	Murtha	Rogers (AL)	Walsh	LoBiondo		
Gerlach	Nadler	Rogers (KY)	Wamp	Diaz-Balart, M.	Mack	
Gilchrest	Napolitano	Menendez	Watt	Drake	Maloney	
Gonzalez	Ortiz	Mica	Duncan	Manzullo	Tancredo	
Goode	Otter	Rogers (MI)	Wicker	Edwards	Marshall	
Goodlatte	Owens	Young (FL)	Wilson (NM)	Everett	Matheson	
Gordon	Pascrell		Feeney	McMorris	Taylor (MS)	
Green, Al	Payne	Barton (TX)	McCotter	Fox	Terry	
Green, Gene	Pelosi	Hinojosa	Putnam	McCotter	Udall (CO)	
Grijalva	Peterson (MN)	Wasserman	Regula	Franks (AZ)	Miller (FL)	
Gutierrez	Peterson (PA)	Schultz	Jackson-Lee	Franks (AZ)	Miller, Gary	
Harman	Petri	Waters	Oxley		Wilson (SC)	
Hastings (FL)	Pickering	Watson	Pomeroy			
Hefley	Pitts	Conaway				
Hensarling	Platts	Waxman				
Herseth	Poe	Weiner				
Hinchey	Porter	Weldon (PA)				
Holden	Radanovich					
Holt	Rahall					
Honda	Ramstad					
Hostettler	Reichert					
Hunter	Reyes					
Hyde	Ros-Lehtinen					
NOT VOTING—22						
ANNOUNCEMENT BY THE CHAIRMAN						
The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.						
□ 1831						
Mr. FORD and Ms. CARSON changed their vote from "aye" to "no."						
Messrs. SPRATT, PICKERING, FRANKS of Arizona and GORDON changed their vote from "no" to "aye."						
So the amendment was rejected.						
The result of the vote was announced as above recorded.						
AMENDMENT NO. 5 OFFERED BY MR. HEFLEY						
The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.						
The Clerk will redesignate the amendment.						
The Clerk redesignated the amendment.						
RECORDED VOTE						
The CHAIRMAN. A recorded vote has been demanded.						
A recorded vote was ordered.						
The CHAIRMAN. This will be a 5-minute vote.						
The vote was taken by electronic device, and there were—ayes 114, noes 294, not voting 25, as follows:						
Baderholt	Cantor	Ferguson	Abercrombie	Cummings	Higgins	
Akin	Capito	Flake	Doyle	Cunningham	Hinchey	
Alexander	Capps	Foley	Eckert	Davis (AL)	Hobson	
Allen	Cardoza	Ford	Edwards	Davis (CA)	Hoekstra	
Andrews	Carson	Fortenberry	Allen	Davis (FL)	Holden	
Baca	Castle	Fox	Andrews	Davis (IL)	Holt	
Bachus	Chocola	Frank (MA)	Baca	Davis (KY)	Honda	
Baird	Coble	Frelinghuysen	Baird	Davis, Tom	Hoyer	
Baker	Conyers	Gallagly	Baker	DeFazio	Hunter	
Barrett (SC)	Costa	Garrett (NJ)	Baldwin	Delahunt	Hyde	
Bartlett (MD)	Cox	Gibbons	Barrow	DeLauro	Israel	
Bass	Cramer	Gillmor	Becerra	DeLay	Istook	
Bean	Crenshaw	Gingrey	Berkley	Dent	Jackson (IL)	
Beauprez	Cubin	Gohmert	Berman	Diaz-Balart, L.	Jefferson	
Becerra	Culberson	Granger	Bilirakis	Dicks	Johnson (CT)	
Berkley	Cummings	Graves	Bishop (GA)	Dingell	Johnson (IL)	
Berman	Davis (AL)	Green (WI)	Bishop (NY)	Doolittle	Johnson, E. B.	
Berry	Davis (CA)	Gutknecht	Bishop (UT)	Doyle	Kanjorski	
Biggert	Davis (FL)	Hart	Blumenauer	Dreier	Kanjorski	
Bilirakis	Davis (IL)	Harris	Boehlert	Ehlers	Kaptur	
Bishop (GA)	Davis (KY)	Hart	Boehner	Emanuel	Kelly	
Bishop (NY)	Deal (GA)	Hastings (WA)	Bonilla	Emerson	Kennedy (RI)	
Blackburn	DeLauro	Hayes	Bono	Engel	Kildee	
Blumenauer	DeLay	Hayworth	Boozman	English (PA)	Kilpatrick (MI)	
Blunt	Dent	Hoyle	Boren	Eshoo	King (NY)	
Boehlert	Dicks	Higgins	Boswell	Etheridge	Kingston	
Boehner	Doolittle	Hobson	Boucher	Ford	LaHood	
Bonilla	Dreier	Hoekstra	Boustany	Langevin	Leah	
Bradley (NH)	Duncan	Hooley	Brady (PA)	Boehlert	Leah	
Brady (TX)	Edwards	Hoyer	Brown (SC)	Campbell	Leah	
Brown (SC)	Ehlers	Hulshof	Brown, Corrine	Conyers	Leah	
Brown-Waite,	Emanuel	Istook	Brown, Corrine	Costello	Leah	
Ginny	Emerson	Jackson (IL)	Cramer	Casper	Leah	
Burgess	English (PA)	Jenkins	Carnahan	Conway	Leah	
Butterfield	Eshoo	Jindal	Carson	Costa	Leah	
Calvert	Everett	Johnson (CT)	Case	Grijalva	Leah	
Camp	Farr	Johnson (IL)	Castle	Goodlatte	Leah	
Cannon	Feeley	Johnson, E. B.	Clay	Gordon	Leah	

McDermott	Platts	Sodrel
McGovern	Pombo	Solis
McHugh	Porter	Souder
McIntyre	Price (NC)	Spratt
McKeon	Pryce (OH)	Stark
McKinney	Putnam	Strickland
McNulty	Radanovich	Stupak
Meehan	Rahall	Sweeney
Meek (FL)	Regula	Tauscher
Meeks (NY)	Rehberg	Taylor (NC)
Melancon	Reichert	Thompson (CA)
Menendez	Renzi	Thompson (MS)
Mica	Reyes	Thompson (MS)
Millender-McDonald	Reynolds	Thornberry
Miller (MI)	Rogers (AL)	Tiaht
Miller (NC)	Rogers (KY)	Tierney
Miller, George	Rogers (MI)	Towns
Mollohan	Ros-Lehtinen	Turner
Moore (KS)	Rothman	Upton
Moore (WI)	Royal-Allard	Van Hollen
Moran (VA)	Ruppersberger	Velázquez
Murphy	Rush	Visclosky
Murtha	Ryan (OH)	Walden (OR)
Nadler	Sabo	Walsh
Napolitano	Salazar	Wamp
Neal (MA)	Sánchez, Linda T.	Wasserman
Northup	Sanchez, Loretta	Schultz
Nunes	Sanders	Waters
Nussle	Schakowsky	Watson
Oberstar	Schiff	Watt
Obey	Schwartz (PA)	Waxman
Olver	Schwarz (MI)	Weiner
Ortiz	Scott (GA)	Weldon (FL)
Osborne	Scott (VA)	Weldon (PA)
Owens	Serrano	Weller
Pallone	Shaw	Wexler
Pascarella	Shays	Wicker
Pastor	Sherman	Wilson (NM)
Payne	Sherwood	Wolf
Pearce	Simmons	Woolsey
Pelosi	Simpson	Wu
Peterson (MN)	Skelton	Wynn
Peterson (PA)	Slaughter	Young (AK)
Pickering	Smith (NJ)	Young (FL)

## NOT VOTING—25

Bachus	Doggett	McCaull (TX)
Barton (TX)	Farr	Ney
Bonner	Hinojosa	Oxley
Boyd	Jackson-Lee	Pomeroy
Buyer	(TX)	Rangel
Carter	Jones (OH)	Smith (TX)
Cole (OK)	Kucinich	Thomas
Conaway	LaTourette	Tiberi
Davis (TN)	Lewis (GA)	

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1838

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. McHUGH) having assumed the chair, Mr. LINDER, 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. 2985) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes, pursuant to House Resolution 334, 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.

## MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. I certainly am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill, H.R. 2985, to the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the motion to recommit be debatable for 4 minutes equally divided and controlled by the chairman and ranking member of the Committee on Appropriations.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I will only take 1 minute.

This is a straight motion to recommit so that we can fix the out-of-control visitors center, which is as out of control as the Federal deficit. It is also the last chance we will be able to have to remove the assault on constitutional government by removing the nongermane continuity provision, and it also is the last chance to establish a Truman-like committee to investigate waste and fraud in Iraq.

I urge an aye vote. And I will ask for a roll call vote.

Mr. LEWIS of California. Mr. Speaker, by way of suggesting that the leadership on both sides of the aisle made the decision about building our visitors center and that process has gone forward, and many a fit and start, but nonetheless it is going to be the largest expansion of the Capitol in modern time. It is going to be a fabulous visitors center when it is all completed.

The gentleman from Wisconsin (Mr. OBEY) and I have been on the other side of that issue in the past; but, nonetheless, like the visitors center, the Speaker has suggested we include the continuity of government item in this package. That too is at a pay grade that is above mine, and I feel very strongly we should have some mechanism to make certain that in times of a real tragedy the House can get its work done.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

## RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for the electronic vote on the question of the passage of the bill.

The vote was taken by electronic device, and there were—ayes 180, noes 232, not voting 22, as follows:

[Roll No. 302]

AYES—180

Ackerman	Green, Gene	Olver
Allen	Grijalva	Ortiz
Andrews	Gutierrez	Owens
Baca	Harman	Pallone
Baird	Hastings (FL)	Pastor
Baldwin	Herseth	Payne
Barrow	Higgins	Pelosi
Becerra	Hinchey	Peterson (MN)
Berkley	Holt	Price (NC)
Berman	Honda	Reyes
Berry	Hooley	Ross
Bishop (NY)	Hoyer	Rothman
Blumenauer	Inslee	Royal-Allard
Boren	Israel	Ruppersberger
Boswell	Jackson (IL)	Rush
Boucher	Jefferson	Ryan (OH)
Brown (OH)	Johnson, E. B.	Sabo
Brown, Corrine	Kennedy (RI)	Salazar
Butterfield	Kildee	Sánchez, Linda T.
Capps	Kilpatrick (MI)	Sánchez, Loretta
Capuano	Kind	Sanders
Cardin	Langevin	Schakowsky
Cardoza	Lantos	Schiff
Car纳han	Larsen (WA)	Schwartz (PA)
Carson	Larson (CT)	Scott (GA)
Chandler	Lee	Scott (VA)
Clay	Levin	Tanner
Cleaver	Lipinski	Serrano
Clyburn	Lofgren, Zoe	Sherman
Conyers	Lowey	Skelton
Cooper	Lynch	Slaughter
Costa	Maloney	Smith (WA)
Costello	Markey	Snyder
Cramer	Marshall	Solis
Crowley	Matheson	Spratt
Cuellar	Matsui	Stark
Cummings	McCarthy	Strickland
Davis (AL)	McCullum (MN)	Stupak
Davis (CA)	McDermott	Tanner
Davis (FL)	McGovern	Tauscher
Davis (IL)	McIntyre	Taylor (MS)
Davis (TN)	McKinney	Thompson (CA)
DeFazio	McNulty	Thompson (MS)
DeGette	Meehan	Tierney
Delahunt	Meek (FL)	Towns
DeLauro	Meeks (NY)	Udall (CO)
Dicks	Melancon	Udall (NM)
Dingell	Menendez	Van Hollen
Edwards	Michaud	Velázquez
Emanuel	Millender-McDonald	Wasserman
Engel	Miller (NC)	Schultz
Eshoo	Miller, George	Waterson
Etheridge	Moore (KS)	Watson
Evans	Moore (WI)	Watt
Fattah	Moran (VA)	Waxman
Filner	Nadler	Weiner
Ford	Napolitano	Wexler
Frank (MA)	Neal (MA)	Woolsey
Gonzalez	Oberstar	Wu
Green, Al	Obey	Wynn

NOES—232

Abercrombie	Brady (TX)	Deal (GA)
Aderholt	Brown (SC)	DeLay
Akin	Brown-Waite, L.	Dent
Alexander	Ginny	Diaz-Balart, L.
Bachus	Burgess	Diaz-Balart, M.
Baker	Burton (IN)	Doolittle
Barrett (SC)	Buyer	Doyle
Bartlett (MD)	Calvert	Drake
Bass	Camp	Dreier
Bean	Cannon	Duncan
Beauprez	Cantor	Ehlers
Biggert	Capito	Emerson
Bilirakis	Case	English (PA)
Bishop (GA)	Castle	Everett
Bishop (UT)	Chabot	Feeney
Blackburn	Chocola	Ferguson
Blunt	Coble	Fitzpatrick (PA)
Boehlert	Cox	Flake
Boehner	Crenshaw	Foley
Bonilla	Cubin	Forbes
Bono	Culberson	Fortenberry
Boozman	Cunningham	Fossella
Boustany	Davis (KY)	Fox
Bradley (NH)	Davis, Jo Ann	Franks (AZ)
Brady (PA)	Davis, Tom	Frelinghuysen

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

## NOT VOTING—22

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. MCUGH) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1859

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 330, nays 82, not voting 22, as follows:

[Roll No. 303]

YEAS—330

Abercrombie Baker Berman Garrett (NJ)  
Ackerman Barrett (SC) Biggert Gerlach Green, Al  
Aderholt Bartlett (MD) Bilarakis Gibbons, Neal (MA)  
Akin Bass Bishop (GA) Gilcrest Gutierrez, Pete  
Alexander Bean Bishop (NY) Gillmor Moran (VA)  
Allen Beauprez Bishop (UT) Gingrey Murphy, Tom  
Baca Becerra Blackburn Gohmert Murtha, John  
Bachus Berkley Blumenauer Gonzalez, Charlie

Blunt	Goodlatte	Myrick	Weldon (PA)	Wicker	Wynn
Boehlert	Granger	Nadler	Weller	Wilson (NM)	Young (AK)
Boehner	Green, Al	Napolitano	Wexler	Wilson (SC)	Young (FL)
Bonilla	Gutierrez	Neal (MA)	Whitfield	Wolf	Woolsey
Bono	Gutknecht	Neugebauer			
Boozman	Hall	Horn			
Boren	Harman	Norwood			
Boucher	Harris	Nunes	Andrews	Higgins	Pallone
Boustany	Hart	Nussle	Baird	Honda	Pastor
Bradley (NH)	Hastert	Ortiz	Baldwin	Hulshof	Paul
Brady (PA)	Hastings (WA)	Peterson (MN)	Barrow	Inslee	Payne
Brady (TX)	Hayes	Peterson (PA)	Chandler	Cardoza	Schakowsky
Brown (SC)	Pearce	Pelosi	Cleaver	Lee	Scott (VA)
Brown (SC)	Pearce	Pelosi	Conyers	Lipinski	Shays
Brown (SC)	Pearce	Pelosi	Cooper	Lofgren, Zoe	Sherman
Brown (SC)	Pearce	Pelosi	Davis (CA)	Lowey	Smith (WA)
Brown (SC)	Pearce	Pelosi	Davis, Jo Ann	Maloney	Snyder
Brown (SC)	Pearce	Pelosi	DeLauro	Marshall	Stark
Brown (SC)	Pearce	Pelosi	Putnam	Matheson	Stearns
Brown (SC)	Pearce	Pelosi	Rothman	McCullom (MN)	McDermott
Brown (SC)	Pearce	Pelosi	Filner	McGovern	Tanner
Brown (SC)	Pearce	Pelosi	Barton (TX)	Hinojosa	Ney
Brown (SC)	Pearce	Pelosi	Bonner	Jackson-Lee	Oxley
Brown (SC)	Pearce	Pelosi	Boyd	(TX)	Pomeroy
Brown (SC)	Pearce	Pelosi	Carter	Jones (OH)	Rangel
Brown (SC)	Pearce	Pelosi	Cole (OK)	Kucinich	Smith (TX)
Brown (SC)	Pearce	Pelosi	Conaway	LaTourette	Thomas
Brown (SC)	Pearce	Pelosi	Doggett	Lewis (GA)	Gordon
Brown (SC)	Pearce	Pelosi		McCaul (TX)	Tiberi

## NOT VOTING—22

Barton (TX) Hinojosa Ney  
Bonner Jackson-Lee Oxley  
Boyd (TX) Pomeroy  
Carter Jones (OH) Rangel  
Cole (OK) Kucinich  
Conaway LaTourette  
Doggett Lewis (GA)  
Gordon McCaul (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

## □ 1906

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

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

(Mr. REYES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)