

talking about the ineffectiveness of that program; I simply can say that that program has not reduced drug use in this country, despite the millions of dollars that we have spent.

Again, \$120 million is a lot of money for an advertising program that does very little to deter anybody from using drugs. I would hope that some day there will be some restructuring of that program to try and make it more effective, because I really do think it is a waste, practically, of the taxpayers' money.

Having said that, I would advise my colleagues that many of you have section 108 loan programs in your districts that are providing funds for great revitalization; and should these funds not be available or we not continue this program or show some support for this program, in addition to whatever dollars are remaining, I think you will find that your cities will be very disappointed, because this is the only money that they have been able to count on that is not scored against the budget to do this kind of revitalization and job creation.

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

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was rejected.

The Acting CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. HAYES) assumed the Chair.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 120. An act to designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the "Dalip Singh Saund Post Office Building".

H.R. 289. An act to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the "Sergeant First Class John Marshall Post Office Building".

H.R. 324. An act to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building".

H.R. 504. An act to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the "Ray Charles Post Office Building".

H.R. 627. An act to designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the "Linda White-Epps Post Office".

H.R. 1001. An act to designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building".

H.R. 1072. An act to designate the facility of the United States Postal Service located

at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building".

H.R. 1082. An act to designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the "Francis C. Goodpaster Post Office Building".

H.R. 1236. An act to designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office".

H.R. 1460. An act to designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the "Captain Mark Stubenhofer Post Office Building".

H.R. 1524. An act to designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the "Ed Eilert Post Office Building".

H.R. 1542. An act to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the "Honorable Judge George N. Leighton Post Office Building".

H.R. 2326. An act to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office".

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

S. 571. An act to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building".

S. 775. An act to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office".

S. 904. An act to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building".

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The Committee resumed its sitting.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Of the amount made available under this heading, \$290,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations.

HOME INVESTMENT PARTNERSHIPS PROGRAM (INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$1,850,000,000 to remain available until September 30, 2008: *Provided*, That of the total amount provided in this paragraph, up to \$41,700,000 shall be

available for housing counseling under section 106 of the Housing and Urban Development Act of 1968, and \$1,000,000 shall be transferred to the Working Capital Fund.

In addition to amounts otherwise made available under this heading, \$50,000,000, to remain available until September 30, 2008, for assistance to homebuyers as authorized under title I of the American Dream Downpayment Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, \$60,800,000, to remain available until September 30, 2008: *Provided*, That of the total amount provided in this heading \$23,800,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996 as amended: *Provided further*, That \$28,000,000 shall be made available for capacity building, of which \$27,000,000 shall be for capacity building for Community Development and affordable Housing for LISC and the Enterprise Foundation for activities authorized by Section 4 of the HUD Demonstration Act of 1993 (42 USC 9816 note), as in effect immediately before June 12, 1997 and \$1,000,000 shall be made available for capacity building activities administered by Habitat for Humanity International: *Provided further*, That \$3,000,000 shall be made available to the Housing Assistance Council, \$1,000,000 shall be made available to the Native American Indian Housing Council, \$4,000,000 shall be made available to the Housing Partnership Network, and \$1,000,000 shall be made available to the Special Olympics, to remain available until September 30, 2008.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,340,000,000, of which \$1,320,000,000 shall remain available until September 30, 2008, and of which \$20,000,000 shall remain available until expended: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work

grant program: *Provided further*, That up to \$11,674,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That \$1,000,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2006.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY (INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, \$741,000,000, to remain available until September 30, 2009, of which amount \$49,600,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to \$24,800,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That \$400,000 shall be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

HOUSING FOR PERSONS WITH DISABILITIES (INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, \$238,100,000 to remain available until September 30, 2009: *Provided*, That \$400,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading \$78,300,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further*, That of the amount provided under this heading, the Secretary may make available up to \$5,000,000 for incremental tenant-based rental assistance, as authorized by section 811 of such Act (which assistance is 5 years in duration): *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with dis-

abilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further* That amounts made available under this heading shall be available for Real Estate Assessment Center Inspections and inspection-related activities associated with Section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, \$26,400,000, to remain available until expended.

FLEXIBLE SUBSIDY FUND (TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2005, and any collections made during fiscal year 2006 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to \$12,896,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than \$0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2006 appropriation.

FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

INCLUDING TRANSFERS OF FUNDS

During fiscal year 2006, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$185,000,000,000.

During fiscal year 2006, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$355,000,000, of which not to exceed \$351,000,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed \$4,000,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, \$62,600,000, of which \$18,281,000 shall be transferred to the Work-

ing Capital Fund: *Provided*, That to the extent guaranteed loan commitments exceed \$65,500,000,000 on or before April 1, 2006, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, \$8,800,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed \$35,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000, of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$231,400,000, of which \$211,400,000 shall be transferred to the appropriation for "Salaries and Expenses"; and of which \$20,000,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$71,900,000, of which \$10,800,000 shall be transferred to the Working Capital Fund: *Provided*, That to the extent guaranteed loan commitments exceed \$8,426,000,000 on or before April 1, 2006, an additional \$1,980 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments over \$8,426,000,000 (including a pro rata amount for any increment below \$1,000,000), but in no case shall funds made available by this proviso exceed \$14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$200,000,000,000, to remain available until September 30, 2007.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$10,700,000, shall be transferred to the appropriation for "Salaries and Expenses".

POLICY DEVELOPMENT AND RESEARCH RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et

seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$60,600,000, to remain available until September 30, 2007: *Provided*, That of the total amount provided under this heading, \$5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That of the amounts made available for PATH under this heading, \$2,500,000 shall not be subject to the requirements of section 305 of this title: *Provided further*, That of funds made available under this heading, \$750,000 shall be transferred to the National Research Council for a study in accordance with the accompanying Report: *Provided further*, That \$29,038,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended, as follows: \$2,989,000 to support Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act, as amended; \$2,562,000 for tribal colleges and universities to build, expand, renovate, and equip their facilities and to expand the role of the colleges into the community through the provision of needed services such as health programs, job training and economic development activities; \$8,967,000 for Historically Black Colleges and Universities program, of which up to \$2,000,000 may be used for technical assistance; \$5,979,000 for the Community Outreach Partnership Program; \$5,979,000 for the Hispanic Serving Institutions Program; and \$2,562,000 for the Community Development Work Study Program.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$38,800,000, to remain available until September 30, 2007, of which \$16,100,000 shall be to carry out activities pursuant to such section 561: *Provided*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL
LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$119,000,000, to remain available until September 30, 2007, of which \$8,800,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994.

MANAGEMENT AND ADMINISTRATION
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of

Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$25,000 for official reception and representation expenses, \$1,152,535,000, of which \$562,400,000 shall be provided from the various funds of the Federal Housing Administration, \$10,700,000 shall be provided from funds of the Government National Mortgage Association, \$150,000 shall be provided by transfer from the "Native American housing block grants" account, \$250,000 shall be provided by transfer from the "Indian housing loan guarantee fund program" account and \$35,000 shall be transferred from the "Native Hawaiian housing loan guarantee fund" account: *Provided*, That funds made available under this heading shall only be allocated in the manner specified in the Report accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: *Provided further*, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further*, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further*, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further*, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further*, That up to \$15,000,000 may be transferred to the Working Capital Fund.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation of both Department-wide and program-specific information systems, and for program-related development activities, \$165,000,000, to remain available until September 30, 2007: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act

may be used for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$103,000,000, of which \$24,000,000 shall be provided from the various funds of the Federal Housing Administration: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE
OVERSIGHT
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed \$500 for official reception and representation expenses, \$60,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided*, That of the amount made available under this heading, \$5,000,000 is for litigation and to continue ongoing special investigations of the Federal housing enterprises: *Provided further*, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2005: *Provided further*, That not less than 80 percent of total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under Subtitle B of such Act: *Provided further*, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than \$0.

ADMINISTRATIVE PROVISIONS

SEC. 301. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 302. None of the amounts made available under this Act may be used during fiscal year 2006 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-

frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 303. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2006 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2006 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2006 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2006, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2006 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter “metropolitan division”) of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2006 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 304. (a) During fiscal year 2006, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan

notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 305. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title III of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 306. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 307. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 308. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2006 for such corporation or agency except as herein-after provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 309. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2006, HUD shall transmit this information to the Committees by March 15, 2006 for 30 days of review.

SEC. 310. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommi-

ted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 311. Notwithstanding any other provision of law, in fiscal year 2006, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 312. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2006 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2006 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2006 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 313. Notwithstanding any other provision of law, for this fiscal year and every fiscal year thereafter, funds appropriated for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, shall be available for the cost of maintaining and disposing of such properties that are acquired or otherwise become the responsibility of the Department.

SEC. 314. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2006 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 315. The Department of Housing and Urban Development shall submit the Department's fiscal year 2006 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 316. That incremental vouchers previously made available under the heading "Housing Certificate Fund" or renewed under the heading, "Tenant-Based Rental Assistance," for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 317. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 318. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 319. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 320. CLARIFICATION REGARDING MORTGAGE INSURANCE FOR PURCHASE OF EXISTING HEALTH CARE FACILITIES.—Section 223(f)(1) of the National Housing Act is amended by inserting "purchase or" immediately before "refinancing of existing debt".

SEC. 321. Notwithstanding any other provision of law, for fiscal year 2006 and thereafter, all mortgagees receiving interest reduction payments under section 236 of the National Housing Act (12 U.S.C. 1715z-1) shall submit only electronic invoices to the Department of Housing and Development in order to receive such payments. The mortgagees shall comply with this requirement no later than 90 days from the date of enactment of this provision.

SEC. 322. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202b(b) of such Act, may, at its option, establish a single-asset non-profit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 109, line 12, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The Acting CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$60,730,000, of which \$2,000,000 shall remain available until expended.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KING of Iowa:
Page 110, line 1, insert after the dollar figure the following: "(reduced by \$1,500,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Iowa (Mr. KING).

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

Mr. Chairman, I bring an amendment here before this body to address an issue that we have discussed here in earlier amendments that has to do with the fifth amendment decision by the Supreme Court.

American homes and businesses are no longer safe after the recent Supreme Court ruling in the Kelo v. City of New London. The Supreme Court allowed the government to seize private property for private use, not public use, and without a justifiable public use, totally

contradicting our Constitution. The fifth amendment to our Constitution is clear: the government can only seize private property for public use; and when it does, it must pay just compensation.

The fifth amendment says: "Nor shall private property be taken for public use without just compensation."

What good are the property rights protected by our Constitution if the government can take your own home away from you whenever it wants? Our free society is based upon property rights; and without the right to private property, our economy would fail, and Americans would be unable to keep or enjoy the fruits of their labor.

The use of eminent domain for private property is a perversion of what eminent domain is supposed to be. Eminent domain can be used to build roads and for other similar public-use projects, but the power of eminent domain has been abused by State and local governments to benefit private property development. That is simply wrong. The homeowners should not be forced out of their homes or to sell their other private interests by the strong arm of the Supreme Court. But the Kelo v. City of New London in its recent decision this week does that, Mr. Chairman; and it takes away the homes of a number of individuals, at least 15 of them, and I would point these out.

This is the home of Susanne and Matt Dery. They may lose their home of 20 years. And this is the home of Bill Von Winkle, it is his business, it is one of the 15 properties condemned for economic development, Mr. Von Winkle. Here is the subject of the lawsuit, Susette Kelo. She received notice of condemnation of her New London home from the Development Corporation of New London that had been granted the authorization by the city council the day before Thanksgiving in the year 2000.

This runs exactly contrary to the protection that we are to have in the fifth amendment; and yet the Supreme Court has disregarded the Constitution and, in fact, amended the Constitution in this rolling constitutional convention that seems to be coming at us nearly every week from the Supreme Court.

So my amendment strikes \$1.5 million from the overall budget of the Supreme Court, out of the \$60 million; and it is roughly the amount, the nominal amount of the homes that will be confiscated in New London. It is a token. It is nominal. It is not the full value of those homes, Mr. Chairman.

□ 2100

But what it does is say is this Congress is going to speak up for the people whose property rights have been significantly diminished by this decision, this Kelo decision, and we are going to find a way to defend the property rights of the people of this country.

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

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

The committee provided additional support for the Supreme Court salaries and expense accounts in order to hire additional police officers and a threat assessment officer. I understand part of what the gentleman is saying. He disagrees with the decision of the court. But I think the idea of reducing funding is going in the wrong direction. Reducing this funding would weaken security at the court at the very time when threats and violence against judges is a real concern. And I do understand the gentleman's concern with the recent imminent domain ruling. But I do not want to jeopardize court security to make a political point. I think it is the wrong decision.

Furthermore, I do not recall a single time in my tenure when this House cut funding for the Supreme Court to punish it for a ruling. And that is the part I disagree with very strongly. So I would urge a "no" vote.

Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. OLVER), my ranking member for any thoughts he has on this amendment.

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding. I think this puts us on a remarkably slippery slope, the proposal that has been made by the gentleman from Indiana. Each of us take an oath to uphold the Constitution, and that includes upholding the separation of powers between the branches of this government, for one thing.

For a second thing, the Supreme Court is at this time, if I remember correctly, six out of the nine justices have been named by Republican conservative presidents or are supposedly from at least the Republican side. And so this is not a liberal court. This is a centrist court, if not a slightly conservative court. So here we are with a proposal. If I remember correctly, there were, in fact, two decisions, each of them taken by a five-to-four vote, and someone switched there. I do not remember exactly which person switched, so that the commentators that I saw commenting on this in columns suggested that the sum total of what had been done with those two decisions left the situation essentially what it was over the body of material that was being covered by the two decisions. So I think this is a remarkably bold suggestion that we should punish a court, a court in the situation that I have described for a decision which really makes a very minor change in the circumstances. And I would certainly oppose the gentleman's amendment.

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

Mr. KING of Iowa. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I would point out that we did increase the budget to the Su-

preme Court this year and significantly. This is a \$60 million operating budget. About \$2 million of that goes for the wages of the Supreme Court Justices. The balance of that is for operations. This simply goes to their administrative fees. They would be the ones that could prioritize their security versus the overall cost. But if this is a precedent to reduce funding, in fact, it is not reducing funding. It is just reducing the increase in funding, \$1.5 million. If this is a precedent, then so be it. It is time we had a precedent. The judges in the Supreme Court swear to uphold the Constitution just like we do, and they are the last people on this continent that should be amending the Constitution. They are charged to uphold the Constitution. This Congress needs to send a message.

I would point out, too, that I am far from in the minority on this opinion, and I do not look at the Supreme Court Justices as whether they are appointed by the Republicans or by the Democrats. When they go to court, they do not seem to maintain some of the semblance of their previous party, and I think we all recognize that. But I will say, it was a five-four decision. It was a decision as close as a decision can be, and if one of justices had changed their mind, it would be five-four the other way. And we have a Constitution that is at least partially whole for the fifth amendment. But what we have particularly, I want to point out on this Floor that Justice O'Connor is one who I agree with on this case, and she said, and I quote in her opinion: "The absurd argument that any single-family home that might be razed to make way for an apartment building or any church that might be replaced with a retail store, or any small business that might be more lucrative if it were instead part of a national franchise, it is inherently harmful to society and thus within the government's power to condemn."

I ask for a "yes" vote.

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

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

Just in closing, I recognize the gentleman has some difficulty in that decision. But as I said before, this is something that I have never heard in the history, certainly in my history, where we were asked to penalize the Supreme Court for a decision.

The thing I would say is, yes, there are individuals on the Supreme Court that we may have more identification with, more support for and would reinforce. But it is nine people that make the decision, not one. And so I think that we should leave it as it is, and I urge a "no" vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

Mr. KING of Iowa. 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 Iowa (Mr. KING) will be postponed.

The Clerk will read.

The Clerk read as follows:

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$5,624,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$24,613,000.

UNITED STATES COURT OF INTERNATIONAL TRADE SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, \$15,480,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$4,348,780,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects; of which \$1,300,000 of the funds provided for the Judiciary Information Technology Fund will be for the Edwin L. Nelson Local Initiatives Program, within which \$1,000,000 will be reserved for local court grants.

AMENDMENT OFFERED BY MS. HERSETH

Ms. HERSETH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HERSETH:

Page 111, line 5, after the dollar amount, insert "(increased by \$6,900,000)".

Page 164, line 12, after the first dollar amount, insert "(reduced by \$6,900,000)".

Page 168, line 25, after the dollar amount, insert "(reduced by \$6,900,000)".

The CHAIRMAN. Pursuant to the order of the House today, the gentlewoman from South Dakota (Ms. HERSETH) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentlewoman from South Dakota (Ms. HERSETH).

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

I would like to begin by thanking the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) and the members of the subcommittee for their hard work on this appropriations legislation. I realize that we are working with limited resources, and I commend them for their bipartisan efforts to craft the best possible legislation within the constraints of the budget resolution. But I am compelled to offer this significant amendment to the Transportation, Treasury and Housing appropriations bill.

Within this bill that funds large Federal agencies like the Department of Transportation and the Department of Housing and Urban Development, the Federal Judiciary often is overlooked. Yet, this year, when the Congress has passed significant legislation that will increase the workload of the courts, we need to remember our responsibility to the Judiciary, our coequal branch of government.

I had the privilege of working not only with a Federal District Court judge but also a Federal Appellate Court judge. I recognize their workload, their commitment and their dedication to serving our country. And I think that this amendment is fairly straightforward in recognition of their continued hard work in light of the significant legislation that increases their workload. It would add \$6.9 million to the salaries and expenditures account in the Court of Appeals, District courts and other judicial services subsection of title IV of this act. It would be fully offset from the Federal buildings fund of the General Services Administration.

This amendment will provide our Federal court system with the resources they need to manage the surge of complex litigation that they will receive as a result of the recently enacted Class Action Fairness Act of 2005. The administrative office of the U.S. courts has projected that as many as 300 complex class action lawsuits will be moved out of State courts and into Federal courts as a result of this new law, at an estimated cost of \$23,000 per case for a total cost of \$6.9 million.

Federal courts are already burdened with a huge docket of criminal and immigration cases. Failure to increase funding for Federal courts to account for the increase in complicated class actions that will flow from the Class Action Fairness Act will drastically delay the judicial process for thousands of plaintiffs and defendants seeking civil redress in our Federal courts.

The Senate has already recognized this need. In the 2005 emergency supplemental appropriations bill, it sought to provide increased funding to the Judiciary, but its language was stripped out in conference. It is time for the House to take responsibility for the anticipated impact of the Class Action Fairness Act when imposing significant

new costs on the coequal branch of government. We have a duty to provide the necessary resources to meet those costs. My amendment will provide this funding, and I urge my colleagues to support it.

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

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume. This amendment proposes to add \$6.9 million to the Judiciary to pay for class action lawsuits. And I am certainly familiar with class action lawsuits. What I am not concerned about is class action lawsuits but rather the fact that the money that is coming out of GSA is becoming a burden, a big burden.

The Judiciary has received an increase of more than \$325 million above last year, or more than 6 percent. Of that total, the amendment received a \$223 million increase in the bill. That is \$223 million up.

While I am sympathetic to the needs of the Judiciary, I believe that sufficient funds are being provided in the bill to address the intent of the amendment.

Furthermore, as I said, GSA is being threatened, it seems, with death by a thousand cuts. I ask that the House not support amendment that compromise GSA's ability to provide safe and clean facilities for government agencies. And so therefore, I ask for a "no" vote.

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

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

I appreciate the Chairman's concern about the GSA account. However, it is substantial. We know in our dealings with GSA that they can withstand certain cuts. I know other amendments throughout the day and this evening have been offered and have identified the GSA account for offsets. However, this is \$6.9 million. I know that the chairman has acknowledged that the Judiciary has received an increase, but I would contend that it is nowhere near what is necessary for our coequal branch of government. Not only have we increased their jurisdiction from the Class Action Fairness Act, but other legislation passed by this body throughout this term. And I believe it is important especially when we are dealing with litigants who are trying to get civil relief.

I have seen for myself, in working at the District Court level, other civil actions that keep getting pushed back and pushed back and pushed back because of the need to handle the increased caseload in both criminal law and immigration cases. And so I contend that the \$6.9 million can be withstood out of the GSA account, and that is necessary to increase this funding, particularly for the complex litigation that will make its way from the State courts into the Federal courts.

So while I acknowledge the chairman's concern, I would continue to urge my colleagues to take a close

look; understand that this is not a significant amount coming out of a very sizable account for GSA to help our colleagues in the judicial branch.

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

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

I said pretty much what I felt was at issue here. And I think again it is GSA. If you remember when we started earlier in the day, GSA became the focus for any kind of money for any kind of purpose. And if anybody is doing any totaling, they will know that we are really stretching what ultimately is going to become a difficult problem for GSA. So when does the money have to flow back into GSA? At some point. I would rather not even go that direction and say that, as I have said before, that I would really prefer that the House not support amendments that compromise GSA's ability to provide safe and clean facilities for government agencies, and so I ask for a "no" vote.

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

□ 2115

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

Just a final point. It becomes difficult when we are trying to allocate these limited resources, I know; and I would commend GSA for the work that it has done. But I do believe that when we are looking at our colleagues in the judiciary, a co-equal branch of government, and in response to not only Supreme Court decisions that will increase the workload in the area of sentencing for many of our judges, but again, the continued increase that we have seen in the criminal case load, immigration cases and elsewhere, that our primary concern should be with civil litigants, and we should be able to find this offset from GSA.

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

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

Just briefly, the reason everybody is going to GSA is that is about the only place they can go for money. There is not any out there. So I, again, would ask strongly for a "no" vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from South Dakota (Ms. HERSETH).

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

Ms. HERSETH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from South Dakota (Ms. HERSETH) will be postponed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$3,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended (18 U.S.C. 3006A); the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 as amended (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, \$721,919,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$60,053,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$379,461,000, of which not to exceed \$15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized.

ized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$70,262,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$22,249,000; of which \$1,800,000 shall remain available through September 30, 2007, to provide education and training to Federal court personnel; and of which not to exceed \$1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$36,800,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$600,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$3,200,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$14,046,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

SEC. 401. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Notwithstanding any other provision of law, the salaries and expenses appropriation for Courts of Appeals, District Courts, and Other Judicial Services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

TITLE V—THE DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$33,200,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to

pay up to \$2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than \$1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$15,000,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any amount provided under this heading shall be available only after notice of its proposed use has been transmitted by the President to Congress and such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$221,693,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$9,198,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$87,342,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$41,643,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$83,510,000, to remain available until September 30, 2007, for capital improvements for District of Columbia courthouse facilities: *Provided*, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of Funds" found at 48 CFR 52.232-18: *Provided further*, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated

for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$45,000,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$83,510,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$83,510,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$203,388,000, of which not to exceed \$2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which \$131,360,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which \$42,195,000 shall be available to the Pretrial Services Agency; and of which \$29,833,000 shall be transferred to the Public Defender Service for the District of Columbia: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis: *Provided further*, That the Public Defender Service is authorized to charge fees to cover costs of materials distributed and training provided to attendees of educational events, including conferences, sponsored by the Public Defender Service, and notwithstanding section 3302 of title 31, United States Code, said fees shall be credited to the Public Defender Service account to be available for use without further appropriation.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, \$10,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE

For a Federal payment to the District of Columbia Department of Transportation, \$5,000,000, to remain available until September 30, 2007, for design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, \$1,300,000, to

remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, \$20,000,000: *Provided*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a report on the activities to be carried out with such funds no later than March 15, 2006, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later June 1, 2006.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, \$41,616,000, to be allocated as follows: for the District of Columbia Public Schools, \$13,525,000 to improve public school education in the District of Columbia; for the State Education Office, \$13,525,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007; for the Secretary of the Department of Education, \$14,566,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 126), of which up to \$1,000,000 may be used to administer and fund assessments.

FEDERAL PAYMENT FOR BIOTERRORISM AND FORENSICS LABORATORY

For a Federal payment to the District of Columbia, \$7,200,000, to remain available until September 30, 2007, for design, planning, and procurement costs associated with the construction of a bioterrorism and forensics laboratory: *Provided*, That the District of Columbia shall provide an additional \$1,500,000 with local funds as a condition of receiving this payment.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2006 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$8,700,158,000 (of which \$5,007,344,000 shall be from local funds, \$1,921,287,000 shall be from Federal grant funds, \$1,754,399,000 shall be from other funds, and \$17,129,000 shall be from private funds), in addition, \$163,116,000 from funds previously appropriated in this Act as Federal payments: *Provided further*, That of the local funds, \$466,830,000 shall be derived from the District's general fund balance: *Provided further*, That of these funds the District's intradistrict authority shall be \$468,486,000: *Provided further*, That the amounts provided under this heading are to be allocated and expended as proposed under "Title II-District of Columbia Funds" of the Fiscal Year 2006 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia on June 6, 2005: *Provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs:

Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2006, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT
ADMINISTRATIVE PROVISIONS—DISTRICT OF COLUMBIA

SEC. 501. Whenever in this title, an amount is specified within an appropriation for a particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 502. Appropriations in this title shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 503. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 504. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 505. (a) None of the funds provided under this title to the agencies funded by this title, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a

reprogramming of funds in excess of \$3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming.

(b) None the local funds contained in this title may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of \$3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

SEC. 506. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this title shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 507. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-2041.22(3)), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 508. No later than 30 days after the end of the first quarter of fiscal year 2006, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2006 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2007. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 509. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code, sec. 2-303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 510. None of the Federal funds provided in this title may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, sec. 1-123).

SEC. 511. None of the Federal funds made available in this title may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code, sec. 32-701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for

the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 512. (a) Notwithstanding any other provision of this title, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, oblige, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this title.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia and to the Committees on Appropriations of the House of Representatives and Senate not later than 15 days after the end of the quarter covered by the report.

SEC. 513. (a) Except as otherwise provided in this section, none of the funds made available by this title or by any other title may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2006, an inventory, as of September 30, 2005, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 514. None of the funds contained in this title may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2006 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2-302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 515. (a) None of the funds contained in this title may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 516. (a) None of the funds contained in this title may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this title and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this title.

SEC. 517. None of the funds contained in this title may be used after the expiration of the 60-day period that begins on the date of the enactment of this title to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this title (and the amendments made by this title), including any duty to prepare a report requested either in the title or in any of the reports accompanying the title and the deadline by which each report must be submitted: *Provided*, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by the 10th day after the end of each quarter a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 518. Nothing in this title may be construed to prevent the Council or Mayor of

the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 519. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 520. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1-204.42), for all agencies of the District of Columbia government for fiscal year 2006 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 521. None of the Federal funds made available in this title 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. 522. Notwithstanding any other law, in fiscal year 2006 and in each subsequent fiscal year, the District of Columbia Courts shall transfer to the general treasury of the District of Columbia all fines levied and collected by the Courts under section 10(b)(1) and (2) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50-2201.05(b)(1) and (2)): *Provided*, that the transferred funds are hereby made available and shall remain available until expended and shall be used by

the Office of the Attorney General of the District of Columbia for enforcement and prosecution of District traffic alcohol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50-2201.05(b)(3)).

SEC. 523. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of \$4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term "action" includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 524. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 525. The amount appropriated by this title may be increased by no more than \$42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2005 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic viability.

(2) The District of Columbia may only use these funds for the following expenditures:

- (A) One-time expenditures.
- (B) Expenditures to avoid deficit spending.
- (C) Debt Reduction.
- (D) Program needs.
- (E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of

Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 526. (a) The fourth proviso in the item relating to “Federal Payment for School Improvement” in the District of Columbia Appropriations Act, 2005 (Public Law 108-335; 118 Stat. 1327) is amended—

(1) by striking “\$4,000,000” and inserting “\$4,000,000, to remain available until expended.”; and

(2) by striking “\$2,000,000 shall be for a new incentive fund” and inserting “\$2,000,000, to remain available until expended, shall be for a new incentive fund”.

(b) The amendments made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005.

SEC. 527. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as “Other-Type Funds” in the Fiscal Year 2006 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia on June 6, 2005; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

(A) the increase in revenue; and

(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 528. (a) Notwithstanding section 450A of the District of Columbia Home Rule Act, during fiscal year 2006 the District of Columbia may allocate amounts from the emergency reserve fund established under section 450A(a) of such Act and the contingency reserve fund established under section 450A(b) of such Act and use such amounts to fund the operations of the District government during such fiscal year (consistent with the requirements of this Act and other applicable law).

(b) The aggregate amount allocated from the emergency reserve fund or the contingency reserve fund under this section may not exceed 50 percent of the balance of the fund involved as of October 1, 2005.

(c) If the District of Columbia allocates any amounts from a reserve fund under this section, the District shall fully replenish the fund for the amounts allocated not later than February 15, 2007.

SEC. 529. Notwithstanding any other provision of this Act, there is hereby appropriated for the Office of the Inspector General such amounts in local funds, as are consistent with the annual estimates for the expenditures and appropriations necessary for the

operation of the Office of the Inspector General as prepared by the Inspector General and submitted to the Mayor and forwarded to the Council pursuant to D.C. Official Code 2-302.08(a)(2)(A) for fiscal year 2005: *Provided*, That the Office of the Chief Financial Officer shall take such steps as are necessary to implement the provisions of this subsection.

SEC. 530. (a) None of the funds contained in this title may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 531. None of the funds appropriated under this title shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

Mr. LEWIS of California (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 148, line 23, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102, \$450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

**WHITE HOUSE OFFICE
SALARIES AND EXPENSES**

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed \$19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, \$53,830,000: *Provided*, That of the funds appropriated under this heading, \$750,000 shall be for the Privacy and Civil Liberties Oversight Board.

AMENDMENT NO. 8 OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mrs. MALONEY:

Page 150, line 1, strike “\$750,000” and insert “\$3,000,000”.

MODIFICATION TO AMENDMENT OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 8 offered by Mrs. MALONEY: Page 150, line 1, strike “\$750,000” and insert “\$1,500,000”.

The CHAIRMAN. Is there objection to the modification offered by the gentlewoman from New York?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. MALONEY).

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

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I thank very much the gentleman from Michigan (Mr. KNOLLENBERG) and the ranking member, the gentleman from Massachusetts (Mr. OLVER), for accepting my amendment and this modification which we worked on together with the gentleman from Connecticut (Mr. SHAYS) and the gentleman from New Mexico (Mr. UDALL).

Our amendment would double the funding for the government wide Privacy and Civil Liberties Board.

Mr. Chairman, one way Congress and the President can show their support for a program is the level of funding appropriated.

When we passed the Intelligence Reform and Terrorism Prevention Act last year a key aspect of this legislation was the creation of a government-wide Privacy and Civil Liberties Board.

In the legislation, Congress and the President negotiated that this board would receive “such sums necessary” for the board’s operations. We recognized that a robust civil liberties board is a critical tool in the fight against terrorism.

The board we have is a giant step toward this goal and I am pleased that the necessary appointments to this board have been made. Right now we are awaiting Senate confirmation of the chair and vice-chair.

The appropriations bill before us today and the budget the President submitted both include a sum of \$750,000 for this board. This board is to be funded from the \$53 million account provided for the Executive Office of the President.

Since the President made the request of \$750,000, there has been concern that this was not an adequate funding level for a board charged with monitoring civil liberties and privacy government-wide. That is why we are offering an amendment to today’s bill to increase funding for the board from \$750,000 to \$1.5 million.

Our amendment would increase the amount reserved for the board in the funding for the

Executive Office of the President. Should our amendment prevail, the Executive Office of the President will still have discretion of over \$50 million of their \$53 million budget.

Increasing funding from \$750,000 to \$1.5 million is a modest, but important increase. Quite frankly, we provide much more than \$750,000 to each Member to fund the operation of their Congressional Office. How can we expect a board to monitor privacy and civil liberties government-wide for less than the cost of funding one of our offices?

This funding will be the difference between a board that will struggle standing itself up due to budget constraints, to a board that is able to do their job with the staff and infrastructure needed to appropriately monitor privacy and civil liberties. Supporting this amendment will send a message that Congress fully intends to support this important board and that we take the job of protecting the American people's civil liberties seriously. To put this in perspective, a \$1.5 million funding level is still far less than the \$13 million budget for the Privacy Office at the Department of Homeland Security.

It should be noted that the 9/11 Commission in their Reports stated in their recommendation for the creation of a civil liberties board stated: "If our liberties are curtailed, we lose the value we are struggling to defend."

I know that I do not have to remind anyone here about the importance of preventing a future attack, but in order to make sure that the American people remain steadfast in our fight and we do not unduly violate the privacy and civil liberties we must empower this board to do their job.

I have a poster here of some very questionable headlines regarding civil liberties. Including: A New York Times headline: "Secret court says F.B.I. misled judges in 75 cases" or A Washington Times headline "Bill seen as threat civil liberties" and a CBS News headline of "Patriot Act Abuses Seen" They may speak the truth or they may be hyperbole, but we may never know unless we appropriately fund this board.

One issue that I would like the new board to investigate is the Social Security's use of their "adhoc" authority to release Social Security data after 9/11. While I have confidence that the Social Security Administration acted properly in releasing data, a front page story last week in the New York Times, as well as documents the administration released in a FOIA request, raises more questions than answers.

The story reported that the Social Security Administration has relaxed its privacy restrictions and searched thousands of its files at the request of the F.B.I. as part of terrorism investigations since the Sept. 11, 2001, attacks.

This might be all above the board or there might be something that is worth looking into. Regardless we need a board that has the resources to undertake such a project.

I would also like to mention that I and the other sponsors of this amendment have been advocates for an even more robust board. In the future I think we need to consider such things as granting subpoena power to the board. But today, we must make a commitment of funding to this board.

To quote former 9/11 Commissioner Richard BenVeniste: "The proposed budget of \$750,000 for the new Board is plainly inadequate to carry out the robust oversight function the 9-11 Commission deemed critical to

ensuring that enhanced governmental powers to combat terrorism are not misused."

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

Mrs. MALONEY. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, we will accept the amendment.

Mrs. MALONEY. Mr. Chairman, reclaiming my time, I thank the chairman for accepting the amendment and for accepting the doubling of the funding.

Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Connecticut (Mr. SHAYS).

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

Mr. SHAYS. Mr. Chairman, I thank the chairman for accepting the amendment.

I rise in strong support of this amendment, which would increase funding for the Privacy and Civil Liberties Oversight Board, created by the Intelligence Reform and Terrorism Prevention Act (P.L. 108-458), to \$1.5 million.

The bill currently reserves \$750,000 of the \$53 million budget of the Executive Office of the President for the Privacy and Civil Liberties Oversight Board. The amendment would reserve \$3 million of this \$53 million budget. This level of funding is closer to what was initially given to the 9/11 Commission.

The purpose of the Privacy and Civil Liberties Oversight Board is to ensure the protection of civil liberties by the Federal Government. The appropriate amount of funding is crucial in ensuring that privacy and civil liberties concern are appropriately considered. This will prove significant in the implementation of laws, regulations, and executive branch policies related to efforts to protect our Nation against terrorism.

In addition, the additional funding will allow the board to develop the infrastructure they need to do their job and will demonstrate Congress' intentions to fully support this significant board.

We certainly understand the need to aggressively fight the war on terror, but the 9/11 Commission Report reminds us that, "The choice between security and liberty is a false choice, as nothing is more likely to endanger America's liberties than the success of a terrorist attack at home. Our history has shown that this insecurity threatens liberty at home. Yet if our liberties are curtailed, we lose the values that we are struggling to defend."

The Privacy and Civil Liberties Oversight Board is an important body. We must do everything we can to ensure its efficiency and operation.

Mrs. MALONEY. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Chairman, I thank the chairman for graciously accepting this amendment.

Mr. Chairman, this amendment is a simple and straightforward way of ensuring that our privacy rights and civil liberties are adequately protected.

We all should applaud the creation of the Privacy and Civil Liberties Board in the Intelligence Reform bill. Recognizing that many of their recommendations called for increased government powers, the 9/11 Commissioners unanimously expressed the need for a viable Privacy and Civil Liberties Board to strike the right balance. They said that the choice between security and liberty is a false choice. They are right.

I was pleased that, after calling on President Bush last Spring to put forth his nominations and appointments for the Privacy and Civil Liberties Board, he did so on June 10th. The sooner we can get the Board up and running, the better.

If we want to take this Board seriously the current level of funding is clearly inadequate; \$750,000 is simply not enough for a Board charged with monitoring privacy and civil liberties implications of Federal regulations, executive branch policies and procedures, and public law. 9/11 Commissioner Richard BenVeniste agrees, saying that the current amount is "plainly inadequate to carry out the robust oversight function the 9/11 Commission deemed critical to ensuring that enhanced governmental powers to combat terrorism are not misused."

The Maloney/Shays/Udall amendment increases the amount reserved for the Board to \$3 million—the same amount that was initially given to the 9/11 Commission. And the level of funding in the bill for the Executive Office of the President will remain the same.

To be clear, a vote on this amendment is not a question of the Board's activities—which were laid out in the Intelligence Reform law. It is simply of an issue of giving the Board the funding they need to do the job it was created to do.

I urge a "yes" vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY), as modified.

The amendment, as modified, was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

EXECUTIVE RESIDENCE AT THE WHITE HOUSE
OPERATING EXPENSES

For the care, maintenance, repair and alteration, furnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, \$12,436,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112-114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall

be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit \$25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, \$1,700,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), \$4,040,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$3,500,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, \$8,705,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, \$89,322,000, of

which \$11,768,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, \$76,930,000, of which not to exceed \$3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made and shall be allocated in accordance with the terms and conditions set forth in the accompanying Report except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.); *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations.

AMENDMENT OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HOOLEY:

Page 154, line 1, after the dollar amount insert the following: “(reduced by \$9,000,000)”.
Page 156, line 6, after the dollar amount insert the following: “(increased by \$9,000,000)”.
The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

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

Mr. CHAIRMAN. In my three decades of public service I do not think I have ever seen a problem as pervasive and damaging as Oregon’s meth epidemic.

Meth is one of the fastest growing drug problems in the Nation. It is cheap, easy to make, and give addicts an intense, long-lasting high; but it destroys their brain, causes them to abuse and neglect their children, and leads to paranoid acts of violence.

Meth production is also a serious threat to public health and safety. In Oregon, experts have estimated that meth is tied to more than 75 percent of crime and meth labs produce toxic fumes that poison the air in our neighborhoods and put our citizens in danger.

The cleanup of abandoned meth labs costs local governments and private

citizens tens of thousands of dollars to dispose of the toxic materials left behind. As I traveled around Oregon talking to policymakers and law enforcement leaders about the meth problem, I heard one message loud and clear: law enforcement simply lacks the resources needed to extinguish this meth wildfire.

In Oregon, we have seen many of the regional drug task forces fall apart due to lack of funding and most other anti-meth efforts have faced underfunding as well.

The High Intensity Drug Trafficking Areas program provides State and local governments with enforcement that is critical to help our cities and towns fight meth abuse. It is particularly effective because the resources are targeted at those areas most adversely affected by drug trafficking. It allows communities to develop a comprehensive assault on meth and other illegal drugs, one that addresses law enforcement, prevention, and treatment and control of precursor chemicals.

Yet, in the FY 2006 Transportation, Treasury appropriations bill, the funding is level to this valuable program. I am offering an amendment that would provide a modest \$9 million increase to the HIDTA program which will enable the Office of National Drug Control Policy to maintain full funding of all existing HIDTAs and also expand into new areas where necessary.

The HIDTA program not only helps law enforcement identify and dismantle labs but helps break the cycle of other crimes associated with meth use, crimes from domestic violence and child abuse to identity theft.

We must continue to support this valuable initiative so our communities have the resources they need to stop the spread of meth. I urge Members to support this amendment.

Mr. CHAIRMAN, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the gentlewoman for yielding me time. I thank the gentlewoman for her amendment. I appreciate the chairman’s willingness to make sure that the HIDTAs are funded, but this is the most effective organization we have at the grassroots level. Almost all the new HIDTAs are dealing with meth. The demand for new HIDTAs is great, and thus I support her amendment.

Ms. HOOLEY. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I want to commend my friend from Oregon for her leadership on this issue and the gentleman from Indiana (Mr. SOUDER) as well.

This meth problem is devastating our communities. When the President comes before our Nation and talks about the war on terror, we need to support that; but terror is happening in our families and in our homes and in our communities, and it is methamphetamine. We need to fully fund HIDTA, and we need to expand HIDTA resources.

I support the amendment. I encourage the gentlewoman to continue this fight that she has been so strong on in the past.

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

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition to the amendment.

Mr. Chairman, I am opposed to this amendment because it does not significantly increase HIDTA, but would reduce the White House agency by more than 10 percent, and HIDTA is fully funded. We brought it up to its full funding level.

Given that HIDTA was fully funded in this bill, clearly such a trade-off is not merited. A \$9 million increase to HIDTA would be useful no doubt, but this is not the right offset; and clearly the White House will not stand for this amendment. So I would strongly urge defeat of this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

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

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed \$10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, \$26,908,000; of which \$1,316,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$30,000,000, which shall remain available until expended, consisting of \$18,000,000 for counternarcotics research and development projects, and \$12,000,000 for the continued operation of the technology transfer program: *Provided*, That the \$18,000,000 for counternarcotics research and development projects

shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$227,000,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: *Provided*, That up to 49 percent, to remain available until September 30, 2007, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than \$2,000,000 shall be used for auditing services and associated activities, and at least \$500,000 of the \$2,000,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program: *Provided further*, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2005, shall be funded at no less than the fiscal year 2005 initial allocation levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That a request shall be submitted in compliance with the reprogramming guidelines to the Committees on Appropriations for approval prior to the obligation of funds of an amount in excess of the fiscal year 2005 budget request: *Provided further*, That not to exceed \$2,000,000 of the funds made available under this heading in excess of the fiscal year 2005 budget request shall be available for the Consolidated Priority Organization Target program.

OTHER FEDERAL DRUG CONTROL PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$213,292,000, to remain available until expended, of which the following amounts are available as follows: \$120,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998: *Provided*, That ONDCP shall maintain funding for non-advertising services for the Media Campaign at no less than the Fiscal Year 2003 ratio of service funding to total funds and shall continue the corporate outreach program as it operated prior to its cancellation: \$80,000,000 to continue a program of matching grants to drug-free communities, of which \$750,000 shall be a directed grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; \$1,000,000 for the National Drug Court Institute; \$992,000 for the National Alliance for Model State Drug Laws; \$7,400,000 for the United States Anti-Doping Agency for anti-doping activities; \$2,900,000 for the United States membership dues to the World Anti-Doping Agency; and \$1,000,000 for evaluations and research related to National Drug Control Program performance measures: *Provided further*, That such funds may be transferred to other Federal departments and

agencies to carry out such activities: *Provided further*, That of the amounts appropriated for a national media campaign, not to exceed 12 percent shall be for administration, advertising production, research and testing, labor and related costs of the national media campaign.

AMENDMENT NO. 17 OFFERED BY MR. SOUDER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. SOUDER:

In title VI, in the item relating to "FEDERAL DRUG CONTROL PROGRAMS—OTHER FEDERAL DRUG CONTROL PROGRAMS", after each of the first and second dollar amounts, insert the following: "(increased by \$25,000,000)".

In title VII, in the item relating to "GENERAL SERVICES ADMINISTRATION—REAL PROPERTY ACTIVITIES—FEDERAL BUILDINGS FUND",

(1) after the aggregate dollar amount preceding paragraph (1), insert the following: "(reduced by \$25,000,000)"; and

(2) after each of the dollar amounts in paragraphs (4) and (5), insert the following: "(reduced by \$12,500,000)".

The CHAIRMAN. Pursuant to the order of the House today, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Michigan (Mr. KNOLLENBERG) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is a relatively simple amendment. It increases the national ad campaign run under the Office of National Drug Control Policy by \$25 million. The authorizing bill is moving through the process. If we can get these additional funds, it will be spent on meth and designated as such.

The offset comes from the GSA. They have a \$338 million increase for rental of space. They have \$175 million building operations plus-up, so net this particular account has increased by a half a billion dollars.

The national ad campaign has been reduced from 180 in the 90s down to 120. If we are going to continue its success combined with the Partnership For Drug Free America, we need these additional dollars.

I think the meth crisis in America deserves these dollars and deserves this focus. More is needed in GSA, but not to the tune of a half a billion increase.

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

□ 2130

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I also rise in opposition to the gentleman from Indiana's amendment.

I applaud his work on drug control issues, but if this amendment is enacted, once again, it will cause serious problems for Federal workers nationwide and what we are able to do in the Federal buildings.

All day long, the GSA has come under attack. It is up to almost \$1 billion we are trying to cut out of the GSA's budget, and I just want to remind my colleagues that when they go home and there are seniors and veterans and law enforcement workers and constituents that are going to these Federal buildings, when the air conditioning is not working, when different parts of the building are not up to standards, they are going to have to answer that question: Why is the air conditioning not working, or why are the ramps for access for the disabled folks not up to the standards?

It is because tonight there has been an onslaught of cutting money from the GSA. So I strongly oppose this amendment and would urge my colleagues to once again look at what they are doing to the Federal buildings and the ability to provide services to our constituents.

Mr. KNOLLENBERG. Mr. Chairman, I reserve my time.

Mr. SOUDER. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. LARSEN), my colleague, the cosponsor of this amendment and co-chairman of the Meth Caucus.

Mr. LARSEN of Washington. Mr. Chairman, I would like to express my support for the Souder-Larsen amendment to restore adequate funding to the National Youth and Anti-Drug Media Campaign.

I thank and recognize the subcommittee chair and ranking member for their efforts on drafting this bill. They have done an admirable job considering the tight budgetary restraints. Unfortunately, the funding level for the media campaign is not adequate.

The media campaign is an important component in our fight against drugs. It reduces demand for all drugs, not just marijuana. Reducing demand means reducing the number of lives lost to the scourge of drugs, particularly methamphetamine.

According to a leading global marketing firm, teens frequently exposed to strong anti-drug messages are 38 percent less likely to have tried meth and 31 percent less likely to have tried crack and cocaine.

When the media campaign began in 1998, it had a budget of \$195 million. While the campaign has proven effective, it has continually been cut. This last year it was funded at \$120 million. Meanwhile, the costs of advertising have skyrocketed. So in real advertising dollars, the campaign is operating at less than half of its original strength.

A study by the Kaiser Family Foundation reports that the average child watches 3 hours of television a day. That is about 21 hours a week, 1,008 hours a year. The media campaign uses the amount of time our kids are watching TV and gives them negative messages about drug use. Without additional funds, the campaign would not be able to produce our air-targeted ads

against meth, ecstasy, or other emerging drug threats.

This current level of funding will fund only the bare minimum for a campaign that educates millions of young people on the dangers of drug abuse. To increase the ads on meth, we must increase funding for this important program.

I want to thank the gentleman from Indiana for his work on this issue, and I urge a "yes" vote on the Souder-Larsen amendment.

Mr. KNOLLENBERG. Mr. Chairman, can I get an idea of how much time is remaining?

The CHAIRMAN. The gentleman from Michigan (Mr. KNOLLENBERG) has 4 minutes remaining. The gentleman from Indiana (Mr. SOUDER) has 2½ minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

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

I associate myself with the remarks of the gentleman from Pennsylvania (Chairman SHUSTER). I would not come to the Floor particularly to make a case here, and the maker of this amendment knows full well that I am on his subcommittee and have strongly supported this effort and all of his efforts on drug reduction.

But the fact is this fund, the Federal Building Fund, has become a habit, and when we get to the point where we have a \$1 billion hit on one fund, we have an unsustainable hit, and here comes \$25 million more.

The Members may be unaware that the courts, which have strong homeland security issues, came to our subcommittee and asked to be excused from putting any money into the Federal Building Fund. The administration strongly opposed that because it would collapse the Federal Building Fund.

I just want to draw to the attention of Members that this \$1 billion hit collapses the Federal Building Fund, and it is not just about making sure that Federal workers are comfortable. It is about, for example, an amendment that the gentleman from Pennsylvania (Mr. SHUSTER) and I were going to put in and now are not going to put in, although he is going to offer it I think and perhaps later withdraw it, to transfer some funds from the GSA administration to glass refraction because we cannot begin to make all of the Federal buildings secure throughout the United States, but we can at least keep glass, should there be some kind of bombing like Oklahoma City, from, in fact, falling in on people with sharp metal and all the rest of it.

So I just ask that Members stop here, and we have got to find some money for the Souder amendment. I think we should find it, and I think we should find it in conference. I think we should defeat this amendment now.

Mr. SOUDER. Mr. Chairman, I yield 2 minutes to the gentleman from Ne-

braska (Mr. OSBORNE) who has been a leader in the fight against meth.

Mr. OSBORNE. Mr. Chairman, this is what the methamphetamine epidemic looked like in 1990. These two States had 20 or more meth labs at that time. This is what the methamphetamine epidemic looked like in 1998. This is what it looked like in 2004. So we can see the spread of meth. I think it is the biggest threat to the United States other than possibly terrorism today.

We have heard statements on the floor tonight that education does not work, advertising does not work. This is a picture of a young lady who started taking meth at age 30. She was arrested every year for 10 years. This is the last picture, and she is in the morgue. She lasted 10 years. This is unusually long on meth.

But when we show these pictures to kids, when we get in the schools; in my district, there are 200 schools. We have been in 100 schools in the last 5 months. When we show this kind of Power Point, it does affect them. We have kids every time come up and say, my folks have been picked up, my folks ran a meth lab; this has affected me.

So I realize that where we are taking the money from is not popular. I hope that in some way we can get this advertising money out there because it does make a difference. This is a critical problem. I appreciate what the gentleman from Indiana is doing and the gentleman from Washington (Mr. LARSEN) and I would really urge, Mr. Chairman, that some way we get some of this money restored to this program because it is so critical to this Nation at this time.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. OLVER), the ranking member.

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

This is an account which has been funded fully at the President's request. There are so many accounts that have not been funded at the President's request, number one.

Number two, I, of course, contributed to the great reduction in the Federal Building Fund, the GSA account that was the subject of the offset for the Amtrak amendment, and I even sat quietly while a couple of amendments for \$5, \$6, \$8 million had come along, maybe three of them, but here we have a big one, and it is quite a sizeable number of dollars. I really do at this point feel that we have gone beyond what can be reasonably taken out of the building fund.

I supported the first one in large measure because the authorizers who authorized the GSA were saying that that was doable at that point. I think we have passed that point, and I would hope that we would not adopt this amendment.

Mr. SOUDER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Indiana (Mr. SOUDER) has 1 minute remaining.

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

As a member of the Committee on Government Reform, I understand the difficulty on the government buildings. They were plussed up nearly over half a billion dollars to start with. Clearly, at the very beginning of this, we transferred a lot to Amtrak, two lines of which are closing in my district. That is why we are here. It is about priorities.

I believe we need to make changes in our government buildings. Quite frankly, we have a meth crisis in America that is knocking at the doors of homes across this country, and it is about to steamroll all of us.

The question is, are we going to attack this before it runs us over? Are we going to attack it aggressively? Are we going to rue the day and spend hundreds of millions trying to address it after it has moved into our suburbs and cities just as crack cocaine did, and then we spent 10 or 15 years fighting it?

We have had the warnings. It is moving into rural areas. It is moving into suburban areas. It is moving in some urban areas, and this is a freight train coming, and we need to get at the front end of it.

We are here about priorities. I believe \$25 million does not irrevocably damage GSA. I know it has been a difficult night, but I urge the passage of the Souder-Larsen amendment because this is one way we can address meth.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself the remaining time.

I want to say that the gentleman from Nebraska's (Mr. OSBORNE) presentation was startling, and it is one that makes us think about how can we help.

I must say, this amendment will significantly impact all of GSA's owned and leased buildings, the tenants in those buildings and the visiting public. Already, today, this afternoon, we have taken over \$1 billion out of GSA. We cannot go back to the same pool over and over.

With this amendment, GSA will not be able to make all of its lease payments for property it is leasing on behalf of government agencies. These reductions to the building operations account cannot be absorbed without a corresponding negative impact on the operating programs within the Federal Buildings Fund.

Funding for this account is GSA's highest priority. So let me note that many of these costs are fixed, for example, like fuels, cleaning, maintenance and utilities, and for that reason, I ask for a "no" vote.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. 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 Indiana (Mr. SOUDER) will be postponed.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 163, line 6, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The remainder of the bill through page 163, line 6, is as follows:

UNANTICIPATED NEEDS

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, \$1,000,000.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, \$4,455,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurbishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed \$90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, \$325,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

TITLE VII—INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION

BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$5,941,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$62,449,000.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, \$15,877,000, of which \$2,800,000 shall be transferred to the

National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended \$29,965,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, \$54,700,000, of which no less than \$4,700,000 shall be available for internal automated data processing systems, and of which not to exceed \$5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, \$25,468,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$20,499,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

The CHAIRMAN. Are there any amendments? If not, the Clerk will read.

The Clerk read as follows:

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space

adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of \$7,768,795,000, of which: (1) \$708,106,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

California:

San Diego, United States Courthouse, \$230,803,000.

Colorado:

Lakewood, Denver Federal Center Infrastructure, \$4,658,000.

District of Columbia:

Coast Guard Consolidation, \$24,900,000.

Saint Elizabeths West Campus Infrastructure, \$13,095,000.

Southeast Federal Center Site Remediation, \$15,000,000.

Maine:

Calais, Border Station, \$50,146,000.

Jackman, Border Station, \$12,788,000.

Maryland:

Montgomery County, Food and Drug Administration Consolidation, \$127,600,000.

New York:

Champlain, Border Station, \$52,510,000.

Massena, Border Station, \$49,783,000.

Texas:

Austin, United States Courthouse, \$3,000,000.

Washington:

Blaine, Peace Arch Border Station, \$46,534,000.

Material Price increases, various projects, \$67,789,000.

Nonprospects Construction, \$9,500,000:

Provided, That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That all funds for direct construction projects shall expire on September 30, 2007, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) \$961,376,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services:

Repairs and Alterations:

Arizona:

Tucson, James A. Walsh Courthouse, \$16,136,000.

District of Columbia:

Eisenhower Executive Office Building, \$133,417,000.

Federal Office Building 8, \$47,769,000.

Heating, Operation, and Transmission District Repair, \$18,783,000.

Herbert C. Hoover Building, \$54,491,000.

Main Interior Building, \$41,399,000.

Georgia:

Atlanta, Martin Luther King, Jr. Federal Building, \$30,129,000.

New York:

Brooklyn, Emanuel Celler Courthouse, \$96,924,000.

New York City, James Watson Federal Building and Courthouse, \$9,721,000.

Special Emphasis Programs:

Chlorofluorocarbons Program, \$10,000,000.

Energy Program, \$30,000,000.

Glass Fragment Retention, \$15,700,000.

Design Program, \$21,915,000.

Basic Repairs and Alterations, \$434,992,000:

Provided further, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2007, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects: (3) \$168,180,000 for installation acquisition payments including payments on purchase contracts which shall remain available until expended; (4) \$4,046,031,000 for rental of space which shall remain available until expended; and (5) \$1,885,102,000 for building operations which shall remain available until expended: *Provided further*, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592(b)(2)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate

to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2006, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592(b)(2)) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

AMENDMENT NO. 13 OFFERED BY MR. SHUSTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. SHUSTER: Page 164, line 12, insert after the first dollar amount "(increased by \$2,000,000)".

Page 166, line 9, insert after the dollar amount "(increased by \$2,000,000)".

Page 167, line 12, insert after the dollar amount "(increased by \$2,000,000)".

Page 171, line 4, after the dollar amount insert "(reduced by \$2,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Pennsylvania (Mr. SHUSTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

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

This evening I intended to offer a bipartisan amendment with the gentlewoman from the District of Columbia (Ms. NORTON) that would have reduced by \$2 million the amount of money available to the administrator of the General Services and transferred that money elsewhere.

People are wondering why am I standing up now and wanting to cut GSA funding. It is because my amendment is going to hold GSA's feet to the fire and be responsive to the Congress because, over the past several years, the GSA has not delivered documents, information to Congress that is needed to authorize new projects on a timely basis.

Despite the fact these projects are included in the President's budget submission in February, there is actually no reason why GSA should take until May and sometimes even longer to forward detailed project information to Congress.

From fiscal year 1996 until 2001, 5 out of 6 years, GSA submitted a complete program before March 31. Since that time, the trend has been just the opposite; 4 out of 5 years, the program has not been submitted until after March 31. This year, it was the latest it had ever been. In fact, we did not receive a complete program until June.

In doing so, the GSA makes it difficult for the Subcommittee on Economic Development, Public Buildings and Emergency Management, which I chair and the gentlewoman from the

District of Columbia (Ms. NORTON) serves as the ranking member, to do our jobs and authorize before the Committee on Appropriations is able to act.

□ 2145

While there is no deadline in law for the submission of this information, practically speaking we have to get them by the end of March if we are to authorize these projects so that the Committee on Appropriations can do its work.

When they became aware of our amendment, I received a call from the administrator, Steve Perry, who has assured me GSA would do better in the future. And in fact has committed to me he would have that information to Congress by February for the fiscal year 2007 capital investment program, a deadline I plan to hold GSA to without exception.

I look forward to continuing working with the GSA and the subcommittee, as we have in the past, making sure we receive this information in a timely manner so that Congress may carry out its authorizing and appropriation functions as required by law.

Mr. Chairman, may I inquire as to how much time I have left.

The CHAIRMAN. The gentleman from Pennsylvania has 3 minutes left.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to strongly support his amendment. You see that this is a committee that is not adverse to reducing funding. We were not simply going to reduce it; we were going to put this funding where it was most needed, in the glass refraction program.

On the other hand, what led us to this moment was, of course, GSA's failures for the subcommittee, and those failures apparently have gotten the attention, at least the amendment of the gentleman from Pennsylvania (Mr. SHUSTER) has gotten the attention of GSA.

I share his frustration. GSA has not come forward with the information we wanted about its own housing. It wanted to move. We wanted to understand why it wanted to move out of owned space. Only cursory responses. We learned the courts want to waive any contribution to the building fund not initially through GSA. It was an outrage, and we learned it very late. And, of course, the prospectuses did not come before us, and the administrator himself was out of town when the hearing was to be held.

For that reason, I agreed entirely with the chairman that they needed to understand the professionalism that the subcommittee requires. They apparently now understand it. We want, frankly, to preserve as much of the Federal building fund now as is left, since it looks like we have virtually bankrupted it. So I would defer to the

chairman as to what disposition he now wants to make of his original amendment.

Mr. SHUSTER. Mr. Chairman, I yield myself the balance of my time, and I want to thank the gentlewoman from the District of Columbia for her support and also encourage the chairman of the Committee on Appropriations, when we go to conference, to restore the almost \$1 billion we have taken out of the GSA fund, because it is vital to the government buildings and to the services that those Federal employees provide to our constituents.

Mr. Chairman, I ask unanimous consent that I be allowed to withdraw my amendment.

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

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 194, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill through page 194, line 7, is as follows:

GENERAL ACTIVITIES
GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, \$52,796,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed \$7,500 for official reception and representation expenses, \$99,890,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, \$43,410,000: *Provided*, That not to exceed \$15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed \$2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Gov-

ernment to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, \$3,000,000, to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95-138, \$2,952,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, \$15,030,000, to be deposited into the Federal Citizen Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed \$32,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2006 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 701. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 702. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 703. Funds in the Federal Buildings Fund made available for fiscal year 2006 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 704. No funds made available by this Act shall be used to transmit a fiscal year 2007 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2007 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 705. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by

the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 706. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 707. No funds in this Act shall be used to dispose of the GSA property located at 522 North Central Avenue, on the southwest corner of Central Avenue and Fillmore Street in Phoenix, Arizona.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), as amended, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed \$2,000 for official reception and representation expenses, \$35,600,000 together with not to exceed \$2,605,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), \$2,000,000, to remain available until expended, of which up to \$50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107-289) notwithstanding sections 8 and 9 of Public Law 102-259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, \$1,900,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, \$283,975,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the

National Archives facility, for expenses necessary to provide adequate storage for holdings: *Provided further*, That of the funds provided in this paragraph, \$2,930,000 shall be for initial move of records, staffing, and operations of the Nixon Library.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, \$35,914,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, \$6,182,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, \$7,500,000, to remain available until expended: *Provided*, That of the funds provided in this paragraph, \$2,000,000 shall be transferred to the operating expenses account for operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2006, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2006 shall not exceed \$323,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822, and 9910, \$950,000 shall be available until September 30, 2007, for technical assistance to low-income designated credit unions, and amounts of principal and interest on loans repaid shall be available until expended for low-income designated credit unions.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) \$76,700,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

(RESCISSON)

Of the available unobligated balances made available under Public Law 106-246, \$1,000,000 are rescinded.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$118,000,000.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pur-

suant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$11,148,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, \$119,952,000, of which \$6,983,000 shall remain available until expended for the Enterprise Human Resources Integration project; \$1,450,000 shall remain available until expended for the Human Resources Line of Business project; \$500,000 shall remain available until expended for the E-Training project; and \$1,412,000 shall remain available until expended until September 30, 2007 for the E-Payroll project; and in addition \$102,679,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2006, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$1,614,000, and in addition, not to exceed \$16,786,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is

authorized to rent conference rooms in the District of Columbia and elsewhere.

**GOVERNMENT PAYMENT FOR ANNUITANTS,
EMPLOYEES HEALTH BENEFITS**

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

**GOVERNMENT PAYMENT FOR ANNUITANTS,
EMPLOYEE LIFE INSURANCE**

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

**PAYMENT TO CIVIL SERVICE RETIREMENT AND
DISABILITY FUND**

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101–12), as amended, Public Law 107–304, and the Uniformed Services Employment and Re-employment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$15,325,000.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$750 for official reception and representation expenses; \$24,000,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

**UNITED STATES INTERAGENCY COUNCIL ON
HOMELESSNESS**

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$1,499,000.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$116,350,000, of which \$73,000,000 shall not be available for obligation until October 1, 2006: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2006.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, \$48,998,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

**TITLE VIII—GENERAL PROVISIONS THIS
ACT**

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. Such sums as may be necessary for fiscal year 2006 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 802. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 803. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 804. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 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 pursuant to existing law.

SEC. 805. 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 appropriations Act.

SEC. 806. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 807. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has with-

in 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 808. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as “Buy America Act”).

SEC. 809. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 810. None of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2005, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of \$2,000,000 or 10 percent, whichever is greater; (6) reduces existing programs, projects, or activities by \$2,000,000 or 10 percent, whichever is greater; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committee on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 811. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2006 from appropriations made available for salaries and expenses for fiscal year 2006 in this Act, shall remain available through September 30, 2007, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of

such funds: *Provided further*, That these requests shall be made in compliance with re-programming guidelines.

SEC. 812. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 813. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93-400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 814. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 815. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 816. The provision of section 815 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 817. In order to promote Government access to commercial information technology, the restriction on purchasing non-domestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 818. None of the funds made available in the Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 819. Of the funds provided in title I of this Act under the heading, "Office of the Secretary, Transportation Planning, Research, and Development", \$3,000,000 shall be available for necessary expenses to reimburse fixed-based general aviation operators and the providers of general aviation ground support services at Ronald Reagan Washington National Airport, and airports within 15 miles of Ronald Reagan Washington National Airport, for financial losses incurred by these operators while such airports were closed due to the actions of the Federal Government following the terrorist attacks on the United States that occurred on September 11, 2001: *Provided*, That such funds shall remain available until expended: *Provided further*, That obligation and expenditure of these funds shall be made conditional

upon full release of the U.S. Government for all claims arising from the closing of these general aviation facilities.

SEC. 820. Section 640(c) of the Treasury and General Government Appropriations Act, 2000 (Public Law 106-58; 2 U.S.C. 437g note), as amended by section 642 of the Treasury and General Government Appropriations Act, 2002 (Public Law 107-67) and by section 639 of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199), is amended by striking "December 31, 2005" and inserting "December 31, 2008".

POINT OF ORDER

Mr. TOM DAVIS of Virginia. Mr. Chairman, I raise a point of order against section 808. This provision violates clause 2(b) of House rule XXI. It proposes to change existing law within the jurisdiction of the Committee on Government Reform and therefore constitutes legislation on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

If not, the Chair is prepared to rule.

The Chair finds that this section, though in the form of a limitation on funds, conditions the use of those funds on compliance with an act not otherwise applicable. As such, the section constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the section is stricken from the bill.

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 offered by the gentleman from Iowa (Mr. KING), amendment offered by the gentlewoman from South Dakota (Ms. HERSETH), amendment offered by the gentlewoman from Oregon (Ms. HOOLEY), amendment offered by the gentleman from Indiana (Mr. SOUDER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. KING OF IOWA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) 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 42, noes 374, not voting 17, as follows:

[Roll No. 341]

AYES—42

Akin	Cubin	Foxx
Bishop (UT)	Davis, Jo Ann	Franks (AZ)
Blackburn	Drake	Gibbons
Chabot	Duncan	Gingrey

Gohmert	King (IA)	Pearce
Goode	Lewis (KY)	Pitts
Gutknecht	Mack	Poe
Harris	McHenry	Pombo
Hart	McIntyre	Renzi
Hayworth	Miller (FL)	Rohrabacher
Hefley	Musgrave	Shuster
Herger	Myrick	Simmons
Johnson (IL)	Neugebauer	Taylor (MS)
Kelly	Paul	Wilson (SC)

NOES—374

Abercrombie	Davis, Tom	Johnson, E. B.
Ackerman	Deal (GA)	Johnson, Sam
Aderholt	Defazio	Jones (NC)
Alexander	DeGette	Jones (OH)
Allen	Delahunt	Kanjorski
Andrews	DeLauro	Kaptur
Baca	DeLay	Keller
Baird	Dent	Kennedy (MN)
Baker	Diaz-Balart, L.	Kennedy (RI)
Baldwin	Diaz-Balart, M.	Kildee
Barrett (SC)	Dicks	Kilpatrick (MI)
Bartlett (MD)	Dingell	Kind
Barton (TX)	Doggett	King (NY)
Bass	Doolittle	Kingston
Bean	Doyle	Kirk
Beauprez	Dreier	Kline
Becerra	Edwards	Knollenberg
Berkley	Ehlers	Kolbe
Berman	Emanuel	Kucinich
Berry	Emerson	Kuhl (NY)
Biggert	Engel	LaHood
Bilirakis	English (PA)	Langevin
Bishop (NY)	Eshoo	Lantos
Blumenauer	Etheridge	Larsen (WA)
Blunt	Evans	Larson (CT)
Boehlert	Everett	Latham
Boehner	Farr	LaTourette
Bonilla	Fattah	Leach
Bonner	Feeley	Lee
Bono	Ferguson	Levin
Boozman	Filner	Lewis (CA)
Boren	Fitzpatrick (PA)	Linder
Boswell	Flake	Lipinski
Boucher	Foley	LoBiondo
Boustany	Forbes	Lofgren, Zoe
Boyd	Ford	Lowey
Bradley (NH)	Fortenberry	Lucas
Brady (PA)	Fossella	Lungren, Daniel
Brady (TX)	Frank (MA)	E.
Brown (OH)	Frelinghuysen	Lynch
Brown (SC)	Gallegly	Maloney
Brown, Corrine	Garrett (NJ)	Manzullo
Brown-Waite,	Gerlach	Marchant
Ginny	Gilchrest	Markey
Burgess	Gillmor	Marshall
Burton (IN)	Gonzalez	Matheson
Butterfield	Goodlatte	Matsui
Buyer	Gordon	McCarthy
Calvert	Granger	McCaull (TX)
Camp	Graves	McCullom (MN)
Cannon	Green (WI)	McCotter
Cantor	Green, Al	McCrery
Capito	Green, Gene	McDermott
Capps	Grijalva	McGovern
Capuano	Gutierrez	McHugh
Cardin	Hall	McKeon
Cardoza	Harman	McKinney
Carnahan	Hastings (FL)	McMorris
Carson	Hastings (WA)	McNulty
Carter	Hayes	Meehan
Case	Hensarling	Meek (FL)
Castle	Herseth	Meeks (NY)
Chandler	Hinchey	Melancon
Chocola	Hinojosa	Menendez
Clay	Hobson	Mica
Cleaver	Hoekstra	Michaud
Clyburn	Holden	Millender-
Coble	Holt	McDonald
Cole (OK)	Honda	Miller (MI)
Conaway	Hooley	Miller (NC)
Conyers	Hostettler	Miller, Gary
Costa	Hoyer	Miller, George
Costello	Hulshof	Mollohan
Cox	Hunter	Moore (KS)
Cramer	Hyde	Moore (WI)
Crenshaw	Inglis (SC)	Moran (KS)
Crowley	Insllee	Moran (VA)
Cuellar	Israel	Murphy
Culberson	Issa	Murtha
Cummings	Istook	Napolitano
Cunningham	Jackson (IL)	Northup
Davis (AL)	Jackson-Lee	Norwood
Davis (CA)	(TX)	Nunes
Davis (FL)	Jefferson	Nussle
Davis (IL)	Jenkins	Oberstar
Davis (KY)	Jindal	Obey
Davis (TN)	Johnson (CT)	

Olver	Ryan (WI)	Tanner	Cardin	Jackson (IL)	Pelosi	Knollenberg	Northup	Schwarz (MI)
Ortiz	Ryun (KS)	Tauscher	Cardoza	Jackson-Lee (TX)	Peterson (MN)	Kolbe	Norwood	Scott (VA)
Osborne	Sabo	Taylor (NC)	Carnahan	Jefferson	Pomeroy	Kuhl (NY)	Nunes	Sensenbrenner
Otter	Salazar	Terry	Case	Johnson, E. B.	Porter	LaHood	Nussle	Sessions
Owens	Sánchez, Linda	Thompson (CA)	Chandler	Johnson, E. B.	Price (NC)	Latham	Osborne	Shadegg
Oxley	T.	Thompson (MS)	Clay	Jones (OH)	Rahall	LaTourette	Otter	Shaw
Pallone	Sanchez, Loretta	Thornberry	Cleaver	Kanjorski	Reyes	Leach	Oxley	Shays
Pascarella	Sanders	Tiahrt	Clyburn	Kelly	Rothman	Lee	Pastor	Sherwood
Pastor	Saxton	Tiberi	Coble	Kennedy (RI)	Royal-Allard	Lewis (CA)	Paul	Shimkus
Payne	Schakowsky	Tierney	Conyers	Kildee	Ruppersberger	Lewis (KY)	Pearce	Shuster
Pelosi	Schiff	Towns	Costa	Kind	Rush	Linder	Pence	Simmons
Pence	Schwartz (PA)	Turner	Costello	Kucinich	Ryan (OH)	LoBiondo	Petri	Smith (NJ)
Peterson (MN)	Schwartz (MI)	Udall (CO)	Crowley	Langevin	Sabo	Lucas	Pickering	Sodrel
Petri	Scott (VA)	Udall (NM)	Cuellar	Lantos	Salazar	Lungren, Daniel	Pitts	Souder
Pickering	Sensenbrenner	Upton	Cummings	Larsen (WA)	Sánchez, Linda	E.	Platts	Stearns
Platts	Serrano	Van Hollen	Davis (AL)	Larson (CT)	T.	Mack	Poe	Sullivan
Pomeroy	Sessions	Velázquez	Davis (CA)	Levin	Sanchez, Loretta	Manzullo	Pombo	Sweeney
Porter	Shadegg	Visclosky	Davis (FL)	Lipinski	Sanders	Marchant	Price (GA)	Taylor (NC)
Price (GA)	Shaw	Davis (IL)	Lofgren, Zoe	McCollum (MN)	Shakowsky	McCaull (TX)	Pryce (OH)	Terry
Price (NC)	Shays	Walden (OR)	DeGette	Lowey	Schiff	McCotter	Putnam	Thornberry
Pryce (OH)	Sherman	Walsh	DeGette	Lynch	Schwartz (PA)	McCrery	Radanovich	Tiaht
Putnam	Sherwood	Wamp	DeLauer	Maloney	Serrano	McHenry	Ramstad	Tiberi
Radanovich	Shimkus	Wasserman	Dicks	Markey	Sherman	McHugh	Rangel	Turner
Rahall	Simpson	Schultz	Dingell	Marshall	Simpson	McKeon	Regula	Upton
Ramstad	Skelton	Waters	Doggett	Matheson	Skelton	McMorris	Rehberg	Walden (OR)
Regula	Slaughter	Watson	Doyle	Matsui	Slaughter	Mica	Reichert	Walsh
Rehberg	Smith (NJ)	Waxman	Edwards	McCarthy	Smith (TX)	Michaud	Renzi	Wamp
Reichert	Smith (TX)	Weiner	Emanuel	McCollum (MN)	Smith (WA)	Miller (FL)	Reynolds	Waters
Reyes	Smith (WA)	Weldon (FL)	Engel	McDermott	Snyder	Miller (MI)	Rogers (AL)	Weldon (FL)
Reynolds	Snyder	Weldon (PA)	Eshoo	McGovern	Solis	Miller, Gary	Rogers (KY)	Weldon (PA)
Rogers (AL)	Sodrel	Weller	Etheridge	McIntyre	Spratt	Mollohan	Rogers (MI)	Weller
Rogers (KY)	Solis	Wexler	Evans	McKinney	Strickland	Moran (KS)	Rohrbacher	Whitfield
Rogers (MI)	Souder	Whitfield	Farr	McNulty	Stupak	Murphy	Ros-Lehtinen	Wicker
Ros-Lehtinen	Spratt	Wicker	Fattah	Meehan	Tancredo	Musgrave	Royce	Wilson (NM)
Rothman	Stearns	Wilson (NM)	Fitzpatrick (PA)	Meeks (FL)	Tanner	Myrick	Ryan (WI)	Wilson (SC)
Royal-Allard	Strickland	Wolf	Ford	Meeks (NY)	Tauscher	Neugebauer	Ryun (KS)	Wolf
Royce	Stupak	Woolsey	Gohmert	Melancon	Taylor (MS)	Ney	Saxton	Young (FL)
Ruppertsberger	Sullivan	Wu	Goodlatte	Menendez	Thompson (CA)			
Rush	Sweeney	Wynn	Gordon	Millender	Thompson (MS)			
Ryan (OH)	Tancredo	Young (FL)	Green, Al	McDonald	Tierney			
			Green, Gene	Miller (NC)	Towns			
			Grijalva	Miller, George	Udall (CO)			
			Harman	Moore (WI)	Udall (NM)			
			Hastings (FL)	Moran (VA)	Van Hollen			
			Herseth	Murtha	Velázquez			
			Higgins	Nadler	Visclosky			
			Hinchey	Napolitano	Wasserman			
			Hinojosa	Oberstar	Schultz			
			Holden	Obey	Watson			
			Holt	Olver	Watson			
			Honda	Waxman	Waxman			
			Hooley	Weiner	Weiner			
			Hoyer	Owens	Wexler			
			Inslee	Pallone	Woolsey			
			Israel	Pascarella	Wu			
				Payne	Wynn			

NOT VOTING—17

Bachus	Neal (MA)	Stark
Barrow	Ney	Thomas
Bishop (GA)	Peterson (PA)	Watt
Cooper	Rangel	Westmoreland
Higgins	Ross	Young (AK)
Lewis (GA)	Scott (GA)	

□ 2213

Messrs. WYNN, ACKERMAN, and GRAVES changed their vote from "aye" to "no."

Mr. POMBO changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HERSETH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from South Dakota (Ms. HERSETH) 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 188, noes 232, not voting 13, as follows:

[Roll No. 342]

AYES—188

Abercrombie	Berkley	Boucher
Ackerman	Berman	Boyd
Allen	Berry	Brady (PA)
Andrews	Biggert	Brown (OH)
Baca	Bishop (NY)	Brown, Corrine
Baldwin	Blumenauer	Butterfield
Bean	Boren	Capps
Becerra	Boswell	Capuano

NOES—232

Aderholt	Cox	Gillmor
Akin	Cramer	Gingrey
Alexander	Crenshaw	Gonzalez
Baird	Cubin	Goode
Baker	Culberson	Granger
Barrett (SC)	Cunningham	Graves
Bartlett (MD)	Davis (KY)	Green (WI)
Barton (TX)	Davis (TN)	Gutknecht
Bass	Davis, Jo Ann	Hall
Beauprez	Davis, Tom	Harris
Bilirakis	Deal (GA)	Hart
Bishop (UT)	DeFazio	Hastings (WA)
Blackburn	DeLay	Hayes
Blunt	Dent	Hayworth
Boehlert	Diaz-Balart, L.	Hefley
Boehner	Diaz-Balart, M.	Hensarling
Bonilla	Doolittle	Herger
Bonner	Drake	Hobson
Bono	Dreier	Hoekstra
Boozman	Duncan	Hostettler
Boustany	Ehlers	Hulshof
Bradley (NH)	Emerson	Hunter
Brady (TX)	English (PA)	Hyde
Brown (SC)	Everett	Inglis (SC)
Brown-Waite,	Feeney	Issa
Ginny	Ferguson	Istook
Burgess	Filner	Jenkins
Burton (IN)	Flake	Jindal
Buyer	Foley	Johnson (CT)
Calvert	Forbes	Johnson (IL)
Camp	Fortenberry	Johnson, Sam
Cannon	Fossella	Jones (NC)
Cantor	Foxx	Kaptur
	Frank (MA)	Keller
	Franks (AZ)	Kennedy (MN)
	Carter	Kilpatrick (MI)
	Frelinghuysen	King (IA)
	Garrett (NJ)	King (NY)
	Chabot	Kingston
	Chocola	Gerlach
	Cole (OK)	Gibbons
	Conaway	Gilchrest

NOT VOTING—13

Bachus	Neal (MA)	Thomas
Barrow	Peterson (PA)	Westmoreland
Bishop (GA)	Ross	Young (AK)
Cooper	Scott (GA)	
Lewis (GA)	Stark	

□ 2222

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Chairman, on rollcall No. 342, I inadvertently voted "yes" (by mistake) I wanted to vote "no". Please show me voting "no" on the Herseth amendment.

AMENDMENT OFFERED BY MS. HOOLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) 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 315, noes 103, not voting 15, as follows:

[Roll No. 343]

AYES—315

Abercrombie	Berkley	Boucher
Ackerman	Berry	Boustan
Alexander	Biggert	Boyd
Allen	Bilirakis	Bradley (NH)
Andrews	Bishop (NY)	Brady (PA)
Baca	Bishop (UT)	Brown (OH)
Baldwin	Blackburn	Brown, Corrine
Bean	Bloomer	Brown-Waite,
Becerra	Brennan	Ginny
	Born	Burgess
	Boswell	Butterfield

Lungren, Daniel E.	Pearce	Shimkus
Maloney	Pelosi	Shuster
Markey	Petri	Simpson
McCryer	Pombo	Smith (TX)
McGovern	Pryce (OH)	Solis
McHugh	Regula	Sullivan
McKeon	Rehberg	Taylor (NC)
Michaud	Reynolds	Thompson (MS)
Millender-McDonald	Rohrabacher	Tiahrt
Miller (FL)	Ros-Lehtinen	Tierney
Miller, Gary	Royal-Allard	Towns
Miller, George	Royce	Turner
Mollohan	Rush	Visclosky
Moran (VA)	Ryan (OH)	Walsh
Northup	Ryun (KS)	Watson
Obey	Sabo	Watt
Olver	Sánchez, Linda T.	Weldon (FL)
Oxley	Saxton	Whitfield
Pascarel	Scott (VA)	Wicker
Pastor	Sherman	Wolf
Paul	Sherwood	Wynn
		Young (FL)

NOT VOTING—14

Bachus	Lewis (GA)	Stark
Barrow	Neal (MA)	Thomas
Bishop (GA)	Peterson (PA)	Westmoreland
Cooper	Ross	Young (AK)
Istook	Scott (GA)	

□ 2236

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

Mr. CONYERS and Mr. JONES of North Carolina changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. McHENRY) having assumed the chair, Mr. MCHUGH, 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. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mrs. CAPITO, from the Committee on Rules, submitted a privileged report (Rept. No. 109-159) on the resolution (H. Res. 345) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2864, WATER RESOURCES DEVELOPMENT ACT OF 2005

Mrs. CAPITO, from the Committee on Rules, submitted a privileged report (Rept. No. 109-160) on the resolution (H. Res. 346) providing for consideration of the bill (H.R. 2864) to provide for the conservation and development of water

and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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.

SMART AND THE PRESIDENT’S IRAQ SPEECH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the headline in this morning’s Washington Post reads: “Bush says War is Worth Sacrifice.” Well, easy for him to say, because he has not sacrificed a thing, unless you count his sagging poll numbers.

This President needs to look into the eyes of more than 1,700 widows or grieving mothers and fathers and tell them his preemptive war is worth the sacrifice.

He needs to tell it to my friend Cindy Sheehan, who came to Washington two weeks ago and spoke movingly about what it was like to see her son Casey, lying in a coffin with the same lack of muscle tone he had as a newborn infant 25 years before.

Casey Sheehan and his family were told there were weapons of mass destruction. They were told Saddam Hussein was connected to the attacks on America nearly 4 years ago. And long after that myth had been debunked, President Bush still had the audacity to go before the American people last night and raise the “bloody flag of 9/11,” as a New York Times editorial put it.

I have been to Fayetteville, North Carolina, where the President spoke last night. In fact, 3 months ago I spoke there at a peace rally organized by a group called Iraq Veterans Against the War. Fayetteville is actually home to a vibrant anti-war community. Not despite the fact that it is home to Fort Bragg, but because it is a military stronghold. With a majority of Americans turning against this war, it only makes sense that those who have sacrificed the most for this war are also opposed to it.

The President insisted last night that Iraq is the central front in the war on terrorism, and it is true that terrorists are now flocking to Iraq, like moths to a flame. But how did that happen? Iraq has become a terrorist breeding ground because of President Bush’s premeditated, preemptive invasion of Iraq.

Every day that our soldiers are in Iraq is another day that the insurgents

are emboldened by their hatred for America. It is the occupation itself that gives rise to the insurgency and inflames it, putting our troops in more danger than ever.

Perhaps what is most galling about the President saying Iraq is worth the sacrifice is that he and his administration do not truly honor that sacrifice.

□ 2245

With their rhetoric, they do, perhaps, but what about their actions? If they honored the sacrifice, surely they would have found a way to get our soldiers the protective armor they need. And if they honored the sacrifice, why are they coming up \$1 billion short of what is needed to deliver health care for our veterans?

We heard nothing new last night, no new information, no new plan, no new explanation or justification for 1,700 plus dead, thousands wounded, and over \$200 billion squandered. It is time we showed our support for the troops by removing them from harm’s way, by ending this disastrous war, by bringing them home to their families as soon as possible.

But that is not good enough, Mr. Speaker. We need an entirely new approach to defending America. Where is it written that a strong national security policy must involve violence and bloodshed?

I have proposed a new plan called SMART Security. SMART stands for Sensible Multilateral American Response to Terrorism for the 21st Century. Its guiding principle is that war should be the absolute last resort. It would protect America through stronger global alliances, a commitment to diplomacy, and vigorous weapons inspections. SMART would also address the root causes of terrorism by confronting the poverty, despair, and hopelessness that foster terrorism in the first place. And it includes an ambitious international development agenda: democracy-building, education, infrastructure projects, support for environmental stewardship, and more, for the troubled, underdeveloped nations of the world.

SMART is tough, pragmatic, and patriotic. It protects America by relying on the very best of American values: our commitment to freedom, our compassion for the people of the world, and our capacity for multilateral leadership. SMART Security begins, in fact, and nothing would be smarter, with a plan to bring our troops home.

HONORING THE LIFE’S WORK OF THE REVEREND BILLY GRAHAM

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

Mr. MORAN of Kansas. Mr. Speaker, I rise this evening to honor the life’s work of a man whose mission is to serve the Lord, his God.