

plans what they should do in an emergency. Of course, States have their own plans, as they should. And local officials, mayors and the like, have their own plans for response and preparedness. The military has obviously planned for disasters. They have been prepared. And, of course, the National Guard, the same way. The Corps of Engineers have their own unit that deals with preparedness for disasters, and we could go on. All across this government there are agencies within all of these, or many of these Departments that are preparing for disasters.

The Secretary said we need an agency within Homeland Security where all of these groups can come together under one roof and participate and plan as one unit, not just the agencies of the Federal Government, but States and localities as well. He went out, his people went out and they talked to hundreds, literally hundreds of directors of State homeland security groups, of fire chiefs and police and the first responders all over the country, and there came back from all of those people the unanimous idea: we need a single place where we can all go, and know to go, both to plan and to inquire.

So that now, in this plan that the Secretary has, the police and the firemen and the State emergency directors, as well as the Federal agencies, all of them from the Coast Guard to the Secret Service, all can come together in one place and do nothing but planning. They are not concerned about doing the operational part of responding to an emergency, that is FEMA and the various agencies. But for the planning purposes, they want to be together.

So the Secretary says, okay, that is the way it shall be. And in his reorganization plan, he agreed with all of the police chiefs and the fire chiefs, the State planning directors, the emergency planners in each State, the homeland security people in the States, and mayors, he agreed with them and gave them what they wanted: a single place.

Let us not have another Katrina. Let us work together so that we each know what we are supposed to do in the event that a disaster occurs.

So I urge my colleagues to reject this motion to instruct conferees. Let these experts do their work. I am no expert on how to respond to a fire or a disaster. The gentleman from Minnesota (Mr. SABO) may know more than I, but I doubt he is an expert either. We have experts who do nothing but this. Let us put the experts in charge, and let them tell us what we need to do, and let us then follow along and do what has to be done to save lives.

The bottom line: if you are happy with the way FEMA planned for Katrina, vote Sabo. If you think we can improve and we can do better in planning for the next disaster, reject Sabo. Vote "no."

The SPEAKER pro tempore (Mr. GUTKNECHT). Without objection, the

previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. SABO).

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

Mr. SABO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without an amendment a bill of the House of the following title:

H.R. 2132. An act to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.

The message also announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 37. An act to extend the special postage stamp for breast cancer research for 2 years.

PROVIDING FOR CONSIDERATION OF H.R. 3402, DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 462 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 462

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3402) to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute

shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 462 is a structured rule. It provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. It waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary and now printed in the bill shall be considered as an original bill for the purpose of amendment.

This rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on the Judiciary. It makes in order only those amendments printed in the Committee on Rules report accompanying the resolution, and it provides that the amendments printed in the report may be considered only in the order printed in the report and may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

It waives all points of order against the amendments printed in the report, and provides for one motion to recommit, with or without instructions.

Mr. Speaker, I rise today to speak on behalf of House Resolution 462 and the underlying bill, H.R. 3402, the Department of Justice Appropriations Authorization Act for Fiscal Years 2006 to 2009.

First, I would like to take this opportunity to commend the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking member, the gentleman from Michigan (Mr. CONYERS). Additionally, I want to commend the full committee for all their hard work and time involved in the completion of this important authorizing legislation.

Mr. Speaker, the American people expect, and they demand, that Congress uphold its obligation to ensure that their money is spent both wisely and effectively, and some of the most important expenditures made on behalf of the American people are included in this legislation we are considering today. Without question, the Department of Justice is charged with the responsibility to enforce and to uphold the Constitution and statutes of this great country. All Americans benefit from an effective and a fully funded law enforcement apparatus at the Federal level, at the State level, and especially at the local level.

Mr. Speaker, H.R. 3402 would authorize appropriations to fund the agencies under the Department of Justice, including the FBI; the DEA, Drug Enforcement Administration; the United States Attorneys; and the Bureau of Prisons. This bill authorizes \$59 billion for these four agencies through 2010. Additionally, this legislation will reauthorize, strengthen, and implement new programs in the Violence Against Women Act, many of which are slated to expire September 30 of this year.

Mr. Speaker, H.R. 3402 also would build upon many of the reforms instituted by the administration to improve the Department of Justice's Office of Justice Programs, OJP, and Community-Oriented Policing Services, the COPS program. This bill would merge the current Byrne grant program with the local law enforcement block grant programs into one new Edward Byrne Memorial Justice Assistance Grant program. By merging these two programs, States and local law enforcement will be able to more easily apply for and access vital funding.

Mr. Speaker, this streamlined process will improve flexibility for our State and our local governments. A one-size-fits-all mentality is not an acceptable solution for funding individual communities and law enforcement entities that have specialized and diverse needs. A certain degree of deference must be given to State and local law enforcement as they work to combat individual threats to and problems in their own communities.

However, H.R. 3402 also ratifies our need for continuing oversight of Federal dollars by creating an Office of Audit, Assessment, and Management that will ensure that the Office of Justice program runs efficiently and applies the money responsibly and effectively. This oversight office will be focused on results, and it will follow the trail of these funds so they can reach

their intended target and achieve their full potential.

Mr. Speaker, this authorization would also permanently authorize an Office of Weed and Seed Strategies. This office would replace the current Executive Office of Weed and Seed created by the first Bush administration in 1991 as a community-based, multi-agency approach to blend law enforcement, crime prevention, and neighborhood restoration strategies to strengthen our communities.

□ 1145

With respect to the programs created by the Violence Against Women Act, H.R. 3402 will reauthorize and strengthen various court programs, including the STOP grant program which brings police and prosecutors into a collaborative process with victim services that aims to prevent and punish violence committed against women.

As the proud parent of three daughters and the proud grandparent of two granddaughters, I fully recognize the need to give law enforcement every tool available to prevent domestic violence and to protect America's wives, mothers, daughters and granddaughters.

Mr. Speaker, H.R. 3402 makes significant improvements to these programs. For instance, this legislation assures gender equality by requiring gender neutrality in any grant or activities that assist victims of domestic violence, dating violence, stalking, sexual assault or human trafficking. Additionally, H.R. 3402 includes provisions to strengthen the privacy rights of victims, to allow for a more vigorous prosecution of cyberstalking and to double, let me repeat, double the penalty for repeat Federal domestic violence offenders.

The bill not only strengthens the ability of law enforcement but it also provides victims with additional tools in the fight against domestic violence, including access to trained attorneys and to lay advocacy services.

H.R. 3402 would also create two new programs focused on children and youth who are victims of or witnesses to domestic violence. Clearly our children do not have to be physically abused to become victims of domestic violence. Exposure to these types of heinous acts can be enough to scar the life of a child forever, and this reality must be, and it is, addressed by this bill.

So, Mr. Speaker, today as this House considers the rule and the underlying legislation and a number of amendments, I would like to encourage my colleagues to keep this thoughtful debate focused on the topic at hand. Funding the Department of Justice and protecting victims of domestic violence are commonsense priorities on both sides of the aisle.

Again, Mr. Speaker, I look forward to the consideration of this rule. I ask my colleagues to support it and, of course, the underlying bill.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY) for the time.

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

Mr. Speaker, rarely in the last decade has the Committee on the Judiciary's majority been interested in working in a bipartisan fashion. So I am pleasantly surprised that cooperation and consultation won out over partisanship and ideology during the drafting of the underlying legislation. At the same time, however, as the underlying legislation comes to the floor under the blanket of inclusiveness, it is disappointing that the rule providing for its consideration is again restrictive.

Under this rule, all but a few select amendments are blocked from being presented to the body. All but a select few are blocked from offering amendments that would strengthen and improve the Violence Against Women Act. All but a select few are blocked from offering amendments that would place more law enforcement on the street and help reduce crime. All but a select few are blocked from making a good bill even better.

Forty-six amendments were submitted to the Committee on Rules yesterday evening, Mr. Speaker: 15 by Republicans, 23 by Democrats, and eight bipartisan. Nevertheless, under this rule the House will have the opportunity to consider only 12 of them, that is, of the 46 amendments offered in the Committee on Rules yesterday, barely one out of every four is actually made in order under this rule. That is not democracy. It is autocracy. And it is just not right, no matter how non-controversial a bill may be.

Mr. Speaker, the underlying legislation is supported on both sides of the aisle. It is largely similar to legislation which passed overwhelmingly in the 108th Congress, and I plan to support it. I am pleased that the bill increases funding for the Department of Justice Inspector General and the COPS program well beyond the President's short-sighted budget request. The bill merges the Byrne Grant program with the Local Law Enforcement Block Grant program authorizing \$1.1 billion for the program in fiscal year 2006 and an unspecified amount through 2009. It also extends the Bullet Proof Vest Partnership Grant program to assist State and local law enforcement to upgrade and purchase new life-saving vests.

I am equally pleased that the Committee on the Judiciary included in the bill a provision authored by the gentleman from California (Mr. SCHIFF). This provision requires the Department of Justice to report to Congress annually on the number of detainees suspected of terrorism in the United States and those that the United States is holding and whether they will be treated as enemy combatants or criminal defendants.

Mr. Speaker, as a beacon of freedom, the United States has a responsibility to maintain a justice system that is transparent, fair, and respected throughout the world. The Schiff provision goes a long way towards restoring the respect that America once commanded regarding the treatment of prisoners of war. It is my hope and expectation that this provision will be included in the conference report that is ultimately sent to the President for his signature.

Finally, the underlying legislation reauthorizes the Violence Against Women Act, which is set to expire in a few days. First signed into law in 1994 by President Clinton, the Violence Against Women Act provides significant protections to women, children, and families who are victims of sexual assault, domestic violence and abuse, stalking, and sex trafficking.

Under the act, women and children who are victims of these heinous crimes are provided with access to legal aid, social services, counseling, and most importantly, protection under Federal law. The underlying legislation reauthorizes and expands critical programs already in existence under current law while also creating new programs that improve our efforts to protect women and children from the sick and twisted.

Mr. Speaker, as I briefly mentioned, the underlying legislation is a good bill, and I will support it. Nevertheless, it is disappointing that Members of this body are being blocked from making this good bill even better.

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

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

Mr. Speaker, regarding the amendments that were made in order, in fact, there are 12. Many of the amendments that were authored were non-germane; but in any regard, 12 amendments under this structured rule were made in order. And certainly in the interest of being fair and balanced, six Democratic amendments and six Republican amendments are those we will consider later on this morning.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding me time. It is great to be speaking on a rule once again.

Mr. Speaker, the Violence Against Women Act is one of the great legislative success stories of the last 10 years, and today the House of Representatives has the opportunity and the duty to strengthen and improve current law to further protect women across the country from exploitation and abuse.

Since 1994, VAWA, as we affectionately refer to it, has been an invaluable tool in the law enforcement arsenal as well as a crucial resource for victims. I know, Mr. Speaker, because I was on the bench before its passage. So whether it is obtaining a protection order, talking to an advocate or prosecutor,

or just making our streets safer for women, we have seen monumental changes in how we protect the vulnerable from violence.

Since 1995, States have passed more than 600 laws to combat domestic violence, sexual assault, and stalking. All States have passed laws making stalking a crime. And since 1996, the National Domestic Violence Hotline has answered over 1 million calls for help. But even though tremendous progress has been made in addressing the dark and devastating issues of sexual assault, incest, rape, and other forms of violence against women and children, crime continues.

Let us never forget, Mr. Speaker, that children in homes where domestic violence is present are more apt to grow up to be abusers themselves or more likely to remain in a relationship when they are abused. It is a cyclical problem, and it needs to be intercepted, and it needs to be stopped.

Today's reauthorization measure extends core programs and makes improvements to enhance our ability to combat domestic violence, dating violence, sexual assault, and stalking. It also seeks to combat the problem of violence against our youth on campuses by allowing funds to be used for innovative antiviolence programs on college campuses all across America. And for the first time we have a law that addresses cyberstalking and the horrid abuses of the Internet.

By persevering in this fight, we will see justice not only by stopping those who prey on the defenseless but also by assisting and empowering those in need.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this rule and the bipartisan legislation underlying it so that women and children across America can live in a safer and more secure world.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me time and for his leadership.

I rise in strong support for the underlying bill. The Violence Against Women Act, enacted in 1994, was a milestone in this country. It moved violence, the unspoken crime against women, out of the closets, out of the back doors and into the national agenda of this country with protections, with grants, with information to the police, the prosecutors; and it has helped women, children, and families in this country.

Yet, I rise in strong opposition to this rule; and while I support the bill, this restrictive rule has blocked debate on a number of very important amendments that would have made the Violence Against Women Act an even stronger and better piece of legislation, including two that I offered to help rape victims merely get information that they could use to prevent the need

for an abortion and to prevent an unwanted pregnancy.

The first of my amendments would have required the Department of Justice's first ever medical guidelines for treating sexual assault victims, those women that have been raped, the National Protocol For Sexual Assault Medical Examinations. It merely asked them to include a recommendation that those women that have been victimized be offered information about emergency contraception in order to prevent pregnancy. EC is not an abortion; it is pregnancy prevention. And where this woman has been victimized, depriving her of this information victimizes her twice.

□ 1200

The second would simply ask the Attorney General to explain in a report to Congress and to the American people why emergency contraception was not included in the protocol.

Last year, after the Justice Department issued the protocol, reports indicated that information on the option of EC, or emergency contraception, to prevent pregnancy had been included, was supported in early drafts, but it was removed, without explanation, from the final version. By removing references to EC from the national protocol, the administration makes it clear that they would rather make rape victims decide between having an abortion or carrying their rapist's baby to term than offering women important knowledge and information to decide if emergency contraception is right for them. I find it unconscionable that they will not allow this information to be included.

The Justice Department's inclusion of EC in a national protocol absolutely runs counter, not only to the consensus in this country, but the consensus of most of the Nation's and the world's top organizations and scientists. The American College of Emergency Physicians includes it. The American College of Gynecology explicitly recommends it, and I must say that at least 101 countries around the world make EC available, and 39 of those even offer it over the counter.

So let me say that 101 nations cannot be wrong. This country is counter to world opinion. This is information that would help women that have been victims of rape, and I regret to say that they denied even a discussion of it on this floor with the amendments.

I urge a "no" vote on the rule because of these two amendments that are common sense, would help women, were excluded and many others that the gentleman from Florida (Mr. HASTINGS) mentioned.

So, again, I urge my colleagues to defeat this rule.

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

In regard to the amendment the gentlewoman from New York is referencing, in the jurisdiction of the

Committee on the Judiciary, it was ruled nongermane to this bill. There are other committees certainly that would have jurisdiction over that and need an opportunity to look at that very closely.

Mrs. MALONEY. Madam Speaker, will the gentleman yield?

Mr. GINGREY. I yield to the gentleman from New York.

Mrs. MALONEY. Madam Speaker, I thank the gentleman for saying that this important issue should be looked at. I point out that this is information that 101 countries offer and is not part of our protocol.

My office and I talked to the appropriate people and to the parliamentarians, and it was germane. It was germane to the bill.

Mr. GINGREY. Madam Speaker, reclaiming my time, I appreciate the gentlewoman's comments.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from California (Ms. WATSON), a leader in this field and for a number of years in the California legislature and ambassadorial ranks.

Ms. WATSON. Madam Speaker, I am dismayed that the amendment I wished to offer to this bill has been ruled out of order by the Committee on Rules. By refusing to permit this amendment to even be debated, the House Republican leadership is dismissing the concerns of Americans, not only in my hometown, but in hometowns across America who believe that we should put all options on the table to fight violent gangs.

Gang violence and gang activities are just not limited to inner city areas. Today, we will find some of the most violent and well-organized youth gangs in our Nation's richest suburbs and areas right around here in Arlington and Fairfax County, two of the most affluent counties in the U.S. Local law enforcement officials are dealing with a host of gangs, and according to the FBI, northern Virginia is one of the hottest regions in the Nation for gang activities.

Despite the growing threat of organized gang violence to our national welfare, I know of no Federal Government report that contains a comprehensive listing and description of gangs, as well as an assessment of the demographic characteristics of those gangs that is prepared on an annual basis.

Madam Speaker, I believe that the report my legislation would have mandated could have been widely used by local, State and Federal law enforcement officials. It would be the first Federal report prepared on an annual basis to provide a comprehensive overview of gang activity in the United States. The report will also make available important information on gang activities in schools. It would

have been an annual benchmark used by policy-makers, as well as Members of Congress to assess the success or failure of anti-gang activities.

I urge my colleagues to oppose the rule.

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

Regarding the gentlewoman from California, I want to point out to her that this very issue was addressed in the gang bill that was passed earlier this year. In fact, H.R. 1279, the comprehensive gang violence prevention bill, authorized \$20 million to provide assistance to State and local prosecutors to fund technology and other equipment to track gang members and maintain information about their crimes. In fact, if I recall correctly, it was the gentlewoman from California's amendment on the floor on that very bill that was accepted and included in H.R. 1279.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, as I said at the outset, this is a good bill and I plan to support it, but a good bill could have been made better had amendments of Members in this body on both sides been made in order.

We are not the workaholic Congress around here, and we have the time to undertake to do things that are critical for the American public. I am absolutely convinced that we could have allowed most, if not all, of the amendments that were included.

I have said on other occasions that my colleagues in the majority were championed by some of the best skilled legislators in 1992 and 1994. One of them, a deceased Member, former chairman of the Committee on Rules, a good friend of mine that I traveled actively with and dearly miss him, was Gerald Solomon. Others of course, former Speaker Gingrich and the distinguished Robert Walker. I saw them on this floor repeatedly saying that the big problem that existed with Democrats at that time was that they were operating on closed and restrictive rules.

I guess what changed here is the majority, and there are some who still have not got it, and that is, that people in this body represent all of the people in America. Until such time as we open all of the rules to Members who are desirous of offering germane amendments, we will be having restrictive and closed rules and shutting out, blocking out a part of the individuals who represent upwards of 600,000 to 800,000 people each.

I find that anathema, particularly in light of the instruction that came from those in the majority. I remember so vividly hearing on the radio people talking about closed rules and open rules, and people did not even know what a closed rule and an open rule was, but the mantra was that the rules were closed. Open them up, so that the American public can have a trans-

parent Congress that allows for the flow of legislation to be debated on this floor and that the will of the House then should prevail.

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

Mr. GINGREY. Madam Speaker, I just wanted to say, I had an opportunity to speak with the gentlewoman from California (Ms. WATSON) regarding her concerns and her amendment, and what we have committed to her and the Committee on the Judiciary has made a commitment that they will work with her in regard to the language of her amendment as the gang bill goes to conference which really is a more appropriate vehicle to modify that language, and we do make that commitment to the gentlewoman from California.

Madam Speaker, I would like to close by expressing my gratitude to my colleagues for a productive discussion on this rule.

H. Res. 462 is a good rule. It balances very well the laborious work of the Committee on the Judiciary with the amendment process on the floor. Multiple Members will have an opportunity to discuss their amendments and receive a vote, and I look forward to the further consideration of this legislation.

From the FBI to the DEA, to the United States attorneys to the Bureau of Prisons, H.R. 3402 authorizes critical funding for the Department of Justice, allowing it to continue its fight to uphold the laws of our land and to keep our citizens safe.

Additionally, this bill will strengthen many of the programs already available under the office of justice programs that aid State and local law enforcement on the ground as they work to protect their individual communities.

This Act streamlines many of the request processes and, thereby, facilitates local officials and law enforcement in accessing the funds made available by these programs.

Mr. Speaker, through the reauthorization of the provisions of the Violence Against Women Act, H.R. 3402 creates stiffer penalty for abusers, and it gives more rights to the victims of domestic violence.

For the sake of law enforcement and victims across this great country, I urge my colleagues to support this rule and the underlying bill.

Ms. ROYBAL-ALLARD. Madam Speaker, thanks to the passage of the Violence Against Woman Act in 1994, domestic violence is recognized as a crime committed by the abuser, and not the fault of the victim.

However, neither our federal laws nor the laws of many of our states offer victims of domestic violence some of the protections they need to leave their abuser.

Congressman POE and I had three amendments to address these critical issues.

The Violence Against Women Act made it possible for victims of domestic violence to get protective orders and move to safe shelters.

Yet victims who take time off from work to attend to such matters are often fired or demoted.

One of our amendments would have allowed a victim of domestic violence to take time off from work, without pay, and without penalty, to make necessary court appearances, seek legal assistance, and get help with safety planning.

Our second amendment would have allowed states to provide unemployment benefits to victims who are fired due to circumstances stemming from domestic violence.

This would help victims who find themselves with the unconscionable choice of returning to an abusive home or becoming homeless.

Finally, victims of domestic violence report rampant insurance discrimination based on their status as a victim of domestic assault.

Insurance providers frequently use information about the abuse history of an applicant—including medical, police, and court records—to deny health coverage.

And our third amendment would prohibit insurance providers from basing coverage decisions on a victim's history of abuse.

Unfortunately, because the Republican leadership has decided on a restrictive approach to reauthorizing VAWA Congressman POE and I have been prevented from presenting these amendments.

For that reason, I oppose the rule, and will work with Congressman POE to include these amendments in the final version of the House bill in order to help victims of domestic abuse successfully and safely escape their abuser.

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

The previous question was ordered.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the resolution.

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

Mr. HASTINGS of Florida. Madam Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

motion to instruct on H.R. 2360, by the yeas and nays;

H. Res. 462, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second vote in this series.

MOTION TO GO TO CONFERENCE ON H.R. 2360, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

MOTION TO INSTRUCT OFFERED BY MR. SABO

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 2360 offered by

the gentleman from Minnesota (Mr. SABO) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 196, nays 227, not voting 10, as follows:

[Roll No. 497]

YEAS—196

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

NAYS—227

- | | | |
|---------------|--------------|--------------|
| Aderholt | Blackburn | Brown-Waite, |
| Akin | Blunt | Ginny |
| Alexander | Boehert | Burgess |
| Bachus | Boehner | Burton (IN) |
| Baker | Bonilla | Buyer |
| Barrett (SC) | Bonner | Calvert |
| Bartlett (MD) | Bono | Camp |
| Barton (TX) | Boozman | Cannon |
| Bass | Boustany | Cantor |
| Beauprez | Bradley (NH) | Capito |
| Biggert | Brady (TX) | Carter |
| Bilirakis | Brown (SC) | Castle |
| Bishop (UT) | | Chabot |

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|------------------|--------------------|---------------|
| Chocola | Jenkins | Pombo |
| Coble | Jindal | Porter |
| Cole (OK) | Johnson (CT) | Price (GA) |
| Conaway | Johnson (IL) | Pryce (OH) |
| Crenshaw | Johnson, Sam | Putnam |
| Cubin | Jones (NC) | Radanovich |
| Cunningham | Keller | Ramstad |
| Davis (KY) | Kelly | Regula |
| Davis, Tom | Kennedy (MN) | Rehberg |
| Deal (GA) | King (IA) | Reichert |
| DeLay | King (NY) | Renzi |
| Dent | Kingston | Reynolds |
| Diaz-Balart, L. | Kirk | Rogers (AL) |
| Diaz-Balart, M. | Kline | Rogers (KY) |
| Doolittle | Knollenberg | Rogers (MI) |
| Drake | Kolbe | Rohrabacher |
| Dreier | Kuhl (NY) | Ros-Lehtinen |
| Duncan | LaHood | Royce |
| Ehlers | Latham | Ryan (WI) |
| Emerson | LaTourette | Ryun (KS) |
| English (PA) | Leach | Saxton |
| Everett | Lewis (CA) | Schmidt |
| Feeney | Lewis (KY) | Schwarz (MI) |
| Ferguson | Linder | Sensenbrenner |
| Fitzpatrick (PA) | LoBiondo | Sessions |
| Flake | Lucas | Shadegg |
| Foley | Lungren, Daniel E. | Shaw |
| Forbes | E. | Sherwood |
| Fortenberry | Mack | Shimkus |
| Fossella | Manzullo | Shuster |
| Fox | Marchant | Simmons |
| Franks (AZ) | McCaul (TX) | Simpson |
| Frelinghuysen | McCotter | Smith (NJ) |
| Gallely | McCrery | Smith (TX) |
| Garrett (NJ) | McHenry | Sodrel |
| Gerlach | McHugh | Souder |
| Gibbons | McKeon | Stearns |
| Gilchrest | McMorris | Sullivan |
| Gillmor | Mica | Sweeney |
| Gingrey | Miller (FL) | Tancredo |
| Gohmert | Miller (MI) | Taylor (MS) |
| Goode | Miller, Gary | Taylor (NC) |
| Goodlatte | Moran (KS) | Terry |
| Granger | Murphy | Thomas |
| Graves | Musgrave | Thornberry |
| Green (WI) | Myrick | Tiahrt |
| Gutknecht | Neugebauer | Tiberi |
| Hall | Ney | Turner |
| Harris | Northup | Upton |
| Hart | Norwood | Walden (OR) |
| Hastings (WA) | Nunes | Walsh |
| Hayes | Nussle | Wamp |
| Hayworth | Osborne | Weldon (FL) |
| Hefley | Otter | Weldon (PA) |
| Hensarling | Oxley | Weller |
| Herger | Paul | Westmoreland |
| Hobson | Pearce | Whitfield |
| Hoekstra | Pence | Wicker |
| Hostetler | Peterson (PA) | Wilson (NM) |
| Hulshof | Petri | Wilson (SC) |
| Hyde | Pickering | Wolf |
| Inglis (SC) | Pitts | Young (AK) |
| Issa | Platts | Young (FL) |
| Istook | Poe | |

NOT VOTING—10

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|------------|---------------|----------|
| Blumenauer | Davis, Jo Ann | Melancon |
| Boswell | Gutierrez | Shays |
| Culberson | Harman | |
| Davis (FL) | Hunter | |

□ 1238

Messrs. DEAL of Georgia, FOLEY, PETERSON of Pennsylvania, TAYLOR of Mississippi, LINDER, MORAN of Kansas, and KING of New York changed their vote from “yea” to “nay.”

Messrs. BERMAN, COOPER, and RUSH changed their vote from “nay” to “yea.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.