

Bradley (NH)	Hayes	Pearce
Brady (TX)	Hayworth	Pence
Brown (SC)	Hefley	Peterson (PA)
Brown-Waite,	Hensarling	Petri
Ginny	Herger	Pickering
Burgess	Hobson	Pitts
Burton (IN)	Hoekstra	Platts
Buyer	Hostettler	Poe
Calvert	Hulshof	Pombo
Camp (MI)	Hunter	Porter
Campbell (CA)	Hyde	Price (GA)
Cantor	Inglis (SC)	Pryce (OH)
Capito	Issa	Putnam
Carter	Jindal	Radanovich
Castle	Johnson (CT)	Ramstad
Chabot	Johnson (IL)	Regula
Chocola	Johnson, Sam	Rehberg
Coble	Jones (NC)	Reichert
Cole (OK)	Keller	Renzi
Conaway	Kelly	Reynolds
Cramer	Kennedy (MN)	Rogers (AL)
Crenshaw	King (IA)	Rogers (KY)
Cubin	King (NY)	Rogers (MI)
Culberson	Kingston	Rohrabacher
Davis (KY)	Kirk	Ros-Lehtinen
Davis, Jo Ann	Kline	Royce
Davis, Tom	Knollenberg	Ryan (WI)
Deal (GA)	Kolbe	Ryun (KS)
DeLay	Kuhl (NY)	Saxton
Dent	Latham	Schmidt
Diaz-Balart, L.	LaTourette	Schwarz (MI)
Diaz-Balart, M.	Lewis (CA)	Sensenbrenner
Doolittle	Lewis (KY)	Sessions
Drake	Linder	Shadegg
Dreier	LoBiondo	Shays
Duncan	Lucas	Sherwood
Ehlers	Lungren, Daniel	Shimkus
English (PA)	E.	Simmons
Feeney	Mack	Simpson
Ferguson	Manzullo	Smith (NJ)
Fitzpatrick (PA)	Marchant	Smith (TX)
Flake	McCaul (TX)	Sodrel
Forbes	McCotter	Souder
Fortenberry	McCrery	Stearns
Fossella	McHenry	Sweeney
Fox	McHugh	Tancredo
Franks (AZ)	McKeon	Taylor (NC)
Frelinghuysen	McMorris	Terry
Garrett (NJ)	Mica	Thomas
Gerlach	Miller (FL)	Thornberry
Gibbons	Miller (MI)	Tiahrt
Gillmor	Murphy	Tiberi
Gingrey	Musgrave	Turner
Gohmert	Myrick	Walden (OR)
Goodlatte	Neugebauer	Walsh
Granger	Ney	Weldon (FL)
Graves	Northup	Weller
Green (WI)	Norwood	Westmoreland
Gutknecht	Nunes	Wicker
Hall	Nussle	Wilson (SC)
Harris	Otter	Young (AK)
Hart	Oxley	Young (FL)
Hastings (WA)	Paul	

NOT VOTING—40

Ackerman	Galleghy	Moran (KS)
Berman	Gilchrest	Osborne
Billakis	Gonzalez	Rush
Blumenauer	Goode	Shaw
Bono	Hinche	Slaughter
Boyd	Honda	Stupak
Cannon	Hooley	Sullivan
Capps	Istook	Visclosky
Costa	Jenkins	Wamp
Costello	LaHood	Waxman
DeGette	Lee	Wolf
Doyle	Lewis (GA)	Woolsey
Everett	McCollum (MN)	
Foley	Miller, Gary	

□ 1924

Mr. GRAVES and Mr. KENNEDY of Minnesota changed their vote from "yea" to "nay."

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.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed roll-call vote 7. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. REHBERG). Without objection, the Chair appoints the following conferees: Messrs. THOMAS, McCRERY, CAMP of Michigan, RANGEL, and STARK.

There was no objection.

ELECTION OF MEMBERS TO
STANDING COMMITTEES OF THE
HOUSE

Mr. GINGREY. Mr. Speaker, I offer a resolution (H. Res. 671) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 671

Resolved, That the following Members be and are hereby elected to the following standing committees of the House of Representatives:

Committee on Appropriations: Mr. DeLay to rank after Mr. Wolf.

Committee on the Budget: Mr. Campbell of California.

Committee on Energy and Commerce: Mr. Blunt to rank after Mr. Fossella.

Committee on Financial Services: Mr. Campbell of California.

Committee on Veterans' Affairs: Mr. Campbell of California.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISPENSING WITH CALENDAR
WEDNESDAY BUSINESS ON
WEDNESDAY NEXT

Mr. GINGREY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

A CALL FOR RELIGIOUS TOLERANCE
AND PEACE IN THE WORLD

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have values in this country. We believe in the First Amendment that appreciates and celebrates freedom of the press and freedom of speech and freedom of religion and freedom of association. But it is important to note that with all of the trauma that we are experiencing around the world there should be something called religious appreciation.

I do understand that the Danish Government believes that the First Amendment is prime and a priority, but I also believe there is something for the government to say to the Muslim world, and that is that we do not

condemn a religion that we do not understand and that we do have religious tolerance and religious appreciation. I call for tolerance and peace.

I ask those who have expressed themselves in violence to find other ways of expressing their opposition to the characterization of their religion through cartoons. I, too, find it to be an outrage, and I offer a sense of sympathy and appreciation for the dignity of the Muslim religion, of Islam. Because Islam is not terrorism, as the President of the United States has said.

So I hope that we will find a way and the Danish Government will find a way to not stand only on the principles of freedom of press, but that they will stand on the principle of religious tolerance, religious appreciation and respect. As we respect all faiths of this Nation, we should likewise respect the faiths of the many peoples of the world.

PROPOSAL TO CUT DEATH BENEFIT
UNDER SOCIAL SECURITY

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, I was amazed a few minutes ago to have the Office of Management and Budget Director tell me in a committee hearing that the administration is eliminating the \$255 death benefit available to widows and widowers under Social Security as a part of its great budget savings; justified, he told me, because that death benefit is anachronistic, to use his term.

Well, as far as I know, death is still occurring across America. There are poor widows and widowers for whom \$255 is an important contribution toward the cost of a burial. The fault has been in not keeping that \$255 benefit with the purchasing power it had for a widow or widower in the 1950s.

A benefit that goes back to 1939 under Social Security is one of the benefits that the President and this Republican Congress in their budget propose now to eliminate. It is wrong and I hope this House will reject this unfortunate move.

□ 1930

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CAMPBELL of California). 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.

MILITARY CHAPLAINS SHOULD BE
ABLE TO PRAY ACCORDING TO
THEIR FAITH

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

Mr. JONES of North Carolina. Mr. Speaker, I have read reports, received letters, and seen

documentation which verifies that suppression of religious freedom throughout our Armed Forces is a pervasive problem, affecting military chaplains from all denominations and religions.

Of particular concern is an incident involving Army Captain Chaplain Jonathan Stertzbach. This chaplain who is serving our troops in harm's way in Iraq was asked by another unit, whose chaplain had to return home to start chemotherapy after cancer was discovered, to serve the spiritual needs of the unit's soldiers in weekly movement to an undisclosed FOB (Forward Operating Base). During a mission, tragically, one of the soldiers was killed in action. The unit's Commanding Officer asked this chaplain to perform the memorial ceremony because he had bravely served the soldiers and risked his own life.

Before the memorial ceremony, the chaplain submitted two prayers for review. The Brigade Chaplain attempted to remove the chaplain from praying at the memorial ceremony because he concluded his prayer in the name of Jesus Christ. The chaplain, adhering to his conscience and faith tradition, said he would not strike the words Jesus Christ.

The unit's Commanding Officer intervened, explaining that Chaplain Stertzbach volunteered to serve a different unit outside of his assigned unit and placed his life in harm's way to provide for the needs of the unit's soldiers. The Commanding Officer instructed that Chaplain Stertzbach would pray according to his faith tradition.

After the incident, Chaplain Stertzbach's story reached the media. Consequently, his answers to the media and the incident surrounding the memorial ceremony resulted in Chaplain Stertzbach's removal from his chapel. This is unacceptable!

Since the beginning of our nation's military, chaplains have played an integral role, fulfilling the spiritual and emotional needs of the brave men and women who serve—and they have always prayed according to their faith tradition. It is in the best interest of our Armed Services and this nation to guarantee the constitutional right of military chaplains to pray according to their faith.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2006.

LTC STANLEY E. GREEN,
Department of the Army, The Inspector General,
Army Pentagon, Washington, DC.

DEAR LTC STANLEY GREEN: It has come to my attention that in all branches of the military it is increasingly difficult for chaplains to pray in adherence to their faith. I have read reports, received letters, and seen documentation which verifies that suppression of religious freedom throughout our Armed Forces is a pervasive problem, affecting military chaplains from all denominations and religions. Of particular concern is an incident involving Army Captain Chaplain Jonathan Stertzbach of the 3-6 FA HHB in Iraq. I am writing to request that the Army Inspector General investigate whether Chaplain Stertzbach was illegally removed from his chapel.

This chaplain who is serving our troops in harm's way in Iraq was asked by another unit, whose chaplain had to return home to start chemotherapy after cancer was discovered, to serve the spiritual needs of the unit's soldiers in weekly movement to an undisclosed FOB (Forward Operating Base) as well as his own battalion. During one of the missions, tragically, one of the soldiers was

killed in action. The unit's Commanding Officer asked this chaplain to perform the Memorial Ceremony because he had bravely served the soldiers, and gone to the risk of conveying to the FOB (Forward Operating Base) weekly.

Before the Memorial Ceremony, the chaplain submitted two prayers and a meditation for the Division Chaplain and his direct supervising chaplain to review and was approved. The Brigade Chaplain, having just arrived from Fort Drum, attempted to remove the chaplain from administering the prayers of the Memorial Ceremony because he concluded his prayer in the name of Jesus Christ in a public forum. The chaplain, adhering to his conscience and faith tradition, said he would not strike the words Jesus Christ.

The unit's Commanding Officer intervened, explaining that Chaplain Stertzbach volunteered to serve a different unit outside of his assigned unit and placed his life in harm's way to provide for the needs of the unit's soldiers. The Commanding Officer instructed that Chaplain Stertzbach would pray according to his faith tradition and the prayers that he had already submitted. The Brigade Chaplain told him to qualify his prayer at the beginning with "Please pray according to your faith tradition, as I pray according to mine" and then close the prayer with "in thy name we pray, and in Jesus' name I pray." Chaplain Stertzbach delivered the Memorial Meditation and prayers for the fallen hero, but still followed orders with the "qualifier" remaining in place.

After the incident, Chaplain Stertzbach's story reached the media. The chaplain was directly contacted by the Washington Times and referenced in a Washington Times January story. Chaplain Stertzbach's incident was not printed, but he was quoted as saying the following:

"You need to allow people to pray according to their faith group. Many faith groups do not pray in general and generic terms. . . . For Christian groups, the name of Jesus is from where all the power comes."

I believe Chaplain Stertzbach answered questions fairly, accurately, and within his legal rights. Consequently, his answers to the media and the incident surrounding the memorial ceremony resulted in Chaplain Stertzbach's removal from his chapel.

I am concerned that Chaplain Stertzbach was removed without justification. Again, I am requesting that you investigate this incident and provide an explanation.

Sincerely,

WALTER B. JONES,
Member of Congress.

REMEMBERING STAFF SERGEANT MICHAEL DURBIN

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

Mr. POE. Mr. Speaker, he was buried yesterday in the National Cemetery in Houston, Texas. Monday I met with his parents, Jerry and Teresa, in their home in Humble, Texas, and I am talking about Army Staff Sergeant Michael Durbin. He was born on July 6, 1979, in Houston, Texas. He grew up in Spring, Texas, and attended Nimitz High School where he earned the nickname "Iceman." He excelled in sports and was the quarterback on the football team. He also ran track and played on the baseball team. He was the oldest of five kids, and his father said, "When he

entered a room, he drew everyone's attention."

He attended Kingwood College before deciding to enlist in the Army in 2001 at the age of 21. His goal in life was to someday work for the CIA, and he enlisted in the hopes that the military would be a quick route toward that goal.

He met his wife Janelle while working together at a Houston computer store. They were married in 2001 and had a son Austin and a daughter Alyssa together. By the age of 26, Michael had already become staff sergeant in an air assault unit, and had bold aspirations of becoming a member of the elite and daring Delta Force.

Staff Sergeant Durbin had already served two tours of duty in the Middle East and was deployed for his third tour of duty in September 2005. Family members said he lived to serve his country, and 2 weeks ago during combat operations in Baghdad, Michael became the 194th Texan killed since the start of the war. He was killed when a homemade bomb exploded while he was on patrol. Michael was assigned to the 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team of the 101st Airborne Division, Fort Campbell, Kentucky. By the way, Mr. Speaker, 1 out of every 10 Americans wearing the uniform tonight is from the State of Texas.

I have a photograph of Staff Sergeant Michael Durbin taken shortly before he received another stripe on his left sleeve. Several days before he was killed in Iraq, he sent his wife Janelle a bouquet of flowers, and she talked with him the morning he died. He called her to tell her that he was leaving for a mission, and he loved her and would be back in a few days. He loved playing with his kids and being in love with his wife. They would have celebrated their fifth wedding anniversary next month.

Michael will be remembered by his family and friends for his passion for computers. He was a gifted artist with a special talent for original cartoon characters and superheroes. He actually designed his platoon's boot camp T-shirt when he entered the Army.

With his entire life before him, and his aspirations to serve Americans, Michael risked everything to fight for the values and freedoms we as Americans enjoy this day and every day. He was fighting so the Iraqis can enjoy these freedoms as well.

With the death of Michael Durbin, this Nation lost a freedom fighter, a loving father, and, as his dad said, a perfect son.

I would like to extend my prayers and condolences to his parents, Jerry and Teresa; to his family, relatives and friends in Spring, Texas, and Fort Campbell, Kentucky; his wife Janelle; and his children Alyssa, Austin and Hayley. Michael touched the lives of many people in his 26 years, and our hearts are filled with gratitude for brave soldiers like Staff Sergeant Michael Durbin.