

Millender-	Rahall	Smith (WA)
McDonald	Ramstad	Snyder
Miller (FL)	Rangel	Sodrel
Miller (MI)	Regula	Solis
Miller (NC)	Rehberg	Spratt
Miller, Gary	Reichert	Stearns
Mollohan	Renzi	Strickland
Moore (KS)	Reyes	Stupak
Moore (WI)	Reynolds	Sullivan
Moran (KS)	Rogers (AL)	Sweeney
Murtha	Rogers (KY)	Tancredo
Musgrave	Rogers (MI)	Tanner
Myrick	Rohrabacher	Tauscher
Neugebauer	Ros-Lehtinen	Taylor (NC)
Ney	Ross	Terry
Northup	Rothman	Thomas
Norwood	Roybal-Allard	Thompson (CA)
Nunes	Royce	Thompson (MS)
Nussle	Ruppersberger	Thornberry
Oberstar	Ryan (OH)	Tiahrt
Olver	Ryan (WI)	Tiberi
Ortiz	Ryun (KS)	Tierney
Osborne	Sabo	Turner
Owens	Salazar	Udall (CO)
Pallone	Sanders	Udall (NM)
Pascarella	Schiff	Upton
Pastor	Schmidt	Van Hollen
Paul	Schwartz (PA)	Visclosky
Payne	Schwarz (MI)	Walden (OR)
Pearce	Scott (GA)	Walsh
Pelosi	Scott (VA)	Wamp
Pence	Sensenbrenner	Watson
Peterson (MN)	Serrano	Watt
Peterson (PA)	Sessions	Weiner
Petri	Shadegg	Weldon (FL)
Pickering	Shaw	Weldon (PA)
Pitts	Shays	Weller
Platts	Sherman	Westmoreland
Poe	Sherwood	Whitfield
Pombo	Shimkus	Wicker
Pomeroy	Shuster	Wilson (NM)
Porter	Simmons	Wilson (SC)
Price (GA)	Simpson	Wu
Price (NC)	Skelton	Young (FL)
Pryce (OH)	Slaughter	
Putnam	Smith (NJ)	

NOT VOTING—35

Andrews	Holden	Radanovich
Burton (IN)	Hyde	Rush
Cardoza	Jefferson	Saxton
Conyers	Johnson (IL)	Smith (TX)
Cubin	Kennedy (RI)	Souder
Delahunt	Lipinski	Velázquez
Dingell	Mack	Wexler
Drake	McIntyre	Wolf
English (PA)	Meek (FL)	Woolsey
Evans	Moran (VA)	Wynn
Ford	Murphy	Young (AK)
Hinchey	Oxley	

□ 1052

Messrs. SULLIVAN, KELLER, MELANCON, KUCINICH, RUPPERSBERGER, BUTTERFIELD, POE, GINGREY and Ms. CARSON of Indiana changed their vote from "yea" to "nay."

Mr. HONDA and Mr. CROWLEY changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 137 I was unavoidably detained. Had I been present, I would have voted "nay."

Mr. MURPHY. Mr. Speaker, I was unavoidably detained prior to rollcall 137 this morning and was not able to vote. Had I been present, let the RECORD reflect that I would have voted "no" on rollcall 137.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on

Rules, I call up House Resolution 811 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 811

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 further consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes.

SEC. 2. (a) Notwithstanding clause 11 of rule XVIII, no further 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 and amendments en bloc described in section 3 of this resolution.

(b) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report (except as specified in section 4 of this resolution), 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 (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment), and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, 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. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. The Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report of the Committee on Rules accompanying this resolution out of the order printed, but not sooner than 30 minutes after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect.

SEC. 5. 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 Oklahoma (Mr. COLE) is recognized for 1 hour.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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.

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to revise and extend their remarks, and to insert tabular and extraneous material.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, on Wednesday, the Rules Committee met and reported a second rule for consideration of the House Report for H.R. 5122, the Fiscal Year 2007 National Defense Authorization Act.

Mr. Speaker, this rule is a structured rule and provides for further consideration of the bill, H.R. 5122. It makes in order only those amendments printed in the Rules Committee report accompanying the resolution and amendments en bloc described in section 3 of the resolution.

The rule provides that amendments printed in the report shall be considered only in the order printed in the report, except as specified in section 4 of the resolution, may be offered only by a Member designated in the report, and shall be considered as read.

It provides that each amendment printed in the report shall be debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Mr. Speaker, the rule waives all points of order against amendments printed in the report and those amendments en bloc as described in section 3 of the resolution. Additionally, it authorizes the chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in the Rules Committee report not earlier disposed of, which shall be considered as read, shall be debatable for 20 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, and shall not be subject to amendment or demand for division of the question in the House or the Committee of the Whole.

□ 1100

The rule provides that the original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

The rule also allows the Chairman of the Committee of the Whole to recognize for consideration any amendment printed in the report out of the order printed, but not sooner than 30 minutes after the Chairman of the Armed Services Committee or his designee announces from the floor a request to that effect. Lastly, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, today I rise in support of this rule and the underlying legislation. Yesterday, I believe we had a good discussion about the importance of the underlying legislation, and the rule passed overwhelmingly. The same facts that were true yesterday remain so today.

Mr. Speaker, I am particularly proud about the way the rules for the fiscal year 2007 National Defense Authorization Act have been structured. Let's have a minute to review the facts here. The underlying legislation had broad bipartisan agreement, passing the committee by a vote of 60-1.

Between the subcommittee and the full committee, the Armed Services Committee passed 75 amendments, 36 of those by Republican authors, 38 by Democrats, and one bipartisan amendment. Out of the 100 amendments submitted to the Rules Committee, we made 31 in order, 15 Republican, 13 Democrats and two bipartisan.

In addition, six amendments were incorporated into the manager's amendment.

Today, we may well hear that the amendment process was arbitrary and unfair, but the facts do not support the claims. This legislation proceeded through regular order. We will have a vigorous discussion today, and the amendments in order will allow either side to improve and perfect the defense authorization further.

As usual, minority rights are protected by allowing a motion to recommit with or without instructions. This process has been open, thorough and fair. While not every amendment was made in order, all were considered. Only nine of the 60-odd amendments that were not included were actually raised by the minority for consideration in the Rules Committee.

Mr. Speaker, yesterday I spoke about the importance of four long-term challenges relating to national security and how this bill addresses them. Additionally, I drew attention to the fact that our deployed servicemen and women rely on this legislation to directly support their efforts in our Global War on Terror.

Nothing said today will change these facts. Today is really the day we should be focused on uniting as Americans and supporting our troops in the

field. No one piece of legislation is ever perfect. Today is no exception. But today we have a very good piece of legislation that was crafted in a bipartisan way through regular order.

At the end of this debate, the House will have considered over 30 percent of all submitted amendments on the floor. The others were previously considered at the committee level. There are no irregularities here.

While we will no doubt have some spirited disagreements on some amendments, including some not brought to the floor, this bill is, at its core, an example of bipartisan cooperation and consensus.

The Members of the minority who serve on the House Armed Services Committee have praised the committee chairman, the gentleman from California (Mr. HUNTER) for its inclusiveness and have said that the legislation we are considering today deserves to pass. When all is said and done, it will pass by an overwhelming bipartisan majority. That is something in which this House, the American people and, more importantly, our men and women in uniform can take pride.

Mr. Speaker, realizing the facts surrounding the fiscal year 2007 National Defense Authorization Act, I urge the support of the rule and the underlying bill.

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

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

Mr. Speaker, listening to my colleague's remarks, he certainly made it clear how proud he was of the bipartisanship in that committee. And so should we all be.

But all bipartisanship ended when this came to the Rules Committee. Of course it was an overwhelming vote. They have nine members, we have four. The tragedy here is that major amendments that Democrats wanted were not allowed to be heard today, very important things that we want to do.

For example, the ranking member, Mr. SKELTON, was denied an amendment. The minority whip, Mr. HOYER, was denied an amendment. And so, Mr. Speaker, through you, I want to ask Mr. COLE if he will grant me a unanimous consent request so that I can amend H. Res. 811 and add several important Democratic amendments not allowed under this restrictive rule.

Mr. Speaker, as you know, when Speaker HASTERT was in the chair, he said by unanimous consent that we can easily do this. The amendments we want to add back are: A Skelton amendment that helps military families with prescription drug costs; an Israel amendment that calls for religious sensitivity by our military chaplains; an important Hoyer amendment on alternative energy; a Capps amendment to be able to defend her district against a nongermane provision in the bill; and a McGovern amendment to close down the School of the Americas.

I ask if he will yield me that time.

The SPEAKER pro tempore. Does the gentleman from Oklahoma yield to the gentlewoman from New York for the purpose of a unanimous consent request?

Mr. COLE of Oklahoma. No, Mr. Speaker, I do not. Those matters can be dealt with on a motion to recommit.

MOTION TO ADJOURN

Ms. SLAUGHTER. Then because of the unfairness of this and the importance of this, and because this country is at war, and because you have shut out major debate on this bill, I move the House do now adjourn.

The SPEAKER pro tempore. The gentlewoman reserves her time. A motion to adjourn is not debatable.

The question is on the motion to adjourn offered by the gentlewoman from New York (Ms. SLAUGHTER).

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 68, noes 336, answered “present” 1, not voting 27, as follows:

[Roll No. 138]

AYES—68

Ackerman	Frank (MA)	Obey
Allen	Grijalva	Oliver
Baird	Hastings (FL)	Otter
Berkley	Honda	Owens
Berman	Israel	Pascarell
Berry	Jackson-Lee	Pastor
Blumenauer	(TX)	Pelosi
Boehlert	Johnson, E. B.	Rush
Brown, Corrine	Jones (OH)	Sabo
Capps	Lantos	Sánchez, Linda
Capuano	Larsen (WA)	T.
Carson	Lee	Schakowsky
Case	Lewis (GA)	Sllaughter
Clay	Lowey	Solis
Cleaver	Lynch	Stupak
Conyers	Maloney	Taylor (MS)
Costa	Markey	Towns
Crowley	McDermott	Velázquez
DeGette	McNulty	Wasserman
Delahunt	Miller (NC)	Schultz
Dingell	Miller, George	Waters
Doggett	Nadler	Watson
Engel	Napolitano	Waxman
Filner	Neal (MA)	

NOES—336

Abercrombie	Boehner	Cantor
Aderholt	Bonilla	Capito
Akin	Bonner	Cardin
Alexander	Bono	Carnahan
Andrews	Boozman	Carter
Baca	Boren	Castle
Bachus	Boswell	Chabot
Baker	Boucher	Chandler
Baldwin	Boustany	Chocola
Barrett (SC)	Boyd	Clyburn
Barrow	Bradley (NH)	Coble
Bartlett (MD)	Brady (PA)	Cole (OK)
Barton (TX)	Brady (TX)	Conaway
Bass	Brown (OH)	Cooper
Bean	Brown (SC)	Costello
Beauprez	Brown-Waite,	Cramer
Becerra	Ginny	Crenshaw
Biggart	Burgess	Cubin
Bilirakis	Burton (IN)	Cuellar
Bishop (GA)	Butterfield	Culberson
Bishop (NY)	Calvert	Cummings
Bishop (UT)	Camp (MI)	Davis (AL)
Blackburn	Campbell (CA)	Davis (CA)
Blunt	Cannon	Davis (FL)