

Mr. GEORGE MILLER of California. Mr. Speaker, this is an amendment to make sure that the taxpayers of this country and the owners of the Federal lands are not shortchanged if in fact ANWR will be opened in the future. Last week we discussed royalty relief, and we made the point that there are companies who have a royalty holiday. They do not pay royalties to the taxpayers of this country for the drilling on the lands that are owned by those taxpayers. In some cases, those companies may be able to escape almost all of the royalties on those lands.

We are simply saying to the Secretary of the Interior, if ANWR is opened, whether you are for it or against it, if ANWR is opened, those companies that continue to exploit the royalty holiday will not be allowed to bid for a lease in the ANWR, should it be leased. This is only fair to the taxpayers. An overwhelming bipartisan coalition voted for this last week on legislation. We seek to have that vote again to make sure.

We all know that oil is at \$70 a barrel. We know oil company profits are at record all-time highs. Yet nobody can figure out how to give the taxpayer a break.

The oil companies are not going to lower the price of gas or pay for the research in the bill yesterday, and now they are telling us they won't give back the royalty holiday that they are not entitled to. They are going to continue to exploit this loophole in the law, and then they want to bid on new resources. We simply say, enough is enough. We want to protect the taxpayers.

This is not about whether ANWR is open or whether ANWR remains closed; this is about the ethics and this is about the judgment of this Congress in dealing with these oil companies that seek to not only have their cake and eat it too, but to move on and get new cake from the taxpayers of this country.

Madam Speaker, I yield to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Madam Speaker, this recommittal motion goes right to the heart of what the Congress voted last week. Last week the Congress said that if oil companies that had received leases in the 1990s and in the early part of this century that are not paying any royalties on the oil which they drill out of public lands that would help to reduce the deficit, to pay for Medicare, to pay for Medicaid; if they are not going to pay royalties at \$60 a barrel, \$70 a barrel, \$80 a barrel, \$90 a barrel or \$100 a barrel on oil which is drilled on public lands that they already have leases on, that those companies should not be able to drill on public lands in an Arctic wildlife refuge and receive the benefit of drilling on public lands.

Either they renegotiate their old royalty agreements with the Federal Government that allow them to escape paying to the Federal Treasury, or

they will not get the benefit of drilling on public lands, especially if it is a wildlife refuge.

So that is what this is all about. And President Bush said in April there is no need for royalty relief at \$55 a barrel oil. We are talking about \$60, \$70, \$80, \$90 a barrel. This recommittal motion ensures that the American taxpayer will be protected.

Mr. GEORGE MILLER of California. Madam Speaker, last week on the Hinchey amendment, where this issue was as straightforward as it is today, 67 Republicans joined 184 Democrats and overwhelmingly passed this amendment.

This amendment is a matter of simple fairness and equity, and it is to make sure that those people at these times of record profits who seek to exploit the loopholes in the law are not allowed to do that and get new leases from the taxpayers of this country in ANWR. That is simple fairness, it is simple equity, and the people of this country are entitled to it.

I would urge people to support the motion to recommit, and then the bill will go forward and people can decide on whether or not they want to drill in ANWR. I hope they don't, or, if they want to not do that, I hope they will make that decision. But that is independent of this fairness to the taxpayers, to the ratepayers, to the property owners in this country who own these lands that will be put out to bid, that we don't get fleeced twice by a couple of the oil companies that think they can have it both ways.

Mr. POMBO. Madam Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from California is recognized for 5 minutes.

Mr. POMBO. Madam Speaker, I do agree with one thing that my colleague and neighbor from California said, which is that this motion to recommit has absolutely nothing to do with ANWR, because it has absolutely nothing to do with ANWR. It is, again, a cynical attempt to try to kill the bill.

While I have to share his concerns over a so-called mistake that was made by the Clinton administration, that they forgot to put price triggers in when they were signing multiple leases with oil companies, they somehow forgot to put in those triggers that said when oil did reach \$55 a barrel that they wouldn't get royalty relief anymore. In the bill that they are trying to recommit, there is no royalty relief in the bill.

Again, the motion to recommit has absolutely nothing to do with the bill that they are trying to recommit.

What does concern me is that at this point, trying to kill the chance of creating 250,000 to 750,000 new American jobs, somehow that is okay for political gain, I imagine. It kills the chance to increase the amount of money to our Treasury by CRS' estimate of between \$111 billion and \$170 billion,

which far exceeds any royalties they would collect under this scheme that they have cooked up. It kills the chance to lower our dependence on foreign oil.

As I said in my closing, at some point they have to say "yes." At some point you have to say "yes" to new American energy. At some point you have to be for something. Being against everything is not an energy policy.

A cynical attempt to try to kill this bill again is not going to win this time. It hasn't won the 11 times before this, and it is not going to carry this time.

I urge my colleagues to vote against the motion to recommit and to support the underlying bill.

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

There was no objection.

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

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

Mr. GEORGE MILLER of California. 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 and the order of the House of today, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 5441, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 836 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 836

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. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except: beginning with the comma on page 38, line 11 through "funds" on line 14; section 512; beginning with "or" on page 54, line 12 through "appropriation" on line 13; and section 536. Where points of order are waived against part of a paragraph or section, points of order against a provision in another part of such paragraph or section may be made only against such provision and not against the entire paragraph or section. During consideration of the bill for amendment, the Chairman of

the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, 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.

□ 1400

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman, my friend from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

Madam Speaker, the resolution before us today is a fair and completely open rule that provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

It waives all points of order against consideration of the bill and provides under the rules of the House that the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI, except as specified in the resolution. It authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, as always, the rule provides the minority with one motion to recommit the legislation with or without instructions.

Madam Speaker, I rise today in support of this rule and the underlying legislation. This bill sponsored by my friend from Kentucky, the chairman of the Appropriations Subcommittee on Homeland Security, Mr. ROGERS, provides the funding needed to help secure our Nation's borders and revitalize immigration enforcement, enhance port security, support our first responders and empower them to effectively deal with disasters while also providing the fiscal discipline and oversight needed to ensure the Department is accomplishing its mission as effectively and efficiently as possible.

This legislation provides for a total of over \$32 billion for the critical domestic and defense activities of the Department of Homeland Security. This funding is balanced along with an array of Federal programs that will ensure our Nation against terrorist attacks, including critical antiterrorism and border security activities, as well as emerging threats like nuclear detection and enhanced port container and cargo security.

This legislation provides nearly \$20 billion for immigration enforcement and border security, including over \$2.3

billion for border security, which will add 1,200 new Border Patrol agents for a total of 13,500 agents authorized as overall agents.

Over \$4 billion for immigration and customs enforcement, which will add 1,212 new officers for a total of 11,500 overall agents. And \$115 million for border security technology and tactical infrastructure.

Additionally, this bill allocates increased funding for Customs and Border Patrol air interdiction operations, maintenance and procurement. Last year the Department consolidated the Office of Border Patrol Air and Marine Assets with the Office of Air and Marine Operations in the newly formed CBP Air.

In 2004 and again last year, in 2005, I visited San Angelo, Texas, to witness firsthand how our air assets were being used to secure our southern borders and to prevent illegal drugs from entering this country.

Since then, I have strongly supported the balanced multimission AMO strategy of pushing out the border to combat illegal immigration, narcotics trafficking and smuggling of other illegal cargoes. I believe that a vigorous coordinated Department of Homeland Security air program is essential to our national security, and I continue to work closely with our Members, including MARCIA BLACKBURN, Chairman ROGERS, Chairman PETER KING, Chairman MARK SOUDER, JOHN SWEENEY and others to ensure that multi-mission strategy be maintained.

It is interesting to note that this agency has taken the plan that they have initiated and are bringing it forward at this time to make sure that this Congress is aware of what their new strategy is as a result of this realignment. I applaud CBP Air's efforts to achieve greater operation and cost efficiencies; however, a multi-mission CBP Air is vital to a comprehensive border security strategy.

I am very pleased that this legislation details that this expectation, that while CBP Air continues to secure our border, this important function cannot come at the expense of other critical Homeland Security missions, and I will continue to work with Chairman ROGERS to ensure that CBP Air follows through with the committee's recommendations.

Aside from these important border security and immigration enforcement functions, this legislation also addresses many other integral national security functions building upon the successes of recently passed legislation, this legislation provides funding over last year's level to secure our ports and in-bound cargo to prevent terrorists and criminals from exploiting the international commerce system.

It provides funding for Coast Guard port and water way security operations; funding for CBP Air cargo inspection and trade operations needed to implement the House's recently passed port security legislation; the

funding needed to double the amount of cargo currently inspected; screening 100 percent of cargo through the Automated Targeting System; and to establish minimum security standards for cargo containers

Chairman HAL ROGERS has addressed these needs for our first responders by providing over \$3 billion to ensure their readiness. Since September 11, including the funds in this bill almost \$37.5 billion has been provided to first responders for terrorism prevention and preparedness, law enforcement fire fighter assistance, airport security, sea port security and public health preparedness.

Finally, this legislation provides the oversight and Congressional guidance that the Department of Homeland Security needs to accomplish its mission effectively in areas such as port and container security, border security and immigration enforcement, first responder grants, air cargo and transportation security and disaster management preparation.

Chairman ROGERS has included provisions to withhold funds to ensure that the Department of Homeland Security complies with these Congressional dictates and direction. I want to commend Chairman ROGERS and others on his committee, including ZACK WAMP, TOM LATHAM, JO ANN EMERSON, JOHN SWEENEY, JIM KOLBE, ERNEST ISTOOK, ANDER CRENSHAW, JOHN CARTER and TOM DELAY for their hard work and for working with me in the preparation of this important bill as we bring this bill to the floor.

Madam Speaker, I reserve the balance of my time.

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Madam Speaker, there is a difference between real security and rhetorical security. Today it is easy to see which one the Congress is committed to. We received what was perhaps the greatest wake-up call in the Nation's history on September 11, 2001.

And the failure of our national security personnel on that day should have been the catalyst for an unprecedented strengthening of our system. But in ways that mattered most, it did not happen. In more than 4 years, this Congress has failed to properly fund the Nation's first responders in spite of their historic and heroic performance on that terrible day.

In fact, the year's funding levels are \$100 million less than last year's. In 4 years, Congress has also failed to secure the Nation's chemical plants. Over 300 plants nationwide, each with a capacity to kill 50,000 or more people if they were attacked, are left with security un-upgraded.

What many experts consider the single greatest vulnerability to our security today, our ports, has not been addressed; 5 years after 9/11, 95 percent of

cargo can containers that pass through our ports are never inspected in any way. And after all we have heard lately about border security, the Congress has refused to pay for the border agents or detention facilities needed to enforce the immigration laws that we pass.

Madam Speaker, while I speak of the failings of Congress to invest in real security for our people, it is critical to remember which party has been in charge since 2001. Since that time, Democrats have tried again and again to get our Republican colleagues to back up their words with actions.

We have authored numerous amendments to increase funding for critical and essential national security programs. This year we presented an amendment to provide an additional \$3.5 billion for border, port aviation and disaster preparedness programs. And I understand that for \$1.5 billion, we could give every port on earth the ability to check cargo.

The Democrats wanted to pass funding that would support 1,800 new Border Patrol agents, more than the 800 more immigration investigators and 9,000 new detention beds. We authored legislation to fund 500 new radiation monitors to inspect cargo and increase funding for public transportation by two-thirds.

And it was a Democratic bill that would have given our first responders \$600 million more with which to protect themselves as citizens of the country. All of these amendments were rejected by Republican-controlled committees.

Now, at the same time, the actions of government agencies that we trust to defend us raise serious questions about their competency and compassion to protect this Nation. And I must talk about what they have done over in Homeland Security in regard to the Shirlington Limousine contract.

As you know, 2 years ago, they were given an unbid contract of \$3.5 million to chauffeur around people who work for DHS in Washington, despite the fact that, I am certain, they have fleets of cars, as every other agency does, and how cheap it would have been for them to take a taxi. But that was not enough.

A year later, they awarded a \$21 million contract to the same company, bid this time. They were not the low bidder, but they did get the contract. Now let me tell you that if the first responders and the officials up in my part of the country can get their hands on \$21 million to fortify the borders, they would do it in a New York minute.

Shirlington, when it was given these contracts, was nearly bankrupt. It had recently been fired by a local university for poor performance, and its president is a convicted felon. No background checks of any kind were done by the Department of Homeland Security.

Now, the company is now involved in an ongoing Federal investigation, along with several unnamed Members

of this body, which has so far revealed that it may have literally provided the vehicles by which an illegal influence peddling ring operated.

I have submitted a resolution of inquiry to the Homeland Security Committee which would compel DHS to turn over all documents related to the awarding of their contract to Shirlington. No hearing has been held; basically no questions have been raised.

After all, the American people have a right to know how a corrupt and dubious company received a huge contract with our Homeland Security money and who, if anyone, interceded on its behalf. It takes the wonderment of Alice in Wonderland believing six impossible things before breakfast to believe that someone in that agency did not grease the skids for that company.

But DHS has so far refused our requests for information. We do not even have a response. And the Republican Congress refused to force them to turn over that information, and I want to know why.

Nor is this the only way in which DHS, the supposed cure for the problems that permitted September 11 to take place, has yet to prove itself to be a valuable agency. Frankly, its value is very dubious.

My constituents in the northern United States have experienced such a reality first hand. In January 2008, Homeland Security and the State Department intend to introduce new forms of border identification for northern residents as part of the Western Hemisphere Travel Initiative. The plan itself is deeply flawed. It will result in a dramatic reduction in cross border travel and trade and one that will cost the national economies of the United States and Canada billions of dollars every year.

And at a recent meeting that we had with members of the Canadian parliament, they asked the question that is very pertinent: What does Canada do with the citizens of the United States who have gone to Canada and do not have a passport to allow themselves to come home?

Is the Canadian government expected to take all of these American citizens into custody and to hold them? On what grounds? And to what end? I suggested at the Rules Committee that maybe we could send the Shirlington Limousine up to Canada and bring them home.

But what is worse, it faces opposition, not just from outside the government but within it as well. Just yesterday, the DHS privacy office released a draft report stating that elements of the plan raised both security and privacy concerns.

□ 1415

The GAO will soon report that both DHS and State are nowhere near being able to implement the plan by their January 2008 deadline. In fact, what is really astonishing is there is not a

dime in this bill concerning WHTI, anything for infrastructure, anything that they plan to spend money on, which says to me that DHS knows itself that they are not ever going to be able to do this.

When we step back and take all of these things together, we know what is occurring in Washington. Despite all of its pledges and promises, the Republican-led Congress has failed to make us safer. It has not spent the money needed to improve the vulnerable parts of our national security system, but wastes it on limousine service. Its own agencies have proven incapable of coordinating their activities or implementing new security plans. And the corruption of Congress has seeped into and affected some of those we count on to protect us, all under the nose of a House entirely uninterested in any kind of oversight.

Madam Speaker, the American people have had enough of these priorities of agencies that this government presides over. They know the difference between real security that the Democratic Party is offering and unfulfilled promises of the majority party. They deserve a leadership that shares their priorities, that will not break its own promises. They deserve a change.

Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, this Congress I think has done a great job under the leadership of not only Hal Rogers but also Chairman PETER KING in making sure that we are involved in a collaborative effort with the administration. There have been a number of things that we have seen differently than the administration, but there are a huge number of areas that we have worked together with this administration.

I am very proud of the leadership of this House on a bipartisan basis to address the issues, whether it is dealing with ports, whether it is dealing with our borders, or whether it is dealing with the individual processes that take place in trying to make sure that this Department runs on a better basis.

It is a big task that was undertaken by Homeland Security. It was a big task undertaken a couple of years ago. We know, all of us Members of Congress, that not everything has gone right. That is why we are doing this bill today. We are trying to make sure that we are addressing those things which have not worked as well, but we are also perhaps more importantly trying to put things into a perspective of funding those activities that we think that are important, providing the necessary money but with a strong sense of oversight to make sure this administration understands that while we are giving this money to them on behalf of the taxpayer, they accept it knowing that they have a duty and a responsibility, that we have a collaborative effort.

So I am proud of our oversight. I am proud of the things we are doing and

working on a bipartisan basis on homeland security, and I am proud of what this bill is all about.

A prime example I will give you is a man, MIKE CONAWAY from Midland, Texas. Congressman CONAWAY has within his congressional district something I spoke about earlier, CBP Air, Customs and Border Protection Air. They are responsible for air interdiction programs. Congressman CONAWAY has been intimately involved in working with them to make sure that they have the necessary resources for looking over the horizon of those planes and other activities that may be associated with drugs coming into this country.

He has taken it by himself as a lead because it was an area within his congressional district, to make sure that he listened to the men and women, to pat them on the back in San Angelo, Texas, for the hard work they have done, to make sure the coordination and talking with them about the expectation of this Congress and the American people was done.

So I am pleased and can stand here before you today, Madam Speaker, to say this bill is important. This bill is a collaborative effort. This bill is bipartisan. This bill is something that many, many Members have had a huge part of working on and making sure that we are doing those things that prepare this country and continue to keep us prepared. But more importantly, we have had to put them in a priority basis. That is what this document is all about.

We will continue to work with this administration to make sure that homeland security is something that works for the security of this country.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Madam Speaker, I thank the gentlewoman from New York for yielding me time.

Madam Speaker, the security of our Nation is this institution's highest priority. Therefore, I was pleased to see that overall funding for homeland security was increased. This includes an increase for our security efforts at our ports, borders, critical infrastructure, and all modes of transportation. There is also increased funding for our brave State and local first responders.

This bill, however, still falls short because it is controlled by limited resources rather than need. The allocation isn't high enough; and, therefore, our security is compromised as a result.

For example, the Law Enforcement Terrorism Prevention Program grants which are very important to local police response capabilities. These are funds my own hometown of Sacramento has received and used for

things like information analysis. Unfortunately, the administration zeroed out its funding. Wisely, the committee recognized the value of this program and restored its funds. But to do so they had to move funds from the Urban Area Security Initiative grant known as UASI, to the Law Enforcement Terrorism Prevention Program grant.

In Sacramento, UASI funding has proven vital. Funds have been spent on such items such as gas mask filters, first responder training and communication equipment upgrades; but earlier this year, the guidelines changed. Sacramento, along with a number of other cities, was deemed ineligible to apply. Yet in all of my meetings and letters with DHS and the White House, the only plausible explanation I walked away with is that budgetary constraints necessitated this change.

Both of these programs provide critical resources to our communities, but to ensure preparedness we are left robbing Peter to pay Paul. DHS's core mission is to secure the safety of Americans. It is Congress's responsibility to ensure that their efforts are adequately funded. However, Democratic attempts to boost funding by \$3.5 billion for border security, port security, aviation security, first responders, and disaster preparedness were defeated.

I have an obligation to ensure that we are meeting our national security needs and a responsibility to my constituents. I am glad that this bill does increase funding. I hope that will continue to address all of our security funding needs.

Mr. SESSIONS. Madam Speaker, I thank the gentlewoman from the Rules Committee from California for her words. I do understand that many people on her side of the aisle want to spend more money. That is a natural tendency: spend more money. Make sure my district is protected. Give money to me. Make sure all of these things are taken care of back home. And I share that same concern. I share that concern because we really do see need around our community.

However, with that said, there had to be decisions made that were on a priority basis. And we have learned a lot over the last few years about where the threats are and how money can and must be spent more efficiently and effectively.

I want the gentlewoman to know that I do believe that her attempts to secure money for her first responders are big needs back where she is from, but there are 435 of us who see it that same way also about the needs of our districts. And that is why this committee has worked very carefully with the authorizing committee to make sure that the money that we spend is on a need basis based upon the threats of this country.

So I admire the gentlewoman, Ms. MATSUI, for her comments. I want her to know that it is a continuing process, and we will learn things as we move

forward, and this bill is necessary for us to prioritize. That is what the Republican majority needed to do in this bill, and that is what we have done. And then along the way we have said "no" to a lot of our own Members also based upon the priority that is necessary to ensure the security and the safety of the entire Nation.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself 30 seconds to say that it is not that we want to spend more money. We really question the way money is spent, and we really believe that \$21 million to drive people around town is an absurd expense for an agency that is responsible for our safety.

Madam Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. SABO).

Mr. SABO. Madam Speaker, I thank the gentlewoman for yielding me time.

Madam Speaker, I commend the Rules Committee for producing a rule that is much improved over last year, with one big exception. I am very disappointed that this rule fails to protect section 536, chemical security provisions, which I added to the bill in the Appropriations Committee.

Nearly 5 years after 9/11, the vast majority of chemical facilities in this country are not properly secured. They are prime targets for a catastrophic terrorist attack. Yet there is precious little being done to protect them. The administration acknowledges this problem, but says it cannot act without new legal authority to make and enforce chemical security regulations.

The Congress for more than four years has failed to act. Competing legislation in the House and the Senate authorizing committees has gone nowhere. What are we waiting for? Section 536 would end the stalemate. These provisions would give DHS the legal authority that Secretary Chertoff says he needs to regulate security at U.S. chemical facilities that pose the greatest risk to Americans.

In 2002, Congress addressed a small part of the chemical security problem. I see Congressman YOUNG on the floor and I congratulate him because the security requirements of chemical facilities on ports under the Maritime Transportation Security Act and the Coast Guard are doing a good job of enforcing them.

Under the Bioterrorism Act of 2002, the EPA also oversees security at the Nation's drinking water facilities. The problem is there are thousands of other chemical plants and storage facility without Federal security standards or oversight. An attack on one of them has the potential to kill or injure tens of thousands of people.

DHS has said that 20 percent of the 3,400 chemical facilities it identifies as "high risk" adhere to no security guidelines. If section 536 is stricken from this bill, Congress will appear content to leave security at these facilities to the conscience of their operators.

To my friends who would strike 536, I say, what do we have to lose by keeping this language in the bill? If before the end of this Congress the authorizing committees can act and the President signs chemical security legislation into law, then section 536 will be unnecessary. However, I have my doubts that will happen.

If section 536 is struck from this bill, I suspect that another Congress will adjourn without acting on chemical security. And then where will we be? We will go another year without security requirements at the Nation's highest-risk chemical sites. The American people waited too long for Congress to take responsible action to prevent a catastrophic attack on a chemical facility. I urge my colleagues to refrain from making a point of order against the chemical security provisions in this bill.

Mr. SESSIONS. Madam Speaker, I do appreciate and respect the gentleman who will be retiring this year, Mr. SABO, who appeared in the Rules Committee yesterday to provide not only feedback related to this bill and his thoughts and ideas but also to recommend additional points of consideration.

The gentleman has once again appeared on the floor of the House. The gentleman is aware that this would be the equivalent of legislating on appropriations. And thus the gentleman, Mr. KING, chairman of the Homeland Security Committee, has sent a letter to Chairman DREIER, the chairman of the Rules Committee, indicating that he preferred that this section 536 not be included within the rule or protected as a result of the committee deciding that it will have comprehensive hearings on this matter to develop legislation rather than what Mr. SABO's legislation tends to do, but rather comprehensive, overall way to look at these high-security risks as it relates to these facilities.

COMMITTEE ON HOMELAND SECURITY,
Washington, DC, May 23, 2006.

Hon. DAVID DREIER,
Chairman, Committee on Rules,
House of Representatives, Washington, DC.

DEAR CHAIRMAN DREIER: The Committee on Appropriations recently ordered H.R. 5441, the Homeland Security Appropriations Act for Fiscal Year 2007, reported to the House. This measure contains a number of provisions that violate House rule XXI, clause 2, which prohibits legislation in a general appropriation bill. Included below is an explanation of a legislative provision within the primary jurisdiction of the Committee on Homeland Security that appears in the Bill, and I respectfully request that you not protect this provision from points of order on the Floor.

Section 536 (page 62, lines 1–17), adopted as an amendment offered by Congressman Martin Sabo at Full Committee markup, requires the Department of Homeland Security to issue security requirements for chemical facilities that the Department deems to have the highest risk within six months of enactment of the bill. The Committee on Homeland Security is actively engaged in developing comprehensive legislation to address the issue of chemical site security, and the

Sabo Amendment would undermine the Committee's efforts to provide common-sense, risk-based solutions to this problem.

If you have questions regarding this request, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

PETER T. KING,
Chairman.

□ 1430

Madam Speaker, I yield 6 minutes to the gentleman from Georgia (Mr. KINGSTON), the vice chairman of the Republican Conference.

Mr. KINGSTON. I thank Mr. SESSIONS for yielding to me, and, Madam Speaker, I wanted to talk about two elements of this bill that I hope we will have a chance to vote on, and I hope they will be ruled germane to the bill.

One of them is the Nathan Deal amendment that has to do with birthright citizenship: 122 countries right now do not allow birthright citizenship. Only 36 do, and many of those countries have the advantage of no one wants to go into their country and migrate there.

But the policy in America is so liberal now that if you are flying over America in an airplane, regardless of your destination or your origination, if that plane crosses the south tip of Florida and you are born, you become an American citizen, and as an American citizen, as an anchor baby, you can turn around and petition to have the rest of your family come into the country, and you are given a higher priority.

The Center for Immigration Studies estimates that 42 percent of births to immigrants are to illegal aliens. The birth of illegal aliens right now accounts for one out of every 10 births in the United States of America. Depending on who you talk to, the cost of this may be as high as \$10 billion a year to American taxpayers.

We know in the State of Georgia that we spend \$58 million a year on emergency medical services for illegal aliens. No one is arguing about spending that on emergency medical costs right now. We are saying, okay, with that, but what we are saying is, you should not become an American citizen just because your mama broke the law to get here and have you born. We want to give you the medical costs but not everything else.

What the Deal amendment does is it does away with birthright citizenship in the United States of America. It is a bill that has a lot of cosponsors. I believe it is a bipartisan bill, and we want to attach it to the homeland security bill as we see a runaway, broken down immigration policy part of our national security picture.

Indeed, many of the immigrants who are coming over from Mexico, legal and illegal, are, in fact, non-Mexican citizens, and in many cases, they are caught and released into the country with hopes that they may or may not come back. I guess they may come back, but many times, they do not.

That is why I am standing in support of the Deal amendment.

I also have an amendment that I have offered, and what my amendment does is it is a payment limitation amendment because our own Border Patrol apparently is tipping off the Mexican government as to where Minutemen are on the Mexico-United States border.

Currently, we have 7,000 volunteers in the Minutemen organization. I say volunteers. These are unpaid people who are so outraged with the runaway illegal immigration problem that they have set up posts along the southwest border to help the Border Patrol and the local law enforcement agencies to tell them where the people are coming in and who is coming in.

I invite all Members of Congress to go to the southwest border sometime this summer and take a look at how outrageous and how out of control this problem is.

But despite the good work of the Minutemen organization, we find that our own Border Patrol now has a policy of tipping off the Mexican government so that they can inform these illegal aliens, these lawbreakers, as to where the lawful American citizens are located.

What our amendment does is says that none of our money appropriated in this bill can be spent to tip off people who are breaking the law as to where law-abiding citizens are who are trying to help border security; do not tip them off.

The Minutemen is one of these kind of politically incorrect organizations which the eastern Washingtonian, big government establishment likes to pooh-poo, put down as being a bunch of country rednecks who are reactionaries who really just want to shoot people coming over the border. That is absolutely not the case. They are 7,000 volunteers who are good, hard-working American taxpaying citizens, who are really trying to help out and help preserve the security of the country they love, and for our own Border Patrol to be undermining them, when the Border Patrol is not doing sufficient work to begin with, is counterproductive.

So I hope that our amendment is in order and that we do get an overwhelming bipartisan support on it.

Mr. SESSIONS. Madam Speaker, we reserve the balance of our time.

Ms. SLAUGHTER. Madam Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I thank the gentlewoman for the time.

Madam Speaker, we have a bill here with which I cannot argue in terms of the allocation of resources within the total dollar amount assigned to the subcommittee, but I can argue with the overall total because I think, despite the fact that the chairman and ranking member have tried as hard as possible to put money where you will get the biggest bang for a buck, the fact is, we

do not have enough bucks in here to get enough of a bang to really protect the country.

We tried to do something about that in committee, and I would like to describe what some of the provisions were that we wanted to change.

We essentially tried to add \$3.5 billion in committee for key Homeland Security actions, border protection, harbor protection, port protection and all the rest, and we did it in a fiscally responsible way, because what we suggested was that we simply reduce the amount of the tax cut for persons making over \$1 million a year by about \$10,000, which would mean that those persons making \$1 million, instead of getting on average a \$114,000 tax cut this year, would only get a \$104,000 tax cut. The poor devils just would have to scrape along on that amount. I think the country needs added homeland security, much more than millionaires need a supersized tax cut.

Let me tell you what some of the items were that we would fund with that money. We wanted to add 1,800 additional Border Patrol agents, and we wanted to add 9,000 additional detention beds. We wanted to provide increased funding to meet all of the Intelligence Reform Act mandates for increased Border Patrol agents, increased immigration investigators and increased detention bed spaces.

We also wanted to increase our border detention capabilities, and we wanted to provide for additional air patrol and operating hours and cut in half the number of unfunded radiation portal monitors. We also wanted to replace older Border Patrol vehicles and expand border facilities.

We wanted to provide additional funding for Customs and Border Protection and the Coast Guard to expand the number of overseas ports that are monitored. We wanted to provide for an updating of flood maps in critical high-risk areas, and so on and so on.

I know there are those in this House on the majority side who say, you should not try to link taxes with spending; those are two separate issues. The fact is that every dollar of tax cuts provided, in tax cuts that the Congress passed just 2 weeks ago, comes at the expense of programs like this, programs to strengthen border security, whether it is on the Mexican or the Canadian border, programs to strengthen our ability of local law enforcement officials to have interoperable equipment so that they are speaking to each other on the same frequency.

I think while a good many Members of this chamber do not like the fact that we keep dredging this up, the fact is, this is the most important priority choice the Congress will make. I really do not believe that the average taxpayer thinks that we should accept less effective immigration enforcement, less effective border control in order to provide another supersized tax cut for people who are already the most well-off people in this society.

I think the country as a whole would be far more strengthened by some of the items that we have talked about here than they would be by such tax cuts, and that is why I will be voting against the previous question on the rule and the rule itself in order to protest the fact that we are not able to actually vote on these specific tradeoffs.

The Budget Act was meant to force Congress to make tradeoffs between spending and revenues. In fact, the way the Budget Act is being managed by the leadership of this House, those tradeoffs are being avoided. We should not do that in what is supposed to be the greatest deliberative legislative body in the world.

Mr. SESSIONS. Madam Speaker, I respect and appreciate the gentleman from Wisconsin for coming to the floor. Just as he did yesterday in the Rules Committee, he asked for us to spend more money, told us about priorities that were not funded properly, wants to get the money by raising taxes, wants to make sure that we know that the priorities should be done differently, and that I respect.

It is no surprise to anybody that the Democrat party sees things differently than we do about how you focus on the priorities of this Nation to ensure our security and our safety. I am worried about their plan. I have worried about their plan because I know that what they want to do is raise taxes. I know what they want to do; they want to spend more money.

Yet, I have only been in this House for some 10 years, and I remember, year after year after year, all they did was take money from the Border Patrol. Year after year after year, they took money from the CIA. Year after year after year, they took money out of the military. Then, all of a sudden, there are problems; they want to know, golly, why can we not get more money to fund the priorities of this Nation?

We are trying to balance what we are doing. I will confess to you that I am not as happy about how much money we are spending or not spending also, but we are trying to move things through on a process basis. That is where HAL ROGERS and PETE KING, the chairmen of these Republican committees, are doing a good job to balance that money that is available within the parameters of the budget assignment that has been given to this Congress.

So we are going to keep doing it, and we are going to keep struggling, and I thank the gentleman for coming forward. I hope he comes forward with all the spending bills, and I would be disappointed if he did not disagree with us. But I think the answer every time just about, spending more money and raising taxes in this country is not the answer but, rather, a priority basis where we are trying to aim at the threat against this country where homeland security is, and I think this is a balanced bill and I am proud of what we are doing.

Madam Speaker, I reserve the balance of our time.

Ms. SLAUGHTER. Madam Speaker, I yield myself 30 seconds.

I do not think the American people are going to buy it anymore that Democrats are great spendthrifts and just want to throw more money. We would not do a contract for \$21 million for a limousine to drive around Washington.

I think people remember that, 6 years ago, we had the largest surplus that this country has ever enjoyed that should have lasted us for 20 years. It lasted less than three, and now we have the largest deficit we have ever had.

I think people will see through that.

Madam Speaker, I am delighted to yield 4½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentlewoman's courtesy in permitting me to speak on this bill, and I could not agree with what she said more.

Our friend from Texas talked about a clash of priorities. It is not just about spending money. When you are giving a new tax break to those in this country who need it less, that is draining money from the Treasury.

What Mr. OBEY talked about was dealing with priorities for our Nation's security. You have made a judgment that it is more important for a few to have a massive tax decrease as opposed to dealing meaningfully with security needs, and I will venture that the American public, given those two, would have no difficulty in agreeing with Mr. OBEY. One is sad that we are not at least having a chance to vote on it today.

□ 1445

I will say that there are parts of this bill that I feel good about. One of the things that I have been working very hard on deals with efforts to contend with prevention measures to reduce the damage done by floods and other natural disasters. This bill deals with funding critical elements for the safety and security of the American public.

We think often of things like terrorism and border security, but in fact more people's lives are lost, more damage is incurred by natural disaster. I would like to thank the committee for fully funding the mitigation program for repetitively flooded properties authorized by our Flood Insurance Reform Act of 2004. That wasn't the case in previous years, but this year people have recognized the National Flood Insurance Program is in a severe crisis. It is \$20 billion in debt. This funding will help put it back on the right track.

The repetitively flooded properties, which make up just 1 percent of the insured properties, account for 25 percent of the repetitive flood loss. Mitigating these properties will not only keep people out of harm's way but it will save other flood insurance policyholders thousands of dollars in premiums over the years. If we can reduce just one 10 percent policy increase, that is a savings to the policyholders of \$160 million a year, every year, on into the future.

FEMA has already reported that their mitigation and building standards have resulted in saving \$1 billion annually in reduced flood loss. If we can continue moving forward, each dollar that we invest in helping keep people out of harm's way, each dollar we invest saves \$4 in damages later on, and that doesn't speak to the heart-wrenching loss that people face.

Now, there are going to come before us some amendments that really border on being goofy. There is an amendment being offered by Mrs. MILLER of Michigan to prevent FEMA from raising the base flood elevation in the mapping project. Think about it for a moment. This would be an amendment that would prevent FEMA from providing an accurate map for people in harm's way. Think about the thousands of people in Katrina that suffered loss to their property, loss of life because they didn't know they were in the floodplain. What in the name of all that is holy do we advance by preventing FEMA from doing its job? I sincerely hope that this misguided effort, should it come to the floor, will be rejected.

Finally, I hope that this is the last time, and that my friend, the chairman of the Transportation and Infrastructure Committee, who is here, and I come to the floor dealing with the Department of Homeland Security, dealing with FEMA, because FEMA doesn't belong in that agency. One of the reasons we saw the bumbling, the incompetence, the loss of life, the bureaucratic foul-up during Katrina is because FEMA got lost in the bureaucracy of the Department of Homeland Security. We took an outstanding agency, stuffed it with cronies, shoved it into a massive bureaucracy and people's lives were lost as a result.

I hope this body has the wisdom to deal with the legislation the chairman is bringing forward, I think unanimously, from the Transportation and Infrastructure Committee, to put FEMA back where it belongs, give it competent people, in order to save lives and save money.

Mr. SESSIONS. Madam Speaker, I appreciate the gentleman coming forth and speaking very clearly. I think every single Member of Congress has an opinion on the effectiveness of homeland security, the effectiveness of FEMA. Our great chairman, HAL ROGERS, yesterday came before the Rules Committee and spent a great deal of time. There was disagreement even among the ranking member and himself about how we continue giving these agencies not only the needed resources but helping them to reform what they are doing.

The gentleman from Chattanooga, Tennessee, ZACH WAMP, who sits on the committee, is an example of one of the members of this committee, the Appropriations Committee, who is spending time to look very carefully at this effort. Congressman WAMP, being from Chattanooga, Tennessee, is in the mid-

dle of the storms that come and go not only across our southern borders, the gulf region, but also as a member of this Homeland Security Oversight Subcommittee, and he is concerned about what the right thing to do is.

So I have confidence that people like HAL ROGERS and ZACH WAMP, who care about and can listen to the discussions from other Members, will eventually rectify this issue. HAL ROGERS spoke very clearly that it is his intent right now to provide them the necessary resources and to continue working with them to where they are prepared and ready for this summer, having learned lessons from the past.

So I think, and I hope that money that we have provided now and the input that has been provided from Members of Congress in this authorization will go a long way to learning from the past and being prepared for the future.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I will be calling for a "no" vote on the previous question so that I can amend the rule and allow the House to consider the Sabo chemical plant security provision that was left exposed to a point of order in the rule, and the Obey amendment to address the funding shortfalls in the bill.

Efforts to allow the full House to consider these two important initiatives were rejected in the Rules Committee yesterday by a straight party-line vote.

Madam Speaker, I ask unanimous consent to insert the text of the amendments and extraneous materials immediately prior to the vote.

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

There was no objection.

Ms. SLAUGHTER. The Sabo language would require the Secretary of Homeland Security within 6 months to issue regulations for the security of chemical facilities in the United States. This language was added to the bill during the Appropriations Committee markup, but was exposed to a point of order in the Rules Committee.

Madam Speaker, whether or not Members support this provision to increase security at vulnerable chemical facilities, we should, at the very least, have an opportunity for an up-or-down vote on the provision and not have it stricken on a point of order.

The Obey amendment will increase funding by \$3.5 billion to help address a number of the bill's seriously underfunded programs and the services that are vital to homeland security. It will provide for increased Border Patrol agents, increased immigration investigators, and increased capacity and detention facilities. It fully funds the Port Security Grant program at the level enacted by the House just 2 weeks ago. It provides funds for Customs and Border Protection and the Coast Guard to better protect our ports. And it re-

stores cuts in programs that assist local first responders in disaster preparation. It also provides for substantial expansion of resources to support aviation explosive detection for air cargo and passengers and carry-on bags.

The Obey amendment does this and more without imposing any increase in our awful deficit. The entire cost of the amendment is offset by a slight reduction in the tax cut for those fortunate individuals in this Nation having annual incomes of over \$1 million.

Unfortunately, the homeland security appropriations bill before us today is inadequately funded in a number of areas that are vitally important to our Nation's security. We are all aware that Federal dollars are limited; but when it comes to the safety and security of the American people, we have to find a way to fund those programs in ways that will protect our citizens. Democrats believe in keeping our promises. The Obey amendment will help us support these efforts and do so without adding to the debt.

Madam Speaker, I want to point out a "no" will not prevent us from considering the homeland security appropriations bill under an open rule, but a "no" vote will allow Members to vote on the Sabo and Obey proposals. Vote "no" on the previous question.

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

Mr. SESSIONS. Madam Speaker, I appreciate the gentlewoman from New York engaging in what I thought was a fair and balanced discussion about the homeland security appropriations bill. I think it is important that we remember that the balance of what we do says a lot about the success of this government to focus and make sure that we are prepared to ensure that this great Nation is protected by those very important first responders and the United States Government, which has this obligation.

During this time, we have spent a lot of time talking about Members of Congress who focused on the policy issues, but there has also been a lot of work that has been done by many other people. I mentioned my work with Customs and Border Protection. I would like to thank Major General Kostelnick at CBP Air for personally engaging me; Mike Conaway from Midland, Texas, on his thoughts and ideas for the work of the Homeland Security Appropriations Subcommittee.

We have also spent a lot of time at the White House. The White House has reached out to Members of Congress to find out their thoughts and ideas, and I think the President is well represented by his legislative staff who have come and listened to us and tried to take those thoughts and ideas back to formulate a balanced policy with the administration's position. I want to thank them:

Candi Wolfe; for his professionalism and grace and balance, Brian Conklin; for the star of the White House legislative team, Elan Liang; Chris Frech and

Peter Rowan, because they have been an equal part of the success of this important bill as it moves forward.

I am proud of what we have done. I ask for all the Members' support not only on this rule but the important legislation which makes sure that we have a balanced policy effort and funding effort to make sure this country is protected.

I thank God every day that America rises to its feet, has an economy that works the way it does and the strength and power to lead this world economy, and for strength and peace.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 836—RULE FOR H.R. 5441 HOMELAND SECURITY APPROPRIATIONS FOR FY 2007

In the resolution, on page 2, line 12, after "Section 512;" add "and".

On page 2, line 13 strike the following: "and section 536".

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution, before consideration of any other amendment it shall be in order to consider the amendment designated in section 3 of this resolution, which may be offered only by Rep. Obey or a designee, shall be considered as read, shall not be subject to amendment (except for pro forma amendments for the purpose of debate), 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 the amendment are waived.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 5441, AS REPORTED OFFERED BY MR. OBEY OF WISCONSIN

At the end of the bill (before the short title), insert the following:

TITLE VI—PREPARING FOR AND PREVENTING KNOWN THREATS AND IMPROVING BORDER SECURITY

CUSTOMS AND BORDER PROTECTION SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$880,000,000, to remain available until expended, for 1,800 additional border patrol agents, 300 additional customs agents and inspectors, improvements to the automated targeting system as recommended by the Government Accountability Office, and expansion of the Container Security Initiative.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for "Air and Marine Interdiction, Operations, Maintenance, and Procurement", \$170,000,000, to remain available until expended, for additional operating hours, the purchase of additional air assets, aircraft recapitalization, and establishment of the final northern border airwing.

CONSTRUCTION

For an additional amount for "Construction", \$300,000,000, to remain available until expended.

IMMIGRATION AND CUSTOMS ENFORCEMENT SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$730,000,000, to remain available until expended, for not less than 9,000 additional detention beds and 800 additional immigration enforcement agents.

TRANSPORTATION SECURITY ADMINISTRATION AVIATION SECURITY

For an additional amount for "Aviation Security", \$200,000,000, to remain available

until September 30, 2008, for checkpoint support technology and passenger, baggage, and cargo screening.

UNITED STATES COAST GUARD OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$50,000,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements", \$200,000,000, to remain available until September 30, 2008, for the automatic identification system.

PREPAREDNESS

OFFICE OF GRANTS AND TRAINING STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", \$340,000,000, of which \$100,000,000 shall be for intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code), freight rail, and transit security grants; \$200,000,000 shall be for port security grants; and \$40,000,000 shall be for grants to States pursuant to section 204(a) of the REAL ID Act of 2005 (division B of Public Law 109-13).

FIREFIGHTER ASSISTANCE GRANTS

For an additional amount for "Firefighter Assistance Grants", \$150,000,000, of which \$75,000,000 shall be available to carry out section 33 of the Federal Fire Prevention and Control Act (15 U.S.C. 2229) and \$75,000,000 shall be available to carry out section 34 of such Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For an additional amount for "Emergency Management Performance Grants", \$150,000,000.

FEDERAL EMERGENCY MANAGEMENT AGENCY READINESS, MITIGATION, RESPONSE, AND RECOVERY

For an additional amount for "Readiness, Mitigation, Response, and Recovery", \$50,000,000.

FLOOD MAP MODERNIZATION FUND

For an additional amount for "Flood Map Modernization Fund", \$150,000,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$30,000,000, to remain available until expended.

DOMESTIC NUCLEAR DETECTION OFFICE

For an additional amount for "Domestic Nuclear Detection Office", \$100,000,000, to remain available until expended, for the purchase and deployment of radiation detection equipment.

GENERAL PROVISIONS—THIS TITLE

SEC. 601. In the case of taxpayers with income in excess of \$1,000,000, for calendar year 2007 the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 8.47 percent.

SEC. 602. The amounts appropriated by this title shall be available for obligation, and the authorities provided in this title shall apply, upon the enactment of this Act.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. 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, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: motion to recommit H.R. 5429, by the yeas and nays; passage of H.R. 5429, if ordered; ordering the previous question on H. Res. 836, by the yeas and nays; adoption of H. Res. 836, if ordered.

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

AMERICAN-MADE ENERGY AND GOOD JOBS ACT

MOTION TO RECOMMIT OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The SPEAKER pro tempore. The pending business is the vote on the motion to recommit on H.R. 5429 offered by the gentleman from California (Mr. GEORGE MILLER) 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 recommit.

The vote was taken by electronic device, and there were—yeas 201, nays 223, not voting 8, as follows:

[Roll No. 208]

YEAS—201

Abercrombie	Cooper	Higgins
Ackerman	Costello	Hinchee
Allen	Crowley	Holden
Andrews	Cummings	Holt
Baca	Davis (AL)	Honda
Baird	Davis (CA)	Hooley
Baldwin	Davis (FL)	Hoyer
Barrow	Davis (IL)	Inglis (SC)
Bass	DeFazio	Inslie
Bean	DeGette	Israel
Becerra	Delahunt	Jackson (IL)
Berkley	DeLauro	Jackson-Lee
Berman	Dicks	(TX)
Bishop (GA)	Dingell	Johnson (CT)
Bishop (NY)	Doggett	Johnson (IL)
Blumenauer	Doyle	Johnson, E. B.
Boehlert	Ehlers	Jones (NC)
Boswell	Emanuel	Jones (OH)
Boyd	Engel	Kanjorski
Bradley (NH)	Eshoo	Kaptur
Brady (PA)	Etheridge	Kennedy (MN)
Brown (OH)	Farr	Kildee
Brown, Corrine	Fattah	Kilpatrick (MI)
Butterfield	Filner	Kind
Capps	Fitzpatrick (PA)	Kirk
Capuano	Ford	Kucinich
Cardin	Frank (MA)	Langevin
Cardoza	Gerlach	Lantos
Carnahan	Gilchrest	Larsen (WA)
Carson	Gordon	Larson (CT)
Castle	Green, Al	Leach
Chandler	Grijalva	Lee
Clay	Gutierrez	Levin
Cleaver	Harman	Lewis (GA)
Clyburn	Hastings (FL)	Lipinski
Conyers	Herse	LoBiondo