

except for pro forma amendments to a demand for a division of the question in the committee of the whole or in the House.

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

Amendment to H.R. _____, as Reported (Science, State, Justice, and Commerce Appropriations, 2006)

Offered by Mr. Obey of Wisconsin

In title I, in the item relating to “Office of Justice Programs—State and Local Law Enforcement Assistance”, after the first and second dollar amounts, insert the following: “(increased by \$270,000,000)”.

In title I, in the item relating to “Office of Justice Programs—Community Oriented Policing Services”, after the first dollar amount, insert the following: “(increased by \$140,000,000)”.

In title II, in the item relating to “Economic Development Administration—Economic Development Assistance Programs”, after the dollar amount, insert the following: “(increased by \$53,000,000)”.

At the end of title VI, insert the following:

SEC. _____. In the case of taxpayers with adjusted gross income in excess of \$1,000,000, for the calendar year beginning in 2006, the amount of tax reduction resulting from enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Pub. L. 107-16) and the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Pub. L. 108-27) shall be reduced by 1.466 percent.

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

The SPEAKER pro tempore (Mr. LATHAM). 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. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 190, not voting 21, as follows:

[Roll No. 243]

YEAS—222

| | | |
|---------------|--------------|------------------|
| Aderholt | Boustany | Cubin |
| Akin | Bradley (NH) | Culberson |
| Alexander | Brady (TX) | Cunningham |
| Bachus | Brown (SC) | Davis (KY) |
| Baker | Brown-Waite, | Davis, Jo Ann |
| Barrett (SC) | Ginny | Davis, Tom |
| Barrow | Burgess | Deal (GA) |
| Bartlett (MD) | Burton (IN) | DeLay |
| Barton (TX) | Calvert | Dent |
| Bass | Camp | Diaz-Balart, L. |
| Beauprez | Cannon | Diaz-Balart, M. |
| Biggart | Cantor | Doolittle |
| Bilirakis | Capito | Drake |
| Bishop (UT) | Carter | Dreier |
| Blackburn | Castle | Duncan |
| Blunt | Chabot | Ehlers |
| Boehrlert | Chocola | Emerson |
| Boehner | Coble | English (PA) |
| Bonilla | Cole (OK) | Feeney |
| Bonner | Conaway | Ferguson |
| Bono | Cox | Fitzpatrick (PA) |
| Boozman | Crenshaw | Flake |

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|---------------|-----------------|---------------|
| Foley | Kolbe | Ramstad |
| Forbes | Kuhl (NY) | Regula |
| Fortenberry | LaHood | Rehberg |
| Fossella | LaHram | Reichert |
| Fox | LaTourette | Renzi |
| Franks (AZ) | Leach | Reynolds |
| Frelinghuysen | Lewis (CA) | Rogers (AL) |
| Gallegly | Lewis (KY) | Rogers (KY) |
| Garrett (NJ) | Linder | Rogers (MI) |
| Gerlach | LoBiondo | Rohrabacher |
| Gibbons | Lucas | Ros-Lehtinen |
| Gilchrest | Lungren, Daniel | Royce |
| Gillmor | E. | Ryan (WI) |
| GINGREY | Manzullo | Ryun (KS) |
| Gohmert | Marchant | Saxton |
| Goode | Marshall | Schwarz (MI) |
| Goodlatte | McCauley (TX) | Sensenbrenner |
| Granger | McCotter | Shadeegg |
| Graves | McHenry | Shaw |
| Green (WI) | McHugh | Shays |
| Gutknecht | McKeon | Sherwood |
| Hall | McMorris | Shimkus |
| Harris | Mica | Shuster |
| Hart | Miller (FL) | Simmons |
| Hastings (WA) | Miller (MI) | Simpson |
| Hayes | Miller, Gary | Smith (NJ) |
| Hayworth | Moran (KS) | Smith (TX) |
| Hefley | Murphy | Sodrel |
| Hensarling | Musgrave | Souder |
| Herger | Myrick | Stearns |
| Hobson | Neugebauer | Sullivan |
| Hoekstra | Ney | Tancredo |
| Hottel | Northup | Taylor (NC) |
| Hulshof | Norwood | Terry |
| Hunter | Nunes | Thornberry |
| Hyde | Nussle | Tiahrt |
| Inglis (SC) | Osborne | Tiberi |
| Issa | Otter | Turner |
| Istook | Oxley | Upton |
| Jenkins | Paul | Walden (OR) |
| Jindal | Pearce | Walsh |
| Johnson (CT) | Pence | Wamp |
| Johnson (IL) | Petri | Weldon (FL) |
| Johnson, Sam | Pickering | Weldon (PA) |
| Jones (NC) | Pitts | Weller |
| Keller | Platts | Westmoreland |
| Kelly | Poe | Whitfield |
| Kennedy (MN) | Pombo | Wicker |
| King (IA) | Porter | Wilson (NM) |
| King (NY) | Price (GA) | Wilson (SC) |
| Kingston | Pryce (OH) | Wolf |
| Kirk | Putnam | Young (AK) |
| Kline | Radanovich | |

NAYS—190

| | | |
|----------------|----------------|-----------------|
| Abercrombie | Davis (TN) | Kaptur |
| Ackerman | DeFazio | Kennedy (RI) |
| Allen | DeGette | Kildee |
| Andrews | Delahunt | Kilpatrick (MI) |
| Baca | DeLauro | Kind |
| Baird | Dicks | Kucinich |
| Baldwin | Dingell | Langevin |
| Bean | Doggett | Lantos |
| Becerra | Doyle | Larsen (WA) |
| Berkley | Edwards | Lee |
| Berman | Emanuel | Levin |
| Berry | Engel | Lewis (GA) |
| Bishop (GA) | Eshoo | Lipinski |
| Bishop (NY) | Etheridge | Lofgren, Zoe |
| Blumenauer | Evans | Lowey |
| Boren | Farr | Lynch |
| Boswell | Fattah | Maloney |
| Boyd | Filner | Markey |
| Brady (PA) | Ford | Matheson |
| Brown (OH) | Frank (MA) | Matsui |
| Brown, Corrine | Gonzalez | McCarthy |
| Butterfield | Gordon | McCollum (MN) |
| Capps | Green, Al | McDermott |
| Capuano | Green, Gene | McGovern |
| Cardin | Grijalva | McIntyre |
| Cardoza | Gutierrez | McKinney |
| Carnahan | Harman | McNulty |
| Carson | Hastings (FL) | Meehan |
| Case | Herseth | Meek (FL) |
| Chandler | Higgins | Meeks (NY) |
| Clay | Hinchey | Melancon |
| Cleaver | Holden | Menendez |
| Clyburn | Holt | Michaud |
| Conyers | Honda | Millender- |
| Cooper | Hooley | McDonald |
| Costa | Hoyer | Miller (NC) |
| Costello | Inslee | Miller, George |
| Cramer | Israel | Mollohan |
| Crowley | Jackson (IL) | Moore (KS) |
| Cuellar | Jackson-Lee | Moore (WI) |
| Davis (AL) | (TX) | Moran (VA) |
| Davis (CA) | Jefferson | Murtha |
| Davis (FL) | Johnson, E. B. | Nadler |
| Davis (IL) | Kanjorski | Napolitano |

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|---------------|------------------|---------------|
| Neal (MA) | Sánchez, Linda | Thompson (CA) |
| Obey | T. | Thompson (MS) |
| Oliver | Sanchez, Loretta | Tierney |
| Ortiz | Sanders | Towns |
| Pallone | Schakowsky | Udall (CO) |
| Pastor | Schiff | Udall (NM) |
| Payne | Schwartz (PA) | Van Hollen |
| Pelosi | Scott (GA) | Velázquez |
| Peterson (MN) | Scott (VA) | Visclosky |
| Pomeroy | Serrano | Wasserman |
| Price (NC) | Sherman | Schultz |
| Rahall | Skelton | Waters |
| Rangel | Slaughter | Watson |
| Reyes | Smith (WA) | Watt |
| Ross | Snyder | Waxman |
| Roybal-Allard | Solis | Weiner |
| Ruppersberger | Spratt | Wexler |
| Rush | Stupak | Woolsey |
| Ryan (OH) | Tanner | Wu |
| Sabo | Tauscher | Wynn |
| Salazar | Taylor (MS) | |

NOT VOTING—21

| | | |
|-------------|---------------|------------|
| Boucher | Larson (CT) | Rothman |
| Buyer | Mack | Sessions |
| Cummings | McCrery | Stark |
| Everett | Oberstar | Strickland |
| Hinojosa | Owens | Sweeney |
| Jones (OH) | Pascarell | Thomas |
| Knollenberg | Peterson (PA) | Young (FL) |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATHAM) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1125

Mr. BAIRD, Mrs. MALONEY, and Mrs. CAPPS changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. I was unavoidably detained during rollcall vote No. 243, a motion ordering the previous question on H. Res. 314, a rule providing for consideration of the bill (H.R. 2862) making appropriations for Science, the Department of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes. Had I been present I would have voted “no” on this motion.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. NADLER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby notify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Resolution disapproving the manner in which Representative SENSENBRENNER has responded to the minority party's request under rule XI of the House of Representatives for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act and the manner in which such hearing was conducted.

Whereas Representative SENSENBRENNER willfully and intentionally violated the Rules of the House of Representatives by abusing and exceeding his powers as chairman;

Whereas subsequent to receiving a request for an additional day of hearings by members of the minority party pursuant to rule XI, Representative SENSENBRENNER scheduled such hearing on less than 48 hours notice;

Whereas such hearing occurred on Representative SENSENBRENNER's directive at 8:30 a.m., on Friday, June 10, 2005, a date when the House was not in session and votes were not scheduled;

Whereas Representative SENSENBRENNER directed his staff to require that the witnesses' written testimony be made available on less than 18 hours notice;

Whereas, during the course of the hearing, Representative SENSENBRENNER made several false and disparaging comments about members of the minority party in violation of rule XVII;

Whereas, Representative SENSENBRENNER failed to allow members of the committee to question each witness for a period of 5 minutes in violation of rule XI;

Whereas Representative SENSENBRENNER refused on numerous and repeated occasions throughout the hearing to recognize members of the minority party attempting to raise points of order;

□ 1130

Whereas when Representative NADLER and Representative JACKSON-Lee sought recognition to raise a point of order, Representative SENSENBRENNER refused to recognize Representative NADLER or Representative JACKSON-Lee, and intentionally and wrongfully adjourned the committee without obtaining or seeking either unanimous consent or a vote of the committee members present in violation of rule XVI;

Whereas subsequent to Representative SENSENBRENNER's improper adjournment of the hearing, his staff turned off the microphones and the electronic transmission of the proceedings and instructed the court reporter to stop taking transcription, even though the committee hearing had not been properly adjourned, and members of the minority party had invited witnesses to continue to speak; and

Whereas Representative SENSENBRENNER willfully trampled the right of the minority to meaningfully hold an additional day of hearings in violation of the Rules of the House of Representatives, and brought discredit upon the House of Representatives: Now, therefore, be it

Resolved, That

(1) the House strongly condemns the manner in which Representative SENSENBRENNER has responded to the minority party's request for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act, and the manner in which such hearing was conducted; and

(2) the House instructs Representative SENSENBRENNER, in consultation

with Representative CONYERS, to schedule a further day of hearings with witnesses requested by members of the minority party concerning the reauthorization of the USA PATRIOT Act."

The SPEAKER pro tempore (Mr. LATHAM). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from New York will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2862, and that I may include tabular material on the same.

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

There was no objection.

SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 314 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2862.

□ 1134

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Virginia (Mr. WOLF) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

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

Mr. Chairman, I am pleased to begin consideration of H.R. 2862, making appropriations for fiscal year 2006 for Science, the Departments of State,

Justice, Commerce, and related agencies. This bill provides funding for programs whose impact ranges from the safety of people in their homes and communities to the conduct of diplomacy around the world, to the farthest reaches of space exploration.

The bill before the House today reflects a delicate balance of needs and requirements. We have drafted what I consider a responsible bill for fiscal year 2006 spending levels for the departments and agencies under the subcommittee's jurisdiction. We have had to carefully prioritize funding in the bill and make hard choices about how to spend scarce resources.

I want to thank the gentleman from California (Chairman LEWIS) for supporting us with a fair allocation and helping us to move the bill forward. I also would like to thank the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), who has been very effective and a valued partner and colleague on this bill. I appreciate his principled commitment and understanding of the programs in the bill.

Also I wanted to thank all members of the subcommittee for their help and assistance: the gentleman from North Carolina (Mr. TAYLOR), the gentleman from Illinois (Mr. KIRK), the gentleman from Illinois (Mr. LAHOOD), the gentleman from Florida (Mr. WELDON), the gentleman from Texas (Mr. CULBERSON), the gentleman from Louisiana (Mr. ALEXANDER), the gentleman from New York (Mr. SERRANO), who used to be the ranking member on the committee, the gentleman from Alabama (Mr. CRAMER), the gentleman from Rhode Island (Mr. KENNEDY), and the gentleman from Pennsylvania (Mr. FATTAH), and also the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee.

Mr. Chairman, I also want at the outset to thank the members of the staff who have worked incredibly hard, as I am sure all subcommittee staff on this committee do on appropriations, but particularly want to thank them publicly. Mike Ringler, the clerk of the subcommittee, who has led the subcommittee through the House appropriations process. Also I want to thank Christine Kojac, John Martens, Anne Marie Goldsmith, Joel Kaplan and Celia Aloavado for their tireless efforts. Their work is very much appreciated. They have done an outstanding job.

In my personal office, I want to thank Dan Scandling, Janet Shaffron, J.T. Griffin, Samantha Stockman and Courtney Schlieter for their efforts and work with the subcommittee.

From the minority staff, I want to thank David Pomerantz, Michelle Burkett, Rob Nabors, Sally Moorhead and Julie Aaronson for their insight and input on the bill.

It has been a good bipartisan effort. Sometimes those things are said, but sometimes there is not a lot of reality to them. But this has been a good bipartisan effort. As in past years, we