

down vote on Justice Priscilla Owen. Justice Owen has been elected by the people of Texas to the State Supreme Court two times, the second time in the year 2000 with an overwhelming popular majority. During her last election, Justice Owen was endorsed by every major newspaper in the State of Texas.

Mr. C. Boyden Gray, writing an article about this, said: "The members of the Texas legal community know Justice Owen to be a jurist of the highest integrity, one who is committed to following the law, no matter where it leads."

The Dallas Morning News editorialized after she was nominated 4 years ago that "Justice Owen's lifelong record is one of accomplishment and integrity. She is one of the few judicial nominees to receive the unanimous 'well-qualified' rating from the American Bar Association."

The chairman of the Texas Commission on Judicial Efficiency, Baylor University President Herbert Reynolds, said, "Based on my knowledge of Justice Owen for the past 30 years, I believe you simply cannot make a more solid choice for the 5th U.S. Circuit Court of Appeals."

I urge the other body to have an up-or-down vote.

#### RECOGNIZING THE 216TH ENGINEER BATTALION OF THE OHIO NATIONAL GUARD

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

Mr. NEY. Madam Speaker, I rise today to recognize the 216th Engineer Battalion of the Ohio National Guard stationed in Chillicothe, Ohio, for their exceptional service during the war on terror.

The 216th completed more than 350 successful missions. They played a critical role in the construction of protective barriers to protect soldiers from enemy fire. And in preparation for Iraq's national election on January 30, the 216th placed concrete barriers at hundreds of voting sites to allow Iraqis to vote in a safe and secure environment. However, their service was not without tragedy. Twenty soldiers of the 216th were awarded Purple Hearts for wounds they received in combat, and three soldiers made the ultimate sacrifice.

In recognition of their exceptionally meritorious conduct, the 216th will be awarded the Meritorious Unit Commendation during their Freedom Salute Campaign celebration next month.

It is with great honor that I have the privilege of recognizing them today. The willingness to risk one's life in defense of the ideals our country was built upon and is the truest test of one's strength and character.

These men and women have excelled as patriots, and we are forever in their debt.

#### PROVIDING FOR CONSIDERATION OF H.R. 2360, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 278 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 278

*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. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, 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 as follows: beginning with the colon on page 6, line 8, through "Office" on page 7, line 7; beginning with "of" on page 7, line 17, through the semicolon on line 23; beginning with the colon on page 8, line 19, through "108-541" on page 9, line 15; beginning with the colon on page 9, line 23, through "checkpoint" on page 10, line 3; beginning with the colon on page 10, line 9, through "Office" on page 11, line 6; beginning with the colon on page 11, line 24, through "Representatives" on page 12, line 7; beginning with the colon on page 17, line 2, through "intent" on line 11; page 17, lines 21 through 24; beginning with the colon on page 18, line 5, through "Act" on line 18; beginning with the colon on page 21, line 2, through "assets" on page 22, line 12; beginning with the comma on page 26, line 22, through "law" on line 23; beginning with the colon on page 27, line 2, through "funds" on page 27, line 13; page 27, line 19, through page 28, line 5; beginning with the colon on page 28, line 15, through "funds" on page 29, line 2; beginning with the colon on page 29, line 6, through "2005" on page 30, line 8; beginning with the comma on page 36, line 19, through "funds" on line 22; and sections 507, 512, 515, 517, 518, 522, 523, 524, 525, 527, 529, 530, 532, and 534. 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.

□ 1030

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman

from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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.

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

It waives all points of order against consideration of the bill, and provides that under the rules of the House the bill shall be read for amendment by paragraph. It waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI, which prohibits unauthorized appropriations or legislative provisions in an appropriations bill except as specified in the resolution.

Finally, the rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides for one motion to recommit with or without instructions.

Madam Speaker, I rise today in strong support of this rule and the underlying legislation. This bill, sponsored by my friend, the gentleman from Kentucky (Mr. ROGERS), the chairman of the Appropriations Subcommittee on Homeland Security, funds an array of Federal programs aimed at securing the Nation against terrorist attacks, including Customs and border protection, transportation security, and Federal assistance to State and local first responders.

In addition, it funds some additional and vitally important missions of agencies that were included in the Democratic of Homeland Security when it was formed 2 years ago, such as disaster relief. This carefully considered legislation provides almost \$31 billion for operations and activities of the Department of Homeland Security, an increase of \$1.37 billion above fiscal year 2005 enacted levels, excluding \$2.5 billion in advance appropriations for BioShield and \$1.3 billion above the President's request.

It also provides \$1 billion in mandatory budget authority for programs in the Department. Some of the other initiatives that the gentleman from Kentucky (Mr. ROGERS), the chairman, and his subcommittee have funded through this bill on behalf of the American public include: \$7.5 billion to the Coast Guard, who are called today to defend our coast from the threat of terrorism;

\$6.9 billion for the Bureau of Customs and Border Protection, including \$4.9 billion for enforcement activities and assets; \$458 million for computer automated import and export tracking