Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—9

Brown, Corrine
Davis (FL)
Evans
Hunter
Issa
Kennedy (RI)
Larson (CT)
Payne
Snyder

□ 1735

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would advise Members that this series of votes will now include a seventh question, the amendment by the gentleman from Minnesota, Mr. GUTKNECHT.

Mr. BOEHNER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GREEN of Wisconsin) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

## PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING FURTHER CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5384, pursuant to House Resolution 830, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

Mr. Speaker, I further ask unanimous consent that the intervention of these proceedings in the House not affect the continuation of 5-minute voting on the pending series of votes in the Committee of the Whole.

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

There was no objection.

## LEGISLATIVE PROGRAM

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, just for the Members who may not have heard, a seventh vote in this series was added, the Gutknecht amendment, that must be completed before we can proceed with the bill. So there are seven votes in the ongoing series.

It is the expectation that the 2-minute voting will not begin until a subsequent series of votes.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair understands that the ongoing series of votes in the Committee of the Whole will resume as 5-minute votes and that the authority for 2-minute voting will be used only in subsequent series.

## AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 830 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5384.

□ 1739

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 further consideration of the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, with Mr. RYAN of Wisconsin in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Texas (Mr. PAUL) had been disposed of and the bill had been read through page 82, line 14.

Under the order of the House just entered, the current series of votes will continue as 5-minute votes. Any succeeding series of votes may include 2-minute votes after the first in a series.

AMENDMENT NO. 12 OFFERED BY MR. CHABOT OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 79, noes 342, not voting 11, as follows:

[Roll No. 185]

AYES—79

Akin
Andrews
Bachus
Barrett (SC)
Bass
Berkley
Bradley (NH)
Brown (OH)
Burgess
Burton (IN)
Campbell (CA)
Cannon
Cantor
Capuano
Castle
Chabot
Chocola
Clay
Culberson
Davis, Jo Ann
DeGette
Dent
Doggett
Duncan
Ehlers
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gibbons
Gillmor
Hayworth
Hefley
Hensarling
Hoekstra
Hostettler
Hyde
Inglis (SC)
Istook
Johnson, Sam
Kucinich
Linder
LoBiondo
Mack
Manzullo
Matheson
McHenry
McKinney
Miller, Gary
Moran (VA)
Myrick
Owens
Paul
Pence
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Shadegg
Shaw
Shays
Stark
Stearns
Tancredo
Taylor (MS)
Thompson (MS)
Tiberi
Van Hollen
Visclosky
Wamp
Waxman
Wilson (SC)

NOES—342

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Baca
Baird
Baker
Baldwin

Barrow
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Camp (MI)
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Maloney
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Brown, Corrine
Davis (FL)
Evans
Green, Gene
Hunter
Issa
Kennedy (RI)
Larson (CT)
Lynch
Payne
Snyder

□ 1747

Mrs. MALONEY changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 99, noes 322, not voting 11, as follows:

[Roll No. 186]

AYES—99

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Campbell (CA)
Cannon
Castle
Chabot
Chocola
Coble
Cooper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Ford
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Gutknecht
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Inglis (SC)
Jackson-Lee (TX)
Jenkins
Johnson, Sam
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Matheson
McCotter
McHenry
Mica
Miller (FL)
Miller, Gary
Myrick
Norwood
Otter
Paul
Pence
Petri
Pitts
Price (GA)
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Rothman
Royce
Rush
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Stearns
Sullivan
Tancredo
Tanner
Taylor (MS)
Terry
Tiberi
Westmoreland
Wilson (SC)
Young (FL)

NOES—322

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown-Waite, Ginny
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh

Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—11

Brown, Corrine
Davis (FL)
Evans
Hunter
Issa
Istook
Kennedy (RI)
Larson (CT)
McHugh
Payne
Snyder

□ 1755

Mr. NORWOOD changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 135, noes 281, not voting 16, as follows:

[Roll No. 187]

AYES—135

Allen
Andrews
Bean
Berkley
Berman
Biggert
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Bono
Boucher
Bradley (NH)
Brown-Waite, Ginny
Campbell (CA)
Capps
Capuano
Castle
Chabot
Chocola
Cooper
Davis (IL)
Davis (KY)
Davis, Tom
Deal (GA)
DeGette
DeLay
Dent
Doggett
Doyle
Drake
Duncan
Ehlers
Emanuel
English (PA)
Eshoo
Ferguson
Fitzpatrick (PA)
Flake
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gibbons
Gingrey
Gohmert
Gordon
Green (WI)
Gutierrez
Hart
Hayworth
Hefley
Hensarling
Hoekstra
Holt
Hostettler
Inglis (SC)
Israel
Jackson (IL)
Johnson (CT)
Johnson, Sam
Kanjorski
Keller
Kelly
Kind
Kingston
Kirk
Kolbe
Kuhl (NY)
Langevin
Lee
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Manzullo
Markey
Matheson
McKinney
McNulty
Meehan
Meeks (NY)
Miller, George
Moore (WI)
Moran (VA)
Neal (MA)
Northup
Owens
Pallone
Pascrell
Paul
Pence
Peterson (PA)
Petri
Platts
Price (GA)
Pryce (OH)
Ramstad
Rogers (KY)
Rohrabacher
Royce
Rush
Ryan (WI)
Sanchez, Loretta
Schakowsky
Schiff
Schwartz (PA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shuster
Smith (NJ)
Smith (WA)
Souder
Stark
Stearns
Sweeney
Tancredo
Tauscher
Tiberi
Tierney
Udall (NM)
Van Hollen
Wamp
Waters
Watson
Waxman
Weiner
Westmoreland
Young (FL)

NOES—281

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Becerra
Berry
Bishop (GA)
Bishop (UT)
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Dreier
Edwards
Emerson
Engel
Etheridge
Everett
Farr
Fattah
Feeney
Filner
Foley
Ford
Fortenberry
Foxx
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Honda
Hooley
Hulshof
Hyde
Inslee
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Kennedy (MN)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kline
Knollenberg
Kucinich
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pastor
Pearce
Pelosi
Peterson (MN)
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sherman
Sherwood
Shimkus
Simpson
Skelton
Slaughter
Smith (TX)
Sodrel
Solis
Spratt
Strickland
Stupak
Sullivan
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Towns
Turner
Udall (CO)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Watt
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—16

Bass
Brown, Corrine
Davis (CA)
Davis (FL)
Evans
Hoyer
Hunter
Issa
Kennedy (RI)
Larson (CT)
McHenry
Millender-McDonald
Payne
Radanovich
Simmons
Snyder

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. GUTKNECHT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 235, not voting 12, as follows:

[Roll No. 188]

AYES—185

Akin
Andrews
Baca
Bachus
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Biggert
Bishop (NY)
Boehner
Bono
Bradley (NH)
Brady (PA)
Brown (OH)
Brown-Waite, Ginny
Butterfield
Camp (MI)
Campbell (CA)
Capps
Cardin
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Clyburn
Costello
Cummings
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeGette
Delahunt
DeLauro
Doggett
Doyle
Ehlers
Emanuel
English (PA)
Eshoo
Fattah
Ferguson
Fitzpatrick (PA)
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Gerlach
Gibbons
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Holden
Holt
Honda
Inglis (SC)
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Kucinich
Kuhl (NY)
Langevin
Leach
Lee
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lynch
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCrery
McGovern
McKinney
Meehan
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Paul
Pelosi
Peterson (MN)
Petri
Platts
Porter
Price (GA)
Price (NC)
Pryce (OH)
Ramstad
Reyes
Rohrabacher
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Sabo
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shays
Sherman
Slaughter
Smith (NJ)

Smith (WA)
Solis
Souder
Stearns
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Upton
Van Hollen
Visclosky
Wasserman Schultz
Weldon (PA)
Weller
Westmoreland
Wexler
Woolsey
Wynn

NOES—235

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Capuano
Cardoza
Carter
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Davis (AL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
Engel
Etheridge
Everett
Farr
Feeney
Filner
Flake
Foley
Forbes
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Istook
Jindal
Johnson, Sam
Kaptur
Kildee
Knollenberg
Kolbe
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
McCaul (TX)
McCotter
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller, Gary
Moore (KS)
Moran (KS)
Murphy
Musgrave
Neugebauer
Ney
Northup
Norwood
Nunes
Otter
Pastor
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Pombo
Pomeroy
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Ryan (OH)
Ryun (KS)
Salazar
Sánchez, Linda T.
Saxton
Schmidt
Serrano
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Spratt
Stark
Strickland
Sullivan
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—12

Brown, Corrine
Culberson
Davis (FL)
Evans
Hunter
Issa
Keller
Kennedy (RI)
Larson (CT)
Oxley
Payne
Snyder

□ 1811

Mr. ALEXANDER changed his vote from ''aye'' to ''no.''

Ms. ZOE LOFGREN of California, Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ and Mr. NEAL of Massachusetts changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. REICHERT:

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

SEC. 7____. None of the funds appropriated or otherwise made available by this Act shall be used to apply part 1124 of title 7, Code of Federal Regulations, to any producer-handler that produces less than 9,000,000 pounds of milk per month.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, in April of 2006, the U.S. Department of Agriculture issued a proposal 2 years in the making. The rule requires the Pacific Northwest and other producer-handler operations that produce more than 3 million pounds of milk per month to participate in the milk pool.

To process milk, they must buy from the pool at a set price. This helps ensure dairies small and large are paid the same price for their milk.

But do-it-all operations like Smith Brothers Farms in Kent, Washington, called producer-handlers, have been exempt from the regulations since the Depression. These producer-handlers are dairies that produce milk and process it into final product themselves. The thinking at the time was they were too small to influence prices and could not survive without the exemption.

Smith Brothers is one of only three dairies left in the Pacific Northwest that raise and milk the cows, as well as pasteurize and bottle the milk. The new regulations would devastate their business. The rule change was meant to target a much larger producer-handler that was producing 28 million pounds of milk per month, and this small, family-owned business got caught in the crossfire.

The big change happened when a producer-handler decided to get big. It made big investments and went after the big box stores, and because it had freedom to set its own prices, it took away business from the pool dairies.

This large milk distributor that I just indicated is producing 28 million pounds of milk per month and has 13,000 cows. In comparison, Smith Brothers Farms in Kent, Washington, produces only 6.5 million pounds of milk per month and has only 3,000 cows.

This order, if allowed to stand, would have a devastating effect on dairies like Smith Brothers and would require them to go out of business, sell off parts of their dairy operation, and/or pay $100,000 a month to a pooled penalty or settlement fund which would subsidize their dairy operators. This order would limit competition and ultimately drive milk prices up in the Pacific Northwest.

Mr. Chairman, my amendment states that these USDA regulations should only apply to very large producers, those that produce 9 million pounds of milk per month or more. A 9 million pound hard cap would mean that if a producer-distributor exceeds 9 million pounds of Class 1 route distribution, they cease to be eligible for producer-handler status and become a regulated plant.

Mr. Chairman, I realize that this amendment will not be made in order. However, I hope that we can continue to work on this issue in order to protect small dairy farms that provide a unique and valuable product to our customers.

Mr. Chairman, I ask unanimous consent to respectfully withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

□ 1815

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

SEC. ____. None of the funds appropriated in this Act may be used to deny compensation to eligible individuals filing claims to be satisfied out of the settlement fund approved by the court April 14, 1999 in Pigford v Glickman, 185 F.R.D. 82 (D.D.C. 1999).

Mr. BONILLA. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume, and I want to thank the ranking member, Ms. DELAURO, and the chairman, Mr. BONILLA.

Frankly, under ordinary circumstances, in regular order, Mr. Chairman, it would be appropriate to argue this amendment and to seek to overrule or to defend, if you will, the point of order. But I am offering this amendment to, in essence, give light to an unending problem to an aspect of the agricultural industry here in the United States.

Mr. Chairman, this is an issue that has been worked on by many Members of Congress. However, unlike as in the words ''silence is golden,'' the absence of silence of debate on this question is not golden and has really hurt African-American farmers, black farmers. They have been working a number of years to secure the enforcement of a settlement that was rendered some years ago, in 1999, under the Glickman administration, when Mr. Glickman was the Secretary of Agriculture when President Clinton was in office.

This is a civil rights case stemming from years and years of being denied farm loans, with documented information regarding the many regions where black farmers were. Black farmers were, in essence, sort of the legacy of slavery to the extent that many of them gained their land through that period. Many of them farmed the land and were great contributors to American society in general, but certainly to the farm industry of America. When they began to ask for farm loans, as other farmers did, interestingly enough, the Department of Agriculture systematically and on racial grounds denied them loans, therefore causing a lot of foreclosures and the unnecessary losing by African Americans of their farmlands.

I am grateful to past administrations, and even to those in this administration, who understand the plight of these farmers. Without the loans, many farmers faced foreclosures, as I said, and lost their farms. In 1920, African Americans owned one in seven farms. Today, it is one in 100, and I might argue it is even less than that. A large number of African Americans did not then and many do not today even know that the lawsuit exists.

So the issue before us is the question of extending the statute of limitations so that no farmer is denied. And the language of my amendment says that no funds shall be utilized to deny any eligible farmers for this particular consent decree that comes under the Pigford v. Glickman consent order.

I want you to know, Mr. Chairman, that this was a class action and that it was agreed to by the U.S. Department of Agriculture. That is an important point. We have been trying to work on legislation that would waive or extend the statute of limitations, but it is important in the context of the agriculture appropriations bill to let it be known that there are farmers who weren't given the monies to survive and, therefore, are in need of the serious look of the Appropriations Committee to continue to press the Department of Agriculture to make good on the consent order that they agreed to.

The discrimination in the USDA was so common during the period of 1980 to 1986 that the Glickman case determined that anyone bringing a claim with a valid showing should receive compensation. In fact, any nonwhite American farmer should receive compensation because the discrimination was so pervasive.

So, in essence, this opportunity is to make a plea to the United States Congress not to forget these farmers and to take the language of the Glickman Department of Agriculture, which is in essence this Department of Agriculture, who found such blatant discrimination, such broad-based discrimination that the definition was anyone, anyone who could make their case was eligible, and my language speaks to any eligible person.

We have a barrier of the statute of limitations and we have a barrier of no one listening. We have a barrier of no one shining light on this plight and a barrier, if you will, of not recognizing that America's small farmers, which African Americans are, are the backbone of our farming industry and really are the backbone of the importance of the farming community here in the United States.

We are trying to help family farmers. We are insisting on family farmers surviving. We want to encourage them by the growth of the ethanol production and, therefore, we should try to encourage these African American farmers who were just randomly denied loans, without any criteria for the denial, just on the basis of race, to be able to make good on this important legislation and this consent decree.

In essence, Mr. Chairman, this amendment is to say to my colleagues that ''none of the funds appropriated in this act may be used to deny compensation to eligible individuals filing claims to be satisfied out of the settlement fund approved by the court April 14, 1999.''

I look forward to yielding to the distinguished gentleman on the point of order.

The Acting CHAIRMAN (Mr. KUHL of New York). Does the gentleman continue to reserve his point of order?

Mr. BONILLA. Mr. Chairman, I reserve the point of order and claim time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. The gentlewoman's time has expired, I realize, but just this comment that she is correct, that this is an issue that needs to be addressed by the Congress, and I would encourage Members to address these concerns.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. BONILLA. I would be happy to yield briefly.

Ms. JACKSON-LEE of Texas. I thank you. I thank you for acknowledging that, Mr. Chairman, and I thank the ranking member for acknowledging this important issue, and I look forward to working with you in this body.

Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 82, after line 14, insert the following:

SEC. 753. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I will not use my entire 5 minutes.

This is an amendment on an appropriations bill that we have seen in some other ones that have passed previously, and it goes to the issue of how we have addressed over the last couple of days spending.

Regardless of which side of the aisle that you may come from, I think Members from both sides of the aisle will agree with one thing, and that is that our deficits are too high. When we are spending our taxpayers' dollars, we must be ever vigilant to be sure we are spending them wisely. Again, this amendment is a commonsense limitation on those hard-earned tax dollars.

Mr. BONILLA. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of New Jersey. I yield to the gentleman from Texas.

Mr. BONILLA. Mr. Chairman, the gentleman presents a good amendment, and we will be happy to offer support for him if the gentleman can submit his remarks and move the amendment to a vote.

Mr. GARRETT of New Jersey. Reclaiming my time, I thank the chairman for his comments, and I will then conclude my remarks simply by saying that this is an issue that has already been addressed in the Senate, somewhat extensively, pointing out the egregious examples in the past where extraordinary numbers of Federal employees have gone on international conferences.

So what the amendment simply does, at the end of the day, is put a finite number on that. In this bill it limits it down to 50 conferees to attend any international conference. We believe that is a reasonable number. We believe that any agency will be able to

live within those numbers, and again I appreciate the chairman's acceptance of this amendment.

While those on each side of the aisle may differ on how we got there, I think that most Members of this body agree that our deficit is far too high.

That is why the amendment I am offering is a commonsense approach to help limit spending and abuse of all of our constituent's hard-earned tax dollars.

My amendment will limit the number of Federal employees that are sent to international conferences funded under this bill to 50. The amendment also limits that dollar amount that can be spent to $8.2 million, which is the level spent in FY01. We have seen about a 25 percent increase between then and FY05, far too great an increase while we are operating with such high deficits.

Recently there has been a trend by our government to send a far excessive amount of staff to these international conferences, costing taxpayers millions of extra dollars.

While like all of my colleagues, I understand the importance of staff, I am simply seeking to make sure that only essential staff are utilized during these expensive foreign conferences.

While one more staffer here, and one more staffer there doesn't sound like much, it could mean one more shift a worker in my district has to work instead of being home with his family.

Due to my limited time I won't bore the floor with all the egregious examples. But I will note that unfortunately these conferences are a pattern of excess government.

This amendment has passed in various appropriations bills and is an excellent way to show this body's commitment to fiscal responsibility. I urge all of my colleagues' support.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEINER

Mr. WEINER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WEINER:

At the end of the bill (before the short title), add the following new section:

SEC. 7____. Using funds that would otherwise be paid during fiscal year 2007 as direct payments and counter-cyclical payments with regard to cotton and rice production, the Secretary of Agriculture shall make grants to the several States in an amount, for each State, equal to at least 0.75 percent of such funds, to be distributed to active agricultural producers in the State in a manner approved by the Secretary.

Mr. BONILLA. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of today, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

There is some irony in the chairman of the committee raising a point of order against this bill, because the purpose of this amendment is to point out how badly out of order one part of our budget is.

What my amendment does is it requires that each and every State in the Union get a minimum amount of agriculture programs for cotton and rice, whether they have cotton or rice or not. New York, for example, has no cotton production and has no rice production. This amendment would guarantee that New York gets a minimum amount; .75 percent, of the budget for cotton and rice should go to New York. It guarantees that all States, and there are about 25 or 30 of them that have no cotton or rice subsidies, get a minimum guarantee of cotton and rice funding.

Now, why would I offer such a thing? Why would you propose such an absurd notion, that any program designed for a specific constituency, those that make cotton and rice, would get a minimum guarantee? Well, that is exactly the question those of us in high-threat urban areas ask about homeland security funding all the time. Yet, believe it or not, a minimum amount, .75 percent, of homeland security funds go to every single State in the Union.

What is the result? The result is the number one per capita recipient of homeland security funds isn't New York, it is not Washington, DC, it is not California or Orlando, where Disney World is. It is Wyoming. Wyoming, in fact, gets $18.33 per capita while New York gets only $2.60 because there is a minimum guarantee that every State get a certain amount of homeland security funds.

So I have often said to my colleagues, wouldn't it be ridiculous to do that if this was any other program? Well, let's see. I am offering an amendment here that would do just that, and I hope what it does is it serves to get my colleagues thinking a little bit about how government programs should be allocated.

I think all of us would agree that there is an appropriate place for agriculture programs. I would hope all of us agree that in a post-9/11 world there is an appropriate role for the Federal Government in distributing aid for homeland security. But certainly we should be able to agree that just as it makes sense for cotton farmers to get cotton subsidies, those in the greatest threat of a homeland security attack should get the greatest portion of those funds.

Having a minimum guarantee, as there is in the present law, of .75 percent for every single State for homeland security funds, creates the most distorting effect. Vermont gets $15.28 for homeland security for each and every man, woman and child in Vermont, while California and New York get in the low $2 range. It simply makes no sense.

So I would encourage my colleagues to think in terms of the farm program when we come up and talk about the homeland security program. I would encourage you to think about the idea that Mr. BONILLA and Ms. DELAURO worked so hard to make sure the people that need the aid get the aid, and we should do that type of thing when we are considering homeland security funds.

It is out of order to say every State should get a minimum guarantee of agriculture programs, but it is equally out of order to make that assertion about homeland security funds. So I would say to my good friends in agriculture States, I am a person from New York. What I know from agriculture, notwithstanding the little I know about pests, is I know that the agriculture community produces a breadbasket of food second to none, and we need to do what we can to make sure that our programs here in Washington support them.

We formed a coalition throughout time, frankly, between rural areas and urban areas around our needs. We used to, in the 1980s and early 1990s, when it came to transportation funding, you would vote for that though it might not benefit you directly, and we would vote for agriculture funding. But never, never did we say in these programs there should be an absolute minimum guarantee for a program, particularly one like the Department of Homeland Security, which goes according to risk.

So I would urge my colleagues to vote ''yes'' on the Weiner amendment. Let us have a minimum guarantee, and maybe if we have every program by a minimum guarantee, we will realize it is absurd to have that formula for any program.

Mr. Chairman, I yield back the balance of my time.

□ 1830

POINT OF ORDER

Mr. BONILLA. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment imposes additional duties. I ask for a ruling from the Chair.

The Acting CHAIRMAN (Mr. KUHL of New York). Does any other Member wish to be heard on the point of order?

Mr. WEINER. Mr. Speaker, I agree that we are legislating on an appropriation bill, and I agree it is out of order to oppose or pass the notion that every State should have a minimum guarantee. It is exactly that ruling and exactly that language from the chairman that I would ask you to keep in mind when we consider other legislation.

Minimum guarantees are not the way we legislate around here. We legislate based on need; and, frankly, it is clear that we are not allocating homeland security resources. And just the way

this will be ruled out of order, I hope you keep that in mind when we consider those measures as well.

The Acting CHAIRMAN. Does any other Member wish to be heard on the point of order?

Hearing none, the Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 82, after line 14, insert the following:

SEC. 853. None of the funds provided under the heading ''TITLE IV—DOMESTIC FOOD PROGRAMS--FOOD STAMP PROGRAM'' shall be expended in contravention of section 213a of the Immigration and Nationality Act (8 U.S.C. 1183a).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I rise again this afternoon for what I believe is a commonsense and important amendment to the legislation before us; commonsense simply because at the end of the day all the amendment does is to say we should be enforcing the current law.

As it stands right now, 8 U.S.A., section 1183, states that an affidavit must be filed by a sponsor of an incoming alien to the country. That affidavit is a legally binding guarantee on the part of the sponsor that the immigrant that they are sponsoring will not become a ''public charge.'' What I am citing here is nothing new. This public charge requirement goes all the way back to immigration policy of the 1880s.

So what this amendment does today is simply restate that in strong terms saying that no funds appropriated under this act, under the Food Stamp Program, will be spent in noncompliance of current Federal law. The reason we do this is to reinforce the fact that the laws on the books should be enforced.

And, secondly, it addresses another point as well. Some people might argue that there is not enough money in the Food Stamp Program for all of the needs that are out there, and we can debate that from one side to the other. But if you honestly believe that there isn't enough money out there for the entire Food Stamp Program, I think we all agree from both sides of the aisle that the money in the program should be going to the people that it was intended for in compliance with the statute and in compliance with current law.

So on that, I will conclude by saying we are asking nothing more than the Food Stamp Program currently in existence today comply with the laws set forth.

Mr. Chairman, I yield back the balance of my time.

Mr. BONILLA. Mr. Chairman, I would like claim time in opposition, even though I am not opposed.

The Acting CHAIRMAN. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. BONILLA. Mr. Chairman, it is my understanding that this amendment that the gentleman from New Jersey has worked very hard on tells the Department to comply with existing law, and at this point we have no objection to the amendment and would move the vote.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. BACA

Mr. BACA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BACA:

Page 82, after line 14, insert the following:

SEC. 753. None of the funds appropriated by this Act may be expended to reimburse a State agency for expenses under section 16(a) of the Food Stamp Act of 1977 if the State agency has implemented operational changes in the food stamp program designed to increase the total percentage of applications submitted by mail, by telephone, and on-line to more than 20 percent of the total applications submitted in that State unless the State agency can certify, and it is further certified by the Secretary of Agriculture, that persons with disabilities will retain equal access to the food stamp program, that such persons will receive fair service, and that the State agency's plan would comply with applicable civil rights laws, including the American's with Disabilities Act and section 504 of the Rehabilitation Act.

Mr. BONILLA. Mr. Chairman, I rise to reserve a point of order against the amendment.

The Acting CHAIRMAN. The gentleman's point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mr. BACA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

We must stop throwing away good money after bad policy. Some States are taking misguided steps in administering the Food Stamp Program and other public benefits. Moving 20 to 50 percent of all cases online or to remote calling centers makes little sense, creating problems for those most in need.

The fact is, disabled, undereducated and minority food stamp participants are losing their food stamp benefit because of these cost-cutting privatization initiatives.

What is happening in Texas is a waste of Federal funds. The Texas State comptroller called for an investigation of the new public benefit system. The Texas State comptroller said that the Accenture contract appears to be a perfect storm of wasting tax dollars, reducing access to services, and profiteering at the expense of taxpayers.

The new eligibility system is a disaster. More than 300,000 children have left the CHIP program. This has been blamed on the contractor's loss of applications, payments that were not credited to the proper accounts, and families who have been improperly denied benefits.

Mr. Chairman, we cannot allow other States to be misguided down the road. If the Baca-Doggett-Green amendment would have been in order, we would have forced States to certify that changes to the application process are not hurting sensitive communities under existing civil rights and disabilities law.

People on food stamps and other public benefits need our help to ensure that new program structures, privatization and other changes do not harm them and do not take away food from the table. That is the purpose of this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, a massive experiment on poor people in Texas has been a true disaster. Mr. BACA seeks to ensure that all Americans are protected from the same thing happening to them.

Apparently, there were some people, who thought that Accenture could do just as good a job in responding to food stamp inquiries as it did dodging its fair share of taxes by moving off to Bermuda. They were wrong.

Even our Republican comptroller, as Mr. BACA has noted, says we have had a storm, ''a perfect storm of wasted tax dollars.'' Many members of our Texas delegation this very week have written to the Governor saying that we believe ''assisting families with nutrition and health care is not an expense, it is an investment in our community,'' and noting that face-to-face assistance by our public employees cannot be substituted by a machine, with turning poor people over to the Internet or a phone call in a distant city instead of a human being.

Moreover, our Texas State locations have ''well-trained eligibility employees.'' Those are the employees that our

Texas Governor proposed to dismiss. We need to keep them there, and this amendment would help accomplish that.

Mr. BACA. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I rise to speak on behalf of some of our most vulnerable Americans who are being denied access to needed food stamps because of States eliminating face-to-face interviews.

Mr. Chairman, I speak on behalf of children, the elderly, disabled, and those with limited literacy. I regret that they are not here to speak for themselves because if they were here to speak for themselves, they would tell you about the 20-minute phone waits. They would tell you about the phone calls that have been abandoned because they had to wait too long, 44 percent per the USDA.

They would tell you about the inability to use the phone because they cannot speak, the inability to use the phone because they cannot hear. They would tell you about the lack of computer access and the lack of computer literacy.

This amendment ensures a user-friendly system for some of our most vulnerable Americans. I speak for them. I stand with them. I cast my vote for them.

Mr. BACA. Mr. Chairman, I ask unanimous consent to withdraw my amendment given that this amendment would be subject to a point of order, and hope that Chairman BONILLA and Ranking Member DELAURO will work to increase congressional oversight on this issue.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Ms. DELAURO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, on the immediately preceding amendment that was just withdrawn, this is an issue I have followed closely for a long time, and I have questioned USDA officials about this. I offered a motion to instruct conferees on the 2006 conference report on this issue. There is no question that this ill-considered plan must comply with all of our civil rights laws.

I applaud the gentleman for his effort. I would also like to tell Members about what a mess the Texas effort to privatize not only the Food Stamp Program but other critical social services is in.

Just last week, Texas announced that the work by the company awarded the $899 million privatization contract, Accenture, was so bad it was putting the privatization effort on, what was described in the press, and I quote, ''indefinite hold.''

Texas also announced it was going to give 1,000 State employees that it had planned to lay off bonuses of $1,800 so they would stay to help fix the mess created by Accenture. Accenture's mismanagement of the State's CHIP program was so bad that 28,000 children were scheduled to lose their coverage in May, on top of an already large drop in enrollment since privatization occurred. The State had to intervene to keep the children enrolled.

As part of the 2006 conference report, USDA is required to send the committee quarterly reports on the Texas situation. The second and most recent report from the USDA, like the first, is very blunt in its assessment of the problems they see with what Texas has done with respect to the food stamp portion of this.

The report says: ''The following concerns give pause to expansion without substantial improvements in system functionality to support a more ambitious implementation agenda.''

Among the concerns: Long wait times for calls; high abandonment rates by callers; vendor performance is questionable as evidenced by the high percentage of cases that are returned to the vendor because of missing information and errors; case file documentation needs to be substantially improved to support program access and integrity; vendor performance on handling calls shows problems with the staffing and training resulting in information to the extent that it is unclear whether applicants will know how to apply.

The simple truth is that this effort is a disaster and it threatens the right of Texans to get the benefits to which they are entitled.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund dairy education in Iowa.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. BONILLA. Mr. Chairman, before the gentleman begins, I ask unanimous consent that the amendment be read, and the reason I am doing this is because we are not sure which amendment we are addressing and in what order.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

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

Before addressing this particular earmark, let me make a few general comments about what we are going to do today.

Today we will engage in a debate that has been a long time in coming. I plan to offer several amendments to this bill to block funding for a series of Member earmarks that are contained in the committee report that accompanies the bill.

Let me point out that the House has already voted in the lobby reform bill a few weeks ago to require that Members attach their names to their earmarks; yet this committee report has come to the floor with more than 400 earmarks and not one name. They are not required to do so until the bill passes both Chambers, but it would be nice to have the names attached.

Let me state from the outset I am under no illusion that I can block funding for any of these earmarks we will discuss. I am well acquainted with the process of log rolling where one Member agrees to support another Member's earmarks if that Member will agree to do the same. I suspect that log rolling will prevail here today.

But it is about time that we provide a little window into the process. Is it the Federal Government's responsibility to recruit dairy farmers from other regions to move to northeast Iowa, as one of the earmarks we will discuss today purports to do?

Is the need so great this year to fund the National Grape and Wine Initiative that we should add $100,000 in debt owed by future generations?

Since our responsibility as Members of Congress is to prioritize limited resources, do we really want to tell taxpayers that we believe that spending $180,000 on hydroponic tomato production is more pressing than other issues?

I expect that a few of the amendments I will offer today will be successfully blocked because of a point of order. The reason: because we have no documentation that a Federal agency that will fund the project knows anything about the project that is to be funded.

□ 1845

To successfully challenge the earmark requires an assumption that the agency is familiar with the project. Otherwise, we might be legislating on an appropriation bill, a violation of our rules. The incentive, therefore, for Members looking to protect their earmarks, is to be either vague or silent about the project's goals and its oversight.

Let us think about that for a minute. How are we supposed to exercise oversight for these earmarked projects? Who is to be held accountable? Not the government agency. By upholding the point of order, we are stipulating that the agency might as well not even know that the project exists.

In the end, since rank-and-file Members can't even challenge those earmarks without being subject to a point of order and the agencies don't know

anything about them and since we don't even know who requested the earmark in the first place, the only individuals who have any oversight function are selected members of the Appropriations Committee or their staff.

Mr. Chairman, it does not speak well for us as legislators when the first and last documentation of these earmarks is found in Members' press releases. I would like to think that we can do better than that. I think that all of us were elected to this august body with higher aspirations than to grovel for crumbs that might fall from appropriators' tables.

We need to reform the process. We need to get back to the process of authorization, appropriation and oversight. That is what this branch of government is supposed to do. We diminish ourselves at our office when we stray from that course.

This particular earmark or this particular amendment seeks to strike funding for an earmark to provide $229,000 to retain and grow the business of existing dairies and recruit dairy farmers from other regions to northeast Iowa. What business is it of the Federal Government to recruit dairy farmers to move from other regions to northeast Iowa?

This work is to be carried out primarily at the Northeast Iowa Community College Dairy Center, and it is funded through the Cooperative State Research, Education and Extension Services Extension Activities. The agricultural appropriation bill for fiscal year 2007 includes more than $750 million for extension activities, which is more than $5 million last year and $26 million over the President's request. I should point out, funding for this program was not included in the President's request.

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

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

This Congress was the first one in a generation last year to cut discretionary spending. The gentleman's amendment also does not do one thing to reduce spending in the bill.

Yes, it would remove language for the particular project that the gentleman is referencing, but then that money would be reverted back to the Federal agency, to whatever office disseminates this money, and then it would be left to some career bureaucrat to make the decision. Now, there are a lot of professionals that work at that level, but I for the life of me could not understand why we would leave all of those decisions up to the Federal agencies.

Let me also say that this bill, aside from the discretionary spending we cut last year as fiscal conservatives, we cut this bill almost $100 million from last year, and the ''earmarks'' that are being referenced in this debate only make up 2 percent of this bill. So for all the grandiose statements that are being made here about being a champion of fiscal conservatism, big deal.

Mr. Chairman, I yield 2 minutes to my distinguished colleague from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, I think it is fascinating the way this amendment reads. None of the funds made available in this act may be used to fund dairy education in Iowa. Now, I don't know whether that means, apparently, it is okay to educate people about dairy in Wisconsin and Minnesota and Arizona; I think we should. I don't know what you have necessarily against dairymen in Iowa.

Mr. Chairman, the funds contained in the bill for the northeast Iowa dairy education project are extremely important to Iowa's dairy industry because they help foster and enhance the development of new dairy-producing operations and mostly among young dairy farmers.

Throughout the northeast region in my district, I hear about the continuing success of this program and how the program has made meaningful differences to the small dairy producers in this part of the State. If one is a small dairy producer, of which there are many in the State, continuing education is very important. The education project aids the retention and growth of existing dairy farms and responds to challenges to dairy farmers.

This project is also important to necessary research, and it is coordinated with Iowa State University, also the National Animal Disease Center; it coordinates with this project. And it really is something that goes to not only diseases but state-of-the-art production and environmental management techniques. I should also note that the funding for this project leverages $9 million, or has in the past, $9 million of non-Federal funding. So it is not like the people, the farmers up there, the producers themselves, have not put their dollars in with this project.

It is extremely important, and I would certainly ask people to vote against this amendment.

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

The only reason we limit it to dairy education in Iowa is to ensure that our amendment was made in order. Believe me, if there were dairy education for Arizona, I would strike that as well. We simply shouldn't have programs like this.

Let me just say, according to the Iowa State Dairy Association, the Iowa State dairy industry contributes more than $1.5 billion to the economy and provides more than 26,000 jobs. I would submit that spending $229,000 isn't going to do much to change that trend one way or another. It is simply something we shouldn't do.

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

I would only briefly say again that a vote to support this amendment does not a single thing to cut spending in this bill and would just turn over all the decision-making process to a government agency. The Constitution calls for the House of Representatives to decide how funds are allocated, and I am a great believer in that. I urge all Members to vote ''no.''

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund the Fruit and Vegetable Market Analysis, Arizona and Missouri grant.

Mr. BONILLA. Mr. Chairman, again just for clarification, I would ask unanimous consent that the amendment be read so we understand which amendment is before us.

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

The committee has provided $350,000 for providing analysis of the impacts of trade, environmental, monetary, and other policies on the Nation's fruit and vegetable industry to stakeholders. This research is to be carried out by Arizona State University and the University of Missouri. I should note that Arizona State University has a campus in my district.

The original goal of the research was to respond in a timely manner to requests for policy-relevant information from congressional Members and their staffs on a wide variety of topics that impact the fruit and vegetable industry and consumers. The project also develops 10-year baseline projections on production, prices, consumption and trade for the fruit and vegetable sector. The funding is through the Cooperative

State Research, Education and Extension Service's Special Research grants, which are congressionally directed and noncompetitive research earmarks awarded to universities. Again, these are noncompetitive research earmarks awarded to universities.

The agriculture appropriations for fiscal year 2007 includes more than $100 million in these earmarks, many that have persisted for years and can only be terminated by Congress.

The Fruit and Vegetable Market Analysis has been receiving Federal funds since 2002 and has received more than $1.3 million in appropriations. This earmark, again, was not included in the President's request and this project has no formal evaluation. There is no expected completion date with this analysis, and it is expected to be ongoing.

Here is another example: There are so few opportunities for oversight here. When you contact the Federal agencies, it is difficult to even determine if they know that these projects exist. Who is supposed to be providing oversight here? In Congress, we are not, certainly. I mean, a lot of these programs, some of the earmarks that we will discuss today were expected to be 2-year programs. They have gone on for over a decade. When do we say, enough is enough? Where is the oversight? If the Federal agency is not providing the oversight, if they do not even know of the program, and Congress is not providing the oversight, how do we know that we are getting our bang for the buck?

These are pork barrel projects. We should not be funding them.

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

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

Once again, the gentleman who is proposing this amendment somehow thinks that this is going to save money in the bill.

Let me point out also, in addition to the remarks I made earlier about cutting discretionary spending and cutting this bill back this year, there have also been cuts in this bill where funding for the Member priorities are down $35 million or 8 percent from last year. So the effort to deal with fiscal conservatism is ongoing and continues from last year when we started cutting discretionary spending. We also terminate eight Federal programs for a savings of more than $4 million.

So anyone who thinks that we are not concerned about fiscal conservatism can look at the facts and figures before them. And we understand that the media likes to talk about Member priorities, but I would suggest that anyone who is truly serious and is not looking for recognition would work on entitlement reform, which is where the vast majority of our government funds go to, and that would really make a big mark on cutting back on spending, not amendments such as this one that do not cut one penny out of this bill. And I hope our colleagues and the constituents that are watching this are not somehow fooled into thinking that this amendment cuts one penny out of this bill.

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

Mr. FLAKE. Mr. Chairman, I yield myself 2 minutes.

It strikes me as odd that the Appropriations Committee claims that this is money that is going to be spent anyway. We have no control. This is money, if we knock it out of here, it will just be spent elsewhere.

What are we here for? Are we potted plants, just here to watch money go out the door?

We are here to prioritize. We are here to say, this ought to be funded, that should not be funded.

Last Friday, we had a great discussion about the Military Quality of Life bill, where there was funding in there that was put in emergency category. Surely the Appropriations Committee or the House as a whole can say this $500 million that we are doing in earmarks here in the agriculture bill perhaps could go to Military Quality of Life. Why can we not do that?

This notion that we have no control and we cannot move money from one account to another is simply absurd. We can. We are Members of Congress. That is what we are here to do, to prioritize. So I completely reject the notion that we cannot do this.

Also, on the subject of earmarks versus entitlements, I think my colleague in the Senate said it well: Earmarks are the gateway drug to spending addiction. Once you get earmarks, then it is much easier to get other spending as well. A lot of the entitlement programs that we have expanded, the prescription drug benefit, for example, was made possible because of so many earmarks on other bills.

Earmarks are a problem. It does add up to real money. I believe the transportation bill last year was some $27 billion in earmarks. That is not chump change. And I think that Americans all over are concerned about this and rightly so.

Also, when you have a process here where there are no names attached to the earmarks, we do not know how to find out about these programs.

□ 1900

We simply don't know. We contact the Federal agencies. Half the time they don't know about the programs. Where are we to provide oversight? That is one of our responsibilities, and we are not doing it here.

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

Mr. Chairman, Members come to the floor and offer amendments that have either substantive increases or decreases to appropriations bills. I use as an example a sincere Member from the State of Colorado, comes here every year with an amendment to cut spending that has a true impact on the bill. Whether he succeeds or not, there are votes held on that and honest debate is held.

But, again, when amendments are presented in this form, there is no savings. Anyone who suggests that there is a savings in writing amendments like this is a fool, because they are not cutting a single penny from the appropriations bill.

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

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in this 30 seconds, let me explain that the Appropriations Committee, all they have to do is tell the Budget Committee we would like a lower 302(b) allocation. The Budget Committee, believe me, will be glad to do that.

I am offering 11 amendments today. The FY 07 agriculture appropriations bill has more than 450 amendments; 450. That is nearly identical to the 10-year average, according to CRS.

Mr. Chairman, I yield back the balance of my time.

Mr. BONILLA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

Mr. BONILLA. Mr. Chairman, I ask unanimous consent that all amendments remaining, with the exception of the last one, be read, just so we know which one we are dealing with, because we have a stack of papers we are looking at.

The Acting CHAIRMAN. That can be addressed ad hoc.

Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund the Food Marketing Policy Center, Connecticut grant.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, this amendment for the Food Marketing Policy Center is a Connecticut earmark. The committee has provided $579,000 for a center that analyzes strategies and public policies

that impact the marketing of food as well as food safety marketing.

I would ask again, what business is it of the Federal Government, with far higher priorities, to fund an earmark like this? I would say again to those who say, well, if you strike funding for this, the funding will simply go to the agencies and they will spend it on their own, we can instruct the Budget Committee, again, to say please lower the allocations. Let's spend less on earmarks and spend more on body armor or something else. We have the power to make those priorities, yet we are not.

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. Mr. Chairman, to begin the position of those opposed, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to the gentleman's amendment and want to say a few words about the work done at the University of Connecticut's Food Marketing Policy Center. It is hardly frivolous.

The policy center has an established track record as a research resource for policymakers across the world. It conducts research on a variety of food and agricultural marketing, safety related policy matters, information that contributes to the work that we do to improve our food production, marketing, and safety systems.

Let me give you a couple of examples how it has helped us here in the Congress and impacted consumers:

In 2003, the Food Marketing Policy Center research on fluid milk pricing in the Northeast and Pacific Northwest uncovered gouging by supermarket chains. After the demise of the Northeast Dairy Compact, farm prices had plummeted, but retail prices in New England only had declined marginally. The center estimated that milk at $3 per gallon retail in New England supermarkets was $1 above its supply cost for nearly 2 years, hurting farmers as much as consumers. Their research is helping us determine new approaches to fluid milk channel pricing.

Another example: other research done at the center just last year includes work done on food access for low-income consumers, the impact of foot and mouth disease and new approaches to animal health and biosecurity. On the latter point, the center has worked to outline the regulatory inconsistencies between the U.S. and other countries and the impact on the export markets for U.S. beef.

Particularly as we in the subcommittee work to ensure our food supply is safe in the face of an increasing number of new threats and market realities, we understand the need for the best research possible. That is what we get from this center and what we get in return for a very small investment from the USDA via the CSREES program, an investment, I would remind my colleagues, that leverages additional support from academic and industry sources. It is, in fact, a public-private partnership.

I believe we in the Congress have an obligation to hold up our end of the bargain and fund the center. Farmers rely on it, consumers rely on it, public agencies, State legislatures, and even us, even some here in the Congress.

So let's support the center. Let's support getting the best agricultural research that is possible.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume to ask the gentlewoman if she would engage in a colloquy on this.

May I ask how long this program has been in existence?

Ms. DELAURO. Mr. Chairman, if the gentleman will yield, yes, you may ask that question, and if you can give me a second, I will get that information.

Mr. FLAKE. Approximately is fine.

Ms. DELAURO. Just over the last 3 years.

Mr. FLAKE. Has there been a marked improvement in the way we have studied these issues? Didn't we get along just fine before this program existed?

Ms. DELAURO. I just laid out for you the specific incidents. I don't make them up. You can go back and you can check them. But I laid out for you several areas in which the research and the effort has been extremely important and helpful to farmers, to consumers, and to those of us here.

Mr. FLAKE. Mr. Chairman, reclaiming my time, should we not have similar programs for other industries, perhaps have other earmarks to help us analyze the cost of computers?

Ms. DELAURO. Mr. Chairman, if the gentleman will yield further, let me just say to you, that is not the issue at hand here. We are discussing this program. You have concerns about it. I will just say I appreciate your asking questions. I tried to answer the questions, and I think that I have provided, and given a lot more time, I could provide further information about all that this center is doing and how in fact it meets its mission in terms of assisting consumers and farmers and the general public.

Mr. FLAKE. Mr. Chairman, reclaiming my time, I thank the gentlewoman. It makes the point why we have over the past decade increased the number of earmarks by, I believe it is, 872 percent. That is not something as a Republican that I am proud of at all. We had just under 15,000 earmarks in all appropriation bills last year. Who knows where it will go, unless we get a handle on this process.

It simply is wrong for Members of Congress to be able to take an amount of money and designate it for one particular group with no real oversight. As I mentioned, too few of these earmarks can even be challenged like we are challenging these today because you might be ruled out of order because the Federal agency has no record or no idea what the earmark is actually doing. We have a process that is out of control.

Let me mention, as well, we haven't mentioned the other side of earmarks. We have one of our former Members in jail right now for basically selling earmarks. Jack Abramoff reportedly referred to the Appropriations Committee as an ''earmark favor factory.'' Those are his words, not mine.

We have a process that is out of control, nearly 15,000 earmarks. When you have that many, with very little oversight, it is ripe for abuse; and we simply have to change the direction we are going. That is the larger point.

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

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I come from the State of Joe McCarthy, and he was famous for his use of innuendo. I don't appreciate it when I hear innuendo on this floor from any source.

Let me start this way: my opinion of earmarks is pretty clear. When I was chairman of the Appropriations Committee, for instance, we had no earmarks in the Labor-Health-Education bill. I think the number of earmarks has gotten grotesquely out of hand. I think it is beyond the ability of our staff to police. On that, I agree with the gentleman. But I don't think that we need to drag in a reference to an obscene player in the game like Mr. Abramoff in discussing a specific earmark such as we were discussing 5 minutes ago.

If one is serious about providing oversight on earmarks, then they would not have voted for the budget resolution to begin with, if they were serious about fiscal responsibility, I should say.

If they were serious about fiscal responsibility, they would not pick and choose a few random earmarks to go after on the floor. They would have insisted that this House have systematic reform of earmarks so that, for instance, we go after the big targets, the authorizing committee. The committee that provides highway authorization, for instance.

The mother of all earmarks was the ''bridge to nowhere.'' That wasn't in an appropriation bill. That was in the authorization bill, and that authorization bill last year, the highway bill, had seven times as many earmarks as the relevant appropriation bill, seven times the amount.

If people were serious about going after earmarks, they would go after authorization earmarks. If they were serious about earmarks, they would go after tax bills. The 1981 tax bill was replete with special transition rules for corporations, and every time I would talk to a big businessman who would complain to me about the deficits that Ronald Reagan was building up, I

would say, ''Well, why don't you raise hell about what they are doing in the tax bill?''

''Oh, we can't, because we have got a special transition rule in there and we don't want the committee to take it away,'' they would say.

If you take a look the 1986 tax bill, the same problem. If you take a look at the most recent tax bills, laced with special privileges. And the fact is that those special privileges aren't just 1-year affairs, as a lot of appropriations earmarks are. They continue giving again and again and again, as the TV commercial goes.

So I would say if the gentleman has legitimate objections to specific earmarks, by all means, it is his right to raise that on the floor. But I think if the gentleman wants to be taken seriously on this effort in the House, then he needs to support a systematic and systemic approach, which will reduce the number of earmarks to a number which this House has the capacity to handle.

I don't think that we particularly add to the effort if we just pick and choose on the basis of, say, funny names. I recall once, for instance, when a Senator from will my own State, Bill Proxmire, made fun of an earmark for a research project because it was research on Polish pigs, and everybody laughed about Polish pigs. But the fact is, out of that study came a new blood pressure medicine, which has been used by millions of Americans for years.

□ 1915

So I would suggest there is a constructive way and a not so constructive way to go after earmarks. I would prefer we follow a constructive road.

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

Mr. Chairman, I would agree with the gentleman from Wisconsin on the point about trying to associate Members with activities that are well known throughout this town and throughout this country that were inappropriate.

But, unfortunately, when Members come and lack truth and substance and real meat in their debates, they often times resort to try to take a debate to that level. Anyone who opposes a person on an issue or an amendment in this body, to have them associated with someone who has really done themselves wrong and done the country wrong is really bad form and, in the view of I believe the overwhelming majority of the Members of this House, really uncalled for.

So if there are Members here who want to conduct their debates at that level, it is unfortunate, and we cannot stop them. But, again, I hope that we would conduct this debate at a substantive level. And with that, I would again oppose the amendment strongly.

Mr. Chairman, I yield back the balance of my time

Mr. FLAKE. Mr. Chairman, may I inquire as to how much time there is remaining?

The Acting CHAIRMAN. There is 1 minute remaining.

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, at no time have I tried to associate anyone here with the actions of the former Member. At no time have I done so. And I apologies if that inference was gained.

But we have a process here that is bad, that there are too few controls. That particular Member was able to get his earmarks through the entire process without being challenged, without one person being able to stand up and say, you know, are those earmarks going for the right purpose, or are they going off for some other purpose?

That is what this earmark battle is about. And I agree with virtually every word said by the gentleman from Wisconsin, and I want to work with him on systemic reform. We got some of that in the lobby reform bill that we passed a few weeks ago. We need far more of it. We need far more than just transparency.

Mr. Chairman, you have got to have accountability as well. This is one part. Being able to challenge earmarks. No Member ought to assume that they can get a project for their district and not ever be challenged on it, to explain what it is about. That is what this debate is about.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund research and education activities for greenhouse nurseries in Ohio.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, this earmark is a greenhouse nurseries earmark, $726,000 for greenhouse nurseries in Ohio, an increase of $5,000 over last year. This was described as intended to develop marketing plans to showcase this industry that has branded itself as the Maumee Valley Growers.

Mr. Chairman, let me just make the point again. I do not know what else to do here. I have been screaming for 5 years that earmarks are out of control. Yet in that same 5 years, we have doubled, probably quadrupled the number of earmarks that this body has in the appropriations bills every year. I do not know what else will work, what other avenue do rank-and-file Members who are not on the Appropriations Committee have to point out the absurdity of funding some of these items, only to be told, well, do not take this opportunity, challenge it another way.

I would like to see, where? Where do we have the opportunity? Why should we not have the opportunity to stand in this body and challenge the earmarks that Members get? Why should any Member have the opportunity to earmark a certain amount of money for his or her district, or for a particular company or non-profit organization or group of individuals, without being challenged on it?

Where is that right or so-called right that we have to do so? I simply do not see it. And I have looked, believe me, for years for opportunities to say, we are out of control. The gentleman from Wisconsin mentioned, I thank him for doing it. He says we are out of control. There is no way we can police the number of earmarks. There is no way that we can actually have real oversight here.

But if I cannot stand up and challenge these earmarks, what am I to do? What are other rank-and-file Members to do? Where is the forum if not here on the floor of the House?

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. Mr. Chairman, once again, it appears that the author of the amendment is seeking to acknowledge some frustration and to quote one of his lines here, I do not know what else to do. Again, I would offer advice to not just this Member but any Member that was seriously concerned about further fiscal responsibility again to emphasize this bill is almost $100 million below last year's bill.

We have cut the number of Member projects in it. We cut discretionary spending again last year. So those of us who are truly trying to make a difference are making a difference. Is it enough? Of course not. But if Members are actually looking for honest roadmaps to success in this area, again, the area of entitlements needs to be addressed.

So I would suggest that any Member who really wants to tackle fiscal responsibility in this area go for it. That would matter. Dealing with a budget process before we get to this point, that would matter. Offering amendments that are substantive again, but that would actually have an effect on spending, whether it goes up or down, that would matter. So, again, to address the frustrations that are being expressed here, those are three clear roads to further fiscal responsibility that I would suggest to any Member who might ask.

But, again, to offer amendments that have nothing to do with cutting a dime out of this bill is useless. And I can understand why the feeling of desperation might occur.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman very much for yielding me time.

Mr. Chairman, as a member of this subcommittee for many years, I would like to point out that everyone of the projects that is included in this bill is carefully monitored and with the proposals being reviewed on campuses before they are submitted to the U.S. Department of Agriculture for funding. Then the U.S. Department of Agriculture reviews each project to be sure that the projects are ones of scientific merit, and research contracts are effectively negotiated between the USDA and the recipient.

And the subcommittee monitors each one of the projects with detailed questions at every hearing. This is the most recent hearing manual with each of the amendments that the gentleman is offering about. There is careful review. There are quarterly reports. There is documentation that is required for every single project.

So I do not quite agree with what the gentleman has said, because it is a contract negotiation and because there is careful review and a lot of projects do not get funded. The gentleman mentioned something about 400 projects. Well, we have 435 Members of this institution.

And we do have a responsibility to the country. There are projects in Arizona. There are projects in Ohio. And we cannot fund everything that we are asked, but we do the best job that we can, and we try and make and build a better country.

So the specifics, the gentleman had a question about I think the greenhouse nurseries projects in Ohio. And I can assure the gentleman that the unsubsidized family farmers of Ohio in this particular industry are competing in a global market. And the work that is being done by several land grant universities, including Ohio State University, Michigan State University, Indiana State University, are trying to help an endangered industry compete against subsidized Canadian production where power in that nation is made available at much cheaper rates.

The power costs of operating these kinds of greenhouses is enormous in the current marketplace. I only wish that our region of the country had what the gentleman has, and that is the Bureau of Land Reclamation, and your subsidized water projects in the west that have literally pulled much of our vegetable production from nonirrigated facilities to the irrigated west.

I wish we had the kind of subsidies the gentleman's region has benefited from. Perhaps because the gentleman lives in a suburb, he does not appreciate what it takes to produce food in our country with the kind of competition that we face.

Now I read in the gentleman's biography that he grew up on a ranch. I sure would like to know if your family benefited from any of those Bureau of Land Management subsidies or any of those Arizona water projects. Maybe the gentleman gets his water from the rain. I do not know. But, you know, other parts of America need to compete, too, and they are not subsidized.

So we hope that our industry will be able to survive. But I would defend any of the projects that have gone through this careful review through the U.S. Department of Agriculture along with many of our land grant institutions.

Mr. Chairman, I would ask the gentleman to take a look in the mirror and to his own State.

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

Mr. Chairman, I would simply point out that one of the amendments I offered is actually to cut funding that goes to my State. I would simply point out again, last year there were more than 10,000 earmarks worth $29 billion. I would say, again, to the average American, that may not seem like much to us, but it seems like a lot to them. It is a lot to all of us.

And as mentioned before, earmarks are the gateway drug to spending addiction. When we get earmarks, it is much easier to vote for other things as well. The gentleman asked why we do not attack some of the other spending and look to entitlement spending.

Twenty-five Republicans voted against the prescription drug benefit. We have worked to limit that program to where we can afford it. We added more unfunded liabilities to Medicare than exist in all of Social Security with that single bill. We voted against it.

We offered alternative legislation. We tried to rally our colleagues to vote against it. What else are we supposed to do there? Here, with these earmarks, what other forum do we have to say, let us cut back somewhere, somewhere. On the road to 10,000 earmarks, cannot we just say, we have gone too far? Can we change this process?

If we are funding, I would submit, greenhouse nursery earmarks, $726,000, we have not scrubbed this bug well enough. And the notion, again, that if we do not spend this money here, it will just get spent elsewhere demeans us as legislators, because it is our duty to actually police how this money is spent. And if it is not going to be spent here, then, again, let's go to the Budget Committee and say, we do not need this big of an allocation.

Let's put it to the war effort. Put it to pay down the debt, somewhere else. But this process, it ought to be authorization, appropriation, oversight. And somehow we have neglected the first two, authorization and oversight. And all we do is appropriate. And then these earmarks, very few of them actually have any oversight, these special research grants, there is some kind of reporting there. But in most of the earmarks, there are not.

As I mentioned, most of the agencies do not even know that these are being funded, or do not even know what the program is, they simply fund them. They do not have the opportunity to exercise oversight there. And we do not certainly exercise the oversight here.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund aquaculture in Ohio.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Chairman, the goal of this project, the aquaculture in Ohio earmark, is to foster the development of a statewide aquaculture industry in Ohio.

□ 1930

Again, I have to ask the threshold question here: Where is the Federal nexus? Why are we taking taxpayer funds from someone in Maine and putting it here in aquaculture in Ohio? How do we make that leap that it is our responsibility as legislators to do that?

Again, we can save this money. This money does not have to be spent. All we have to do is say change our allocation. Give less money. We can take some $400 million we are spending in Member earmarks and pay down the debt, fund the war effort, anything else but these earmarks, I would submit.

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. SIMPSON) to begin the debate for those opposed.

Mr. SIMPSON. Mr. Chairman, while I do not want to respond to this specific project, I do want to respond to what

the gentleman from Arizona talked about just a little bit ago. He mentioned 10,000 earmarks and $29 billion last year. And he seeks to reduce the spending because somehow I guess the implication is that that $29 billion is wasteful spending. What that is is $29 billion that Congress has directed how it is going to be spent and not the administration.

When the administration proposes a budget, it is a recommendation that comes to Congress. It is full of earmarks. Administration earmarks. Earmarks that they believe how the money should be spent. Congress in their budget process, in their hearing process, in the Appropriations Committee make certain determinations. Some of them, in fact, most of them are that the administration's requests are appropriate. Sometimes we disagree with them. We say spending ought to be done somewhere else. We have different priorities. Those are called earmarks. I call them congressionally directed spending.

To tell you the truth, I wish we congressionally directed all of the spending. Remember, the President just makes recommendations. It is this Congress's responsibility to determine where the spending is going to go and to tell an administration or an agency that some of this money, a very, very small percentage of it is going to be spent in certain projects that we think are important, at least a majority here do, I think is our role. And to suggest that all $29 billion or 10,000 earmarks, whatever the amount was, is wasteful spending is to mislead the American people.

Are there some wasteful things in there? Sure. But if you think giving the money just to the administration to determine how it ought to be spent rather than Congress directing it, all of the sudden it is going to be spent appropriately, then I want to know why there are 10,000 trailers sitting in Hope, Arkansas.

The administration can waste money just like Congress can. Sure, there is some spending in there that we would all say is inappropriate, but that is our job to get after it.

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

I thank the gentleman for making those points. They are good ones. We have failed in our oversight function. But I would submit it is very difficult to criticize the Department of Defense for not buying sufficient body armor, for example, when we have instructed them with an earmark to spend more than a million dollars on a museum in New York with a congressional earmark, with a Member earmark. So we demean our role in oversight of the Federal agencies when we have instructed and stipulated that spending be on aquaculture in Ohio.

It is very difficult to, with a straight face, tell the agencies you are misspending the taxpayers money when we are doing this. So we have a process that is a great process. This was set up right in this country. Authorization, appropriations, oversight. If we do not like the way the President is submitting his budgets or his recommendations, then in authorizing bills, let's say don't do that; these are the only programs that we are going to authorize.

The trailers that ended up in Arkansas, I could not agree more. That was our mistake for giving $12 billion up front to FEMA. We should have said, let's have smaller trounces. Come every week and justify what you have done. Some of us recommended doing that. But it was not accepted, and we ended up with trailers in fields that are still in Arkansas. So we have a process. We need to follow it. We need to get back to it. That is what we are recommending here.

Some people point out that earmarks have been around as long as Congress has, and I suppose that is true to some extent. But everyone knows, over the last decade in particular, we have simply gone hog wild with earmarks. We simply have to get this process under control.

As the gentleman from Wisconsin pointed out again, we simply do not have enough staff to police this. We are out of control and if not to stand up here and challenge earmarks, I am at my wits' end. I do not know what else to do. I am frustrated. I am frustrated. I think a lot of us are. I know the taxpayers are. So that is why we are going through this process today.

Mr. Chairman, I yield back the balance of my time.

Mr. BONILLA. Mr. Chairman, I yield 2 minutes to the distinguished, hardworking gentlewoman from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. Mr. Chairman, I rise today in opposition to this amendment. Aquaculture is becoming a burgeoning industry in my State. Ohio aquaculture has grown 17 percent in the last year alone.

Ohio State University, Ohio's land grant university, has been conducting this vital research in my district to most importantly help Ohio's tobacco farmers transition to new crops, and that is important that we find ways for Ohio's tobacco farmers to transition to new crops or otherwise those farmers will find themselves unable to continue to be farmers in Ohio.

This funding is not just important to my district. It is essential to the aquacultural research in all of Ohio through a state-wide aquacultural extension program. This funding is well spent, and it produces real dividends for Ohio farmers. A few years ago I got to witness one of the farms that actually participated in this research, a tobacco farmer that now raises shrimp and is making money off raising shrimp in Ohio.

I am a conservative and a fiscal conservative, and I do not like to spend people's money, but I do understand the importance of this kind of economic research for Ohio's farmers and Ohio's folks.

Mr. BONILLA. Mr. Chairman, I yield the balance of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me time. I would like to join my dear colleague from Ohio (Mrs. SCHMIDT) in saying that aquaculture is a growing business in Ohio. We want to keep all of our communities competitive.

I would say to the gentleman from Arizona, Ohio is really a shrimp in this. Arizona has a $4.2 million aquaculture designation in this bill. So we are really a shrimp compared to Arizona with your subsidized water and your Bureau of Land Reclamation incentives for your folks out there.

But I can tell you, when I was born we had 146 million people in this country. Today we have 300 million. The oceans are half depleted in fish. And the Great Lakes are in great competition with Canada. We have to put caps on what our commercial fishermen can fish. And this project has resulted in a 30 percent increase in juvenile perch, one of the most desired fish in the region. So we need more fish. The oceans are not providing. We have to do our job here. Life is important. Being competitive in the international aquaculture environment is important. And the gentleman's own State, though it costs more to do it there because you have all those irrigation costs, we are trying to do it using fresh water. I think this is a wonderful investment by the American people in their own self-interest.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund the Hydroponic Tomato Production, Ohio grant.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

I thank the Chair for his and this body's indulgence.

This is a hydroponic tomato production earmark that we are challenging here. Again, let me make the broader point, what business is it of the Federal Government to pick winners and losers in the economy, to decide that

we ought to be promoting hydroponic tomato production earmarks instead of promoting the cherry tomato or grape tomato or others out there that any Member could get an earmark for? Why is it this is important and the others are not?

We as legislators have to decide how we are going to husband the Nation's resources. I would submit that when we have 10,000 earmarks a year or more and when we are growing it at a rate of 872 percent over the last 10 years, at some point, I do not know where that point is, maybe it is with hydroponic tomatoes, some point we have got to take a stand and say enough is enough. We simply cannot continue spending money like this.

Again, let me just point out the notion that we cannot cut spending, that this money if it is not going to be spent here it will just be spent somewhere else by the administration is false. We can spend less. We can cut our own spending. We can cut our own allocations and say we simply do not need to spend this much money.

Again, we are not potted plants here. We are legislators. We are here to make these decisions. I would submit that when we are spending $180,000 on hydroponic tomatoes that something has gone awry and we have lost our focus. That is what this debate is about.

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

Mr. BONILLA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BONILLA. Mr. Chairman, historically when Members target projects in this body, everybody understands the game. When you talk about tomatoes and aquaculture and programs that have names that do not immediately jump out to people with a true purpose, the press releases go out, the media circles when you walk out of the House Chamber, and there you have your name in the paper as a great slayer of funding programs.

But again, the hard work when you talk about fiscal conservatism as we have again last year cutting spending, trimming this bill down almost $100 million, cutting back on the Member requests, all of those things, that is the work that is done in the trenches day in and day out.

So, again, we all realize in this body what makes a headline. So if you make fun of the tomato and you make fun of the research project that is in a particular State, more power to you. But I think for the most part we are going to find that the Members of this body understand that again there is not a single dime that is going to be cut out of this amendment. True reform comes from the kind of work in the trenches that I have been suggesting, entitlement reform, budget reform, those are the processes that really matter. Or again, in the end, amendments that actually make a difference in terms of spending or cutting the budget.

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

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

Mr. Chairman, in response I would simply say I reject the premise that we cannot cut spending. This notion again that we will not save anybody by getting rid of earmarks. It is valid. This isn't a debate in a vacuum that really does not matter. If we reform the way we do earmarks, we will save significant money. I do not know about you, but $29 billion seems like a lot to me, $29 billion last year in appropriation earmarks. That is a lot of money. It adds up. A billion here and a billion there, soon enough you have got real money.

So this notion that we cannot save and we are just throwing out a couple of names here, I would like to bring all 450 Member earmarks to the floor that were in this bill. Simply we do not have the time and we do not have the patience and I understand that. But how else can we highlight this? What other forum do we have? Believe me, if it is there we have used it. We have got to start somewhere. I think we have got to make a stand.

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

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

Mr. Chairman, I would say to the gentleman who is offering this amendment directly, it is not that we cannot cut spending, because we have. The issue here is that he cannot cut spending with any of the amendments that he is proposing. So, again, I do not know how much more clearly I could say that or any other Member of this body.

Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I would just like to put on the record that the State of Ohio used to be one of the leading tomato-growing States in the Nation until subsidized western water, and we lost our industry to the West.

Now, Arizona is one of the most irrigated States in the country. You are draining water that is never going to come back. And yet I look at our part of the country that has to fight for such a small part of the market right now. I would just ask the gentleman, I would love to look at the type of subsidies that attend to your agriculture in Arizona from major government agencies that do not come to Ohio farmers.

□ 1945

We are trying to maintain a very small market share. Hydroponic production is one of the ways in which we are successfully doing it, but I would just beg for the gentleman to take a look at what has really happened to the movement of agriculture. One State in the Union now produces over half the fruits and vegetables in the country, most of it irrigated. Ohioans have a right to compete in this market.

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

To the gentlewoman's points, we do in Arizona get subsidies. We should not, particularly with cotton. Cotton is very water intensive. We receive subsidies in cotton in many ways, particularly through the farm bill. I would ask you, please join me in opposing the farm bill next year. We will have an extension of the farm bill perhaps this year. Please join me in opposing it for subsidizing far too much as well.

We are spending too much money. It is not just in earmarks here, but it is other areas as well, but if we say we are not going to cut it in earmarks or other ways, where do we cut it? That is why our budget is simply growing and growing.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I just want to say this may be the first year America imports more food than she exports. This is not just a problem inside the borders of the United States. We have to keep our agriculture alive in this country, and it is becoming more and more difficult every year because of what is happening in the global economy and subsidies that are out there in other countries. Thank you for yielding.

Mr. FLAKE. Mr. Chairman, reclaiming my time, I thank the gentlewoman for that point.

We do have a problem entering into free trade agreements because we subsidize our agriculture so much. It is complicating the Doha round right now. We are limiting the markets that we can sell into because of our own subsidies.

The country of New Zealand a few years ago thought they could never get away from agriculture subsidies. They just up and said one day, we are not going to do it anymore; we cannot afford to anymore. People predicted that their agriculture would drop considerably. It has not. They have thrived. If we simply trust in the market here and let the market take over, we would be far better off.

But in this point, again, I would make the point, we can save money here. Earmarks are costing us a whale of a lot of money, not just because of the money in the earmarks themselves, but in the amount of funding that they leverage elsewhere because when you have an earmark in an appropriations bill, you had better not vote against that appropriations bill or you might see your earmark vanish. So it is not just the money in the earmarks, it is the money that is leveraged.

The CHAIRMAN. The gentleman's time has expired.

Mr. BONILLA. Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was not going to say anything on this point until the gentleman made his last remark about people taking earmarks away if they do not vote for a bill.

I do not recall a single Member of the majority party helping me when, 2 years ago, I urged Democrats to vote against the Labor, Health and Education bill because it was grossly insufficient to meet our education and health care and science needs. I well recall when the Republican Appropriations Subcommittee chairman announced to his entire caucus that, because not a single Democrat voted for that inadequate Labor bill, that no Democrat was going to get a project.

I am proud of the fact that Democrats stuck against that bill anyway because we saw our duty as requiring us to oppose that bill because it put cuts for millionaires ahead of increasing the Pell Grant for kids trying to go to college. They put tax cuts for millionaires ahead of funding health professions training. They put tax cuts for millionaires ahead of worker protection programs.

So I would simply say, I welcome the gentleman's finally saying tonight that it is improper for earmarks to be used as internal blackmail. I just wish he had spoken up when we actually faced that issue 2 years ago.

Mr. FLAKE. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the bill that you mention is a perfect example. We do not need earmarks like this. We knocked all the earmarks out. We survived just fine. Members survived just fine. They were reelected. They came back. That was the only Labor-HHS bill I have ever voted for because it did not have earmarks. We finally got it right. We ought to continue it.

Mr. OBEY. Mr. Chairman, well, with all due respect, the issue before us tonight is not what happened to past appropriations bills. The issue is whether or not, since the gentleman has chosen to take on these particular earmarks, the issue is whether or not the earmark in question merits support or not.

I recognize the gentleman is trying to do what Otto Passman when he ran the Foreign Aid Committee, which is to offer amendments for illustrative purposes, but the fact is, tonight the House is not going to be making judgments on whether there should or should not be earmarks. The House, under procedures tonight, is simply being asked to make a judgment about whether a specific earmark is meritorious or not, and I would hope that that is the basis upon which they would cast their votes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund the Wood Utilization grant.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the committee has provided $6,371,000 to provide science that addresses problems with harvesting, transportation, manufacturing and marketing of economical forest products. For all the talk about, we are cutting too much timber and we are doing too much of this, to provide this kind of subsidy for research on how to do it just seems to me out of line.

Let me just point out, some of these earmarks we have been talking about have been just a few hundred thousand dollars, not that that is small money, but this one is $6 million. If we looked since 1985, this program is the wood utilization program that received Federal funds in excess of $86 million. So it goes on and on and on.

This earmark was not included in the President's request. The United States is the world's largest producer of lumber and wood products used in residential construction and in commercial wood products such as furniture and containers. The United States is also the leader in the pulp and paper business, producing about 34 percent of the world's pulp and 29 percent of the world's output in paper and paper board.

The forest products industries is a strong contributor to the Nation's economy, employing close to 1.3 million people in all regions of the country, ranking among the top 10 manufacturing industries in 46 States. Why in the world do we need to be spending over $6 million a year to talk about wood utilization? Again, let me repeat: The United States is the leader in pulp and paper business, producing 34 percent of the world's pulp, 29 percent of the world's output in paper and paper board, employs more than 1.3 million in all regions of the country, among the top 10 manufacturing industries in 46 States. Yet, we need a program that one of its goals is funding also goes towards educating graduate students to be knowledgeable in wood as a renewable resource?

Now, we have been doing this program since 1985. I think wood has been around a lot longer than that. I think people know what a valuable resource it is. I do not think we need to be spending $6 million more in taxpayer money again this year to educate graduate students in wood as a renewable research.

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

Mr. KINGSTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. KINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Mr. Chairman, I thank the gentleman for yielding.

Let me first say, the gentleman from Arizona has every right to do exactly what he is doing. I believe he is sincere in his efforts, and he is right, we are not potted plants. We are elected representatives. The funny thing about democracy is a majority has a tendency to rule, and if the gentleman offers something and a majority vote against him, then they have obviously supported what he does not. That is the way the process works.

I do not ask for congressionally directed spending that I cannot justify. In fact, not all of the congressionally directed spending that I have requested is for projects in my district. Some of them are in other districts for things that I think are important. One of them is the wood utilization program. In fact, I post all of the congressionally directed spending that I have had part in obtaining on my Web site. I want my constituents to be able to see it, and I tell them if they think there is anything in there that is wasteful, that we should not be spending on, to call me and talk to me and let me know.

In fact, I entered in the RECORD earlier today on this bill all of the projects that I had had any part in directing the congressional spending on so the people could see them, and I have put in the justification for them that I felt.

The gentleman said that the Labor-HHS bill last year was the only one we got right, and I would only ask, you know, by putting no congressionally directed spending in there, who knows their districts better, who knows the needs of their constituents better, bureaucrats in Washington, D.C., or the people they elect to Congress? To suggest the only reason we put them in there is to gain the votes of a majority of this place to pass a bill, is wrong. To suggest that every congressionally directed spending earmark, as you would say, is wasteful, is wrong.

Now, with the wood utilization program, I want to show you a list, and I will not enter it into the journal because it would take up too much paper, these are the saw mills that have closed since 1998. You can go through here: Alabama; geez, California's had

so many, It is something like 98; Georgia, 18; Idaho, 17; Arizona, 17; Louisiana, 24; Oregon 218. These are the saw mills that have closed since 1998 because we have stopped using and cutting timber.

Because of the Healthy Forest Initiative and because of fire suppression in the past, we have got a lot of stands that are small diameter timber. The days of cutting the old-growth, large trees are pretty much gone. We have to learn how to use small diameter timber, and that is what a lot of how this program is for, is how do we effectively use small diameter timber?

The research that is being done in these programs at I guess 11 different State universities that receive this funding are to help the industry develop products that are used today with the small diameter timber, and there are wood byproducts that occur.

To me, that is an appropriate use of congressional spending, and so I support it and I justify it, and we will see if the majority agrees with you or me.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will repeat again, I think that congressional earmarking has gotten way out of hand, but having said that, I want to challenge the idea that somehow every project that is funded by an agency downtown is pure, and every project selected for funding by a Member of Congress is impure.

I want to give you one example. A few years ago, when Mitch Daniels was still head of OMB, he put out his so-called pork list, and leading the list in an attempt to embarrass me was an attack on a wind sled which I had gotten for Ashland and Bayfield in my district on the shores of Lake Superior.

□ 2000

That water is cold; 40 degrees in the summertime. And the OMB decided that they were going to try to trumpet this project and being an illegitimate use of taxpayer funds, so they described what was wrong with it in their OMB booklet.

There was only one problem. They had the wrong wind sled, they had the wrong model, and they described it as being a pleasure craft. In fact, here is why I got the money for the wind sled in that budget: because the local sheriff called me and told me that he had seen a young boy drown in Lake Superior who went through the ice, and the old device which they had to try to rescue the boy simply did not work. So this boy's parents stood on the shore watching their son drown just 30 or 40 feet away and they could not reach him and neither could anybody else.

So the sheriff asked me if I could please get enough funds to help them provide a decent rescue vehicle for that area, and I got the wind sled, and I am proud I did. And I think that I knew a whole lot more about the facts than the head of OMB sitting on high in his office who was simply trying to skewer a Congressman from the other party, not having the foggiest idea of why we got it or what it was for.

Now, I certainly don't defend every earmark. I have attacked a number of them in my years in this Congress. But if you are going to go after an earmark, it would be useful if you knew enough about it to judge whether or not it is a decent use of taxpayers' money or not. And I can tell you that most of the attacks I have heard on this floor over the past 15 or 20 years have not measured up in terms of knowing what they were talking about.

So I just wanted to tell that little story to illustrate that I agree with the gentleman from Idaho that all of the wisdom in government is not deposited in the agencies. And I would point out that in many instances what you have in an agency is some political appointee sitting down there deciding on project after project after project who is going to get the money, and it is not on the merits; it is on the basis of who has a connection and who has an angle. The only difference is, their process is a whole lot more invisible than the process is up on the Hill.

We ought to have improvements in the process. And if we are in the majority and if I am chairman of the Appropriations Committee, I guarantee you there is going to be a lot more discipline than there is today. But having said that, I do not think it is fair to simply pick out these projects and then move to a generalization that somehow the executive branch is always more qualified to decide what ought to happen in each congressional district.

If we aren't qualified to know at least as much about that as the anonymous bureaucrats downtown, then we indeed don't belong here.

Mr. FLAKE. Mr. Chairman, I yield 1 minute of my time to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I appreciate the gentleman's courtesy, since we are on opposite sides in this debate this evening. But I wanted to follow on something Mr. OBEY said, because I used to work for a former President in the United States and I understand quite a bit about the way OMB operates.

One of the most shocking things I learned as a White House staff member was that you might have somebody in front of you who was the OMB examiner on agriculture this year, and then next year they switch that person to defense or switch them out to another agency, and you find out they do not know the details about anything.

I was shocked that the defense examiners at OMB have nowhere near the experience that the Members of this institution do, and this is really where historical memory and where experience in detail rests.

So I would agree with the gentleman from Wisconsin, we need a lot more sunlight over there on the executive side. We have total sunlight over here. And I have a totally different impression of the OMB as a former White House staff member than I ever did before, when I used to hold them in very high esteem until I realized they did not know the details of many programs. They just shifted them around, and they did not have the kinds of commitment and depth of knowledge that Members of Congress do.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding.

I believe the gentleman from Arizona is really looking for savings in all the wrong places. To take just one example, the Medicare Advisory Commission has pointed out there is $50 billion, with a B, $50 billion in overpayments to Medicare Advantage, HMOs, and PPOs that could easily be drawn back. So that $50 billion is one place to look.

But these funds for scientific research are critically important, and I wanted to describe at the University of Maine the wood utilization project that has been going on there for some significant period of time. It has had a significant effect in the spinoffs of businesses, because the wood composite program, the research that has been done there, married to fiberglass technology and other forms of plastics that I don't understand, has led to a variety of new projects.

I really disagree with the gentleman from Arizona. The public sector and the private sector in this country are intertwined, for good or ill sometimes. But this is a case where we are generating economic development that is very important. I would go beyond that and say with this particular project at the University of Maine, you haven't yet heard about all they are doing, but they are basically making products for the Coast Guard and for the Army that will materially strengthen the ability of our military at home and around the globe.

They have developed a lightweight bridge that is easily transported because it is using these composite materials. And you haven't heard the concept yet of up-armored tents, but that is the next product line. It is going to make our tents in Iraq much safer than they ever have been from IEDs or incoming mortars.

I think it is wrong to all too quickly decide that these research projects, like the one we are discussing today, don't have economic spinoffs or, in this case, security spinoffs that are fundamentally important to this country.

With that, I urge the defeat of the amendment.

Mr. FLAKE. Mr. Chairman, I want to just say to the gentleman from Idaho that I appreciate working with him in this process to reform the earmark process. His insights as a member of the Appropriation Committee have been valuable, and he has agreed that it is a good thing to have Members' names attached to these earmarks.

When people wonder why we are seeking this process now and how we

are to provide oversight, I can tell you that with 450 earmarks in this bill, not one name was attached. That is why it has been a great process here today to see some of the authors, the sponsors of the earmarks come to the floor; otherwise, we wouldn't have known, unless you can find it in a press release somewhere, that they sponsored this legislation.

We are looking for sunlight here. We would like to provide oversight, but it is difficult when we don't even know. We got the report last week. How are we supposed to scrub this?

Let me also say that the executive branch doesn't always spend it wisely. All you have to do is drive through the fields of Arkansas and see those trailers and realize they bungle it often. What I am saying is that we diminish our credibility as those conducting oversight when we insert stipulations like this, when we say you have got to spend money on the Punxsutawney Weather Museum in Pennsylvania, or we have to spend $6 million on wood utilization that we have been doing for almost 20 years and we never seem to get out of.

We diminish our role as the conductors of oversight when we so trivialize this process and ignore the authorization and the oversight function.

Mr. Chairman, I yield back.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Without objection, the Clerk will read the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

SEC. ____. None of the funds made available by this Act may be used to fund the National Grape and Wine Initiative.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Again, this is another example of the Federal Government funding a program that can and is funded by the private sector. I should note here the vision of the initiative says: ''By 2020, the American grape and wine industry will triple its economic impact and become the undisputed world leader in consumer value and sustainability. The target is an economic impact of $150 billion within 16 years. This is based on a conservative estimate of current annual impact of approximately $50 billion a year.''

I would submit that if an industry out there has a $50 billion-a-year impact on the economy, $50 billion, then the Congress need not spend $250,000 for strategic research and a plan to enhance the grape industry's competitiveness and contribution to the U.S. economy.

I can tell you what the contribution is to the U.S. economy. We have been told. It is about $50 billion a year. Yet here we are spending $250,000 for strategic research to enhance the grape industry's competitiveness and contribution.

Again, if we are going to get control on spending, we have to start somewhere. I would submit this is a great place to start.

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

Mr. KINGSTON. Mr. Chairman, I claim the time in opposition, and I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to this amendment and in support of this initiative.

The grape industry is very, very important to the country, as the gentleman noted; but this program is also very important to the grape industry and to the consumers across this country. Grapes are the sixth largest crop in the United States and the largest specialty crop in the United States.

In the past, wine, wine grapes, raisins, table grapes, and the grape juice industry have all competed for Federal funds. This is funding that does work in regard to pest control and in research for health issues that are important to the American people. Because of this competition factor in the past, oftentimes those funds were spent in ways that were duplicative and were uncoordinated. That is not healthy for the taxpayers, for the industry, or for the American people.

With this initiative, all of those aforementioned industries have come together to ensure that the funding would be coordinated and it would be focused. It would be focused to work to benefit not only all of these industries but all of the American people. Again, this is in research for health care, for health issues, and for pest control.

An example: at UC Davis, some of the work they have been doing under this program has led to some incredibly good developments in combating diabetes. If this amendment were accepted, that program would go away and all of this work would be lost. We shouldn't reduce the funding in this program, and we should all vote against the gentleman's amendment.

Mr. FLAKE. Mr. Chairman, I would simply make the point again: a $50 billion industry I think probably has the means at its disposal to fund this kind of research that we are talking about and could perhaps fill the void.

A $50 billion industry could fill the void of $250,000 that is given back to the taxpayers or spent in another area. If you can find a definition of corporate welfare in the dictionary, this would probably be it. A $50 billion industry, and yet we are giving them $250,000 to have research carried out to enhance the industry's competitiveness and contribution to the U.S. economy.

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

Mr. KINGSTON. Mr. Chairman, I want to say this, and I appreciate what the gentleman from Arizona is doing, because I think that we all need to be accountable for anything that is in the bill or anything we vote on. One of my gripes with the other body is that they keep things in committee, and it is an incumbent protection system.

□ 2015

So I think having the opportunity to come down here and debate and fight for what we believe is important.

I want to point out, last year, our budget passed in the final version out of conference committee 212–214. That is a two-vote margin. So if you put more spending in the budget, it probably would not have passed. If you put less spending in the budget, it probably would not have passed also. It truly was a balance between those who wanted to spend more and those who wanted to spend less. And there are a lot who want to spend less.

However, politics is the reality of the possible or the passable. What you have sometimes is budgets that are hard to justify. I remember Mr. OBEY telling a good story about something called the soldier fly. Down in the area I represent, there is a lot of agriculture. There are a lot of chicken growers, and chicken growers have chickens in hen houses. But, unfortunately, or fortunately, in a lot of rural areas, it has turned urban. And what do chickens have? Chickens have flies. They have blue flies. People build houses, and then the first thing they do is complain about the flies coming from the chicken houses. And the farmers were there first, but it does not matter.

Well, enter the soldier fly. The soldier fly comes in, Mr. Chairman, like a big hero and eats the blue flies; solves the problems for the farmer, solves the problem for the homeowners in rural areas. And this is a big economic issue, getting rid of the flies in chicken houses.

Well, we want to know, what can you do to foster more soldier flies? And so you study soldier flies. It is a nontoxic way to take care of pollution, but of course, it is great fodder for Reader's Digest to say they are studying the mating habits of soldier flies, which is not necessarily true.

But having the opportunity to come out here, and it was not an earmark, but to come out here and have an opportunity to debate things is good. I think it is a healthy exercise. But I want to say this as a committee member: When things are in the budget, and this budget, as you know, is down 8 percent from last year and that Member priorities are down $35 million, you

are under budget. And what somebody in California agriculture or somebody from Ohio agriculture supports may be different from what people in, say, Georgia support. But the overall goal is within the budget.

This year we have only passed a budget on the House side by a mere I believe 7 or 6 votes. So we are all walking that balance.

But I want to say I urge a ''no'' vote on this amendment, but I do like this process. I also want to say on behalf of the Appropriations Committee members, we do favor earmark reform. But we also believe when you have things like the Bridge to Nowhere that don't come from an appropriation bill, you have to open up the process to all of the other committees as well.

Mr. Chairman, I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

I want to thank Members for their indulgence. I know it is not easy to sit through so many amendments in a row. I appreciated this process, for one actually to see and hear people defend their earmark on the floor. That is something which has been missing. As I mentioned, you see 415 projects in the report; no description really of them, and no Members' name attached. You could not call them and ask, what is this about? So the only way you can do that is come to the floor and do what we just did.

I would submit that we need to do a lot more of it, and we need to get back to authorization, appropriation and oversight. Let me say again, when we are spending money like this, then we seem to have money to throw around, and I would submit that the average taxpayer in California or Oregon or Arizona or anywhere would look at this and say, why are we taking my hard-earned money and spending it to give $250,000 to the grape and wine industry that means about $50 billion to the U.S. economy? That is not a prudent use of taxpayer resources.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. FLAKE of Arizona regarding dairy education.

Amendment by Mr. FLAKE of Arizona regarding hydroponic tomato production.

Amendment by Mr. FLAKE of Arizona regarding grape and wine initiative.

Pursuant to the order of the House of today, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 153, not voting 13, as follows:

[Roll No. 189]

AYES—266

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Culberson
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Dent
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hulshof
Hyde
Inglis (SC)
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—153

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (IL)
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Kildee
Kilpatrick (MI)
Kucinich
Langevin
Lantos
Larsen (WA)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Porter
Rangel
Reyes
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Strickland
Stupak
Tauscher
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Brown, Corrine
Brown-Waite, Ginny
Davis (FL)
DeLay
Evans
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
Payne
Snyder
Taylor (NC)

□ 2046

Ms. ROYBAL-ALLARD and Messrs. BRADY of Pennsylvania, MEEK of

Florida, FATTAH and GUTIERREZ changed their vote from ''aye'' to ''no.''

Mrs. DAVIS of California and Ms. HOOLEY and Messrs. LAHOOD, COOPER, KIND, GERLACH, POMEROY and LYNCH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, on rollcall No. 189 my card did not register for the second time. I voted "aye" but it did not register.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding dairy education on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 92, noes 325, not voting 15, as follows:

[Roll No. 190]

AYES—92

Akin
Andrews
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Bilirakis
Blackburn
Blumenauer
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Buyer
Campbell (CA)
Castle
Chabot
Chocola
Coble
Cooper
Cubin
Davis, Jo Ann
Davis, Tom
Deal (GA)
Doggett
Duncan
Ehlers
Eshoo
Everett
Feeney
Ferguson
Flake
Ford
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Holt
Inglis (SC)
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kline
Lewis (KY)
Lofgren, Zoe
Mack
Marchant
Matheson
McHenry
Meehan
Miller (FL)
Miller, Gary
Myrick
Norwood
Otter
Owens
Pallone
Paul
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shaw
Smith (WA)
Stearns
Sullivan
Tancredo
Tiberi
Udall (CO)
Van Hollen
Westmoreland
Whitfield

NOES—325

Abercrombie
Aderholt
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Oxley
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (NM)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Ackerman
Brown, Corrine
Cantor
Davis (FL)
Evans
Higgins
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
McMorris
Payne
Snyder
Taylor (NC)

□ 2050

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding hydroponic tomato production on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 90, noes 328, not voting 14, as follows:

[Roll No. 191]

AYES—90

Akin
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Campbell (CA)
Chabot
Chocola
Coble
Cooper
Cubin
Davis, Jo Ann
Davis, Tom
Deal (GA)
Doggett
Duncan
Ehlers
Eshoo
Everett
Feeney
Ferguson
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gerlach
Gibbons
Gohmert
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Inglis (SC)
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kline
Lewis (KY)
Lofgren, Zoe
Lungren, Daniel E.
Mack
Maloney
Matheson
McHenry
Miller (FL)
Miller, Gary
Myrick
Norwood
Otter
Paul
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Smith (WA)
Stearns
Sullivan
Tancredo
Taylor (MS)
Terry
Tiberi
Velázquez
Westmoreland
Whitfield

NOES—328

Abercrombie
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Burgess
Butterfield
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson

Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lynch
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Ackerman
Brown, Corrine
Davis (FL)
Evans
Gingrey
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
McMorris
Payne
Snyder
Taylor (NC)

□ 2054

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding grape and wine initiative on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 328, not voting 17, as follows:

[Roll No. 192]

AYES—87

Akin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Bradley (NH)
Brown-Waite, Ginny
Buyer
Campbell (CA)
Castle
Chabot
Chocola
Coble
Cooper
Cubin
Davis, Jo Ann
Davis, Tom
Deal (GA)
Duncan
Ehlers
Everett
Feeney
Ferguson
Flake
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Inglis (SC)
Istook
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
Kline
Lewis (KY)
Mack
Marchant
Matheson
McHenry
McMorris
Miller (FL)
Myrick
Norwood
Obey
Otter
Paul
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sensenbrenner
Sessions
Shadegg
Shays
Smith (WA)
Sodrel
Stearns
Sullivan
Tancredo
Tiberi
Westmoreland
Whitfield

NOES—328

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pombo
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Brown, Corrine
Davis (FL)
Evans
Fattah
Hunter
Issa
Jefferson
Kennedy (RI)
Larson (CT)
Neal (MA)
Payne
Pickering
Rush
Snyder
Taylor (NC)
Van Hollen
Waters

□ 2058

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. VAN HOLLEN. Mr. Chairman, on rollcall No. 192, I was unavoidably detained. Had I been present, I would have voted "yes."

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2007''.

□ 2100

Mr. BONILLA. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 830, the previous question is ordered.

Mr. BONILLA. Mr. Speaker, I ask unanimous consent that the amendment by the gentleman from New York (Mr. ENGEL) be considered to have been adopted in the Committee of the Whole with the modifications I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modification.

The Clerk read as follows:

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

SEC.—. None of the funds made available in this Act may be used in contravention of section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

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

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 378, nays 46, not voting 8, as follows:

[Roll No. 193]

YEAS—378

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Olver
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—46

Baldwin
Bass
Bean
Biggert
Blackburn
Blumenauer
Bradley (NH)
Capuano
Conyers
DeFazio
Delahunt
Doggett
Doyle
Feeney
Ferguson
Flake
Fossella
Frank (MA)
Franks (AZ)
Gibbons
Green (WI)
Hayworth
Hefley
Hensarling
Kanjorski
Kind
Lee
Markey
Matheson
Meehan
Miller, George
Moran (VA)
Oberstar
Obey
Owens
Paul
Petri
Price (GA)
Rohrabacher
Ryan (WI)
Sensenbrenner
Shadegg
Shays
Stark
Stearns
Tancredo

NOT VOTING—8

Brown, Corrine
Davis (FL)
Evans
Jefferson
Kennedy (RI)
Larson (CT)
Payne
Snyder

□ 2117

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I could not be present today, Tuesday, May 23, 2006 to vote on rollcall vote Nos. 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, and 193 due to a family medical emergency.

Had I been present, I would have voted:

''No'' on rollcall vote No. 179 on calling the previous question on H. Res. 830—the rule providing for consideration of H.R. 5384—Department of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2007; ''no'' on rollcall vote No. 180 on passage of H. Res. 830—the rule providing for consideration of H.R. 5384—Department of Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 2007; ''yea'' on rollcall vote No. 181 on suspending the rules and agreeing to H.R. 4681—the Palestinian Anti-Terrorism of 2006; ''yea'' on rollcall vote No. 182 on an amendment to H.R. 5384 to increase funding for Animal and Plant