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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. HOLDEN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 2, 2007.

I hereby appoint the Honorable TIM HOLDEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Heavenly Father, may everything that we do bring consolation, security, and hope to Your people. By Your holy inspiration, this Nation has begun the good work of justice and freedom with government by the people.

In these days, let us continue to be a stronghold of God-fearing people who fashion law and policy not out of expediency or self-interest, but on firm principles that will strengthen personal virtue, assure tranquility, and serve the common good of all in the Nation.

For we believe, in serving Your people with dedication and personal integrity, we serve You, Almighty God, and give You glory now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. POE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. SIRES) come forward and lead the House in the Pledge of Allegiance.

Mr. SIRES led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side.

110TH CONGRESS DELIVERS CHANGE AND A NEW DIRECTION

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

Mr. KAGEN. Mr. Speaker, last November, people in Wisconsin and all across America asked for a positive change and a new direction, and the Democratically led 110th Congress has delivered.

We have been working hard to build a better nation by forcing Congress to be fiscally responsible, by increasing the minimum wage, and enhancing our security with the enactment of the 9/11 Commission recommendations.

We've cut costs for higher education. We've increased veterans' benefits, and in Wisconsin, we saved SeniorCare, the best prescription drug plan in America. And yesterday, we passed legislation to guarantee access to health care for our elders and for those among us who need it most, our children.

And next, forward-thinking Democrats will guide us towards energy independence and confront global climate change. There is hope again all across America. We are headed in a positive and fiscally responsible direction.

THIRD WORLD WAR

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

Mr. WILSON of South Carolina. Mr. Speaker, last week, General Jack Keane, a retired four-star general and former Vice Chief of Staff of the United States Army, urged the Armed Services Committee to ''find the courage that our troops display so openly, to deserve their honorable and selfless sacrifice, and to not squander their sacrifices and the gains they have made.''

General Keane reviewed that the counteroffensive led by General David Petraeus is reducing sectarian violence. Sunnis are rejecting al Qaeda, and more Iraqis are working with our troops.

Osama bin Laden has described Iraq, quote, ''The most important and serious issue today for the whole world is this third world war. It is raging in the land of the two rivers. The world's millstone and pillar is in Baghdad, the capital of the caliphate.''

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We must have resolve to stop our enemies and support our brave troops who are fighting to defend our freedom and protect American families.

In conclusion, God bless our troops, and we will never forget September the 11th.

AMERICA NEEDS A PLAN TO PROVIDE FOR CONTINUITY OF GOVERNMENT

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

Mr. DEFAZIO. Most Americans would agree that it would be prudent to have a plan to provide for the continuity of government and the rule of law in case of a devastating terrorist attack or natural disaster, a plan to provide for the cooperation, the coordination and continued functioning of all three branches of the government.

The Bush administration tells us they have such a plan. They have introduced a little sketchy public version that is clearly inadequate and doesn't really tell us what they have in mind, but they said, don't worry; there's a detailed classified version. But now they've denied the entire Homeland Security Committee of the United States House of Representatives access to their so-called detailed plan to provide for continuity of government. They say, trust us. Trust us, the people who brought us Katrina, to be competent in the face of a disaster? Trust us, the people who brought us warrantless wiretapping and other excesses eroding our civil liberties? Trust us?

Maybe the plan just really doesn't exist and that's why they won't show it to us. I don't know. Or maybe there's something there that's outrageous. The American people need their elected representatives to review this plan for the continuity of government.

MORE GOVERNMENT CONTROL OF OUR LIVES

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

Mr. POE. Mr. Speaker, our path to energy independence is anything but that. We have become more energy dependent on foreign governments, and our own government continues to find new ways to control our lives regarding energy use. The government is in the toilet bowl control business. Now toilets must meet strict Federal regulations, but these expensive toilets must be flushed more than once to be effective.

The government now polices our washing machines. But new regulations that limit water usage are so ineffective with these new gizmos that Consumer Reports states the government machines don't get dirty clothes clean unless they're washed multiple times. So much for saving energy.

And now the government is in the light bulb police business, requiring expensive new bulbs to be used that are only made, ironically, in China. Instead of finding new ways to punish and police Americans for using energy, we should find new efficient sources of more energy.

I doubt if our forefathers fought for independence at Valley Forge just to give us an all-controlling government that demands how citizens use washing machines, light bulbs and toilet bowls.

And that's just the way it is.

IN SUPPORT OF H.R. 3162

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

Mr. SIRES. Mr. Speaker, I rise proudly this morning to tell this Nation and the children of the State of New Jersey that this House has heard their call for help.

Yesterday's passage of H.R. 3162, the Children's Health and Medicare Protection Act of 2007, was a significant achievement for the children of working Americans throughout this country. In New Jersey alone, this legislation will maintain coverage for over 120,000 children currently enrolled in New Jersey's FamilyCare program, while also helping the State provide care for the 136,000 children currently eligible for the program but not enrolled in it. The New Jersey FamilyCare program would also be allowed to extend coverage to 126,000 young men and women who are aging out of the program but still need access to health care.

I am especially glad that the CHAMP Act will also help 80,000 of the lowest income and most wonderful adults in my State keep their coverage through this program.

Mr. Speaker, the SCHIP program that we passed yesterday has the potential to have a significant impact on improving children's health care across this Nation.

''HOLD-ON-TO-YOUR-WALLET'' CONGRESS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, I rise this morning to speak about the Ag approps bill that is going to come before us, and the culture of tax and spend that is just running unabated in this House.

And why should we expect the Ag approps bill to be any different? Well, of course it is not any different. It is going to be more of the same; it is going to be more of the same tax and spend.

And again we see a piece of legislation that is spending more than what the President requested, which many of us think was too much in the first place; 5.6 percent more than the President requested and 5.9 percent more than last year. You know what, Mr. Speaker? There are a lot of Americans that would like to see a 5.9 percent increase in their paycheck.

It is time for this House to get its fiscal house in order. It is time for the liberal left to stop spending the taxpayer's money. This is the ''Hold-On-To-Your-Wallet'' Congress. They're proving it every single day.

RENEWABLE PORTFOLIO STANDARD FOR AMERICA

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

Mr. INSLEE. Mr. Speaker, on May 9, 1961, John F. Kennedy stood behind me and said that the U.S. was going to put a man on the moon in 10 years. That was very ambitious, but we did it. And we're going to have a similar moment of goal setting and aspirations and vision tomorrow when we vote to adopt a renewable portfolio standard for America, where we will guarantee Americans that we will have 15 percent of our electricity coming from clean, renewable sources by the year 2020.

This is something we know we can do; States are doing it, whole nations in Europe have over 20 percent clean, renewable energy today. And we should follow the spirit of Oak Ridge, Texas, which 2 months ago became the first city in the United States to have all their electricity from clean, renewable, 100 percent biodiesel. This is something the States can do for a variety of reasons. Let's have another ''Apollo-John F. Kennedy'' moment tomorrow when we pass the renewable portfolio standard.

EXPRESSING SYMPATHY FOR MINNESOTA TRAGEDY

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

Mr. AL GREEN of Texas. Mr. Speaker, the people of Minnesota and, indeed, the people of this country have suffered a great tragedy. And I think this is one of the few times when I can say that I speak for all of the Members of the House when I say that our sympathies and our desire to be of assistance is with them. We want them to know that they are not alone in this moment of tragedy.

I also want to say this, Mr. Speaker. Yesterday, the House voted 225–204 to provide a health care safety net for the children in this country. This will help the children in the State of Texas, where I happen to represent the Ninth Congressional District, and we have the largest portion of uninsured children in the entire Nation.

This is the safety net that children need. Children don't decide where they're born and to what families they come. Children need health care. This will help Texas to do what it should have done when it lost $830 million to

other States because it didn't spend CHIP funds.

Mr. Speaker, I'm grateful to the Members who voted to help children, 11 million in this country who are uninsured. I thank each of you. And our sympathies are with the people of Minnesota.

CHAMP ACT AND DEMOCRATIC EFFORTS TO ENSURE MORE CHILDREN HAVE ACCESS TO HEALTH INSURANCE

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

Mr. JOHNSON of Georgia. Mr. Speaker, yesterday the House approved the CHAMP Act, a comprehensive health care bill that sustains and strengthens both the Children's Health Insurance Program and Medicare. In one bill, we are insuring quality health care coverage for America's seniors and children.

Under the CHAMP Act, the nonpartisan Congressional Budget Office estimates that 5 million children will gain health care coverage through the SCHIP program. Any time when the number of uninsured children is increasing, Congress should do everything in its power to provide health care services to more children.

The CHAMP Act strengthens the CHIP program so that we finally reach nearly every child who is eligible for health insurance. The CHAMP Act will also take care of seniors by protecting Medicare beneficiaries' access to their physicians, providing new preventive benefits, expanding programs, and assisting low-income seniors with out-of-pocket costs, and protecting rural communities' access to health care.

Mr. Speaker, by supporting the CHAMP Act, this House showed its commitment to assist this Nation's two most vulnerable groups, our children and our seniors.

PROVIDING FOR CONSIDERATION OF H.R. 3159, ENSURING MILITARY READINESS THROUGH STABILITY AND PREDICTABILITY DEPLOYMENT POLICY ACT OF 2007

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 601 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 601

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3159) to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 3159 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for purposes of debate only, I am pleased to yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the RECORD.

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

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

First, Mr. Speaker, this morning I want to continue to express our great sorrow to the people of Minnesota on their tragic loss. In a way, they're almost victims of war. A Nation in perpetual war does not have the money to meet its infrastructure needs. And as we heard this morning, there are bridges that are in serious condition all over the United States. So I express my great sorrow for the families who are suffering and for all the people who have been lost.

Mr. DREIER. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from California.

Mr. DREIER. I thank my distinguished Chair for yielding. I would like to join her in extending the thoughts and prayers of every Member of this institution to those, I know at this moment there are families who are waiting, living with this moment with the uncertainty as to whether or not their loved ones have survived the tragedy in the Twin Cities.

□ 0920

Last night, when our colleague, Mrs. BACHMANN, stood here to report this, it came as a huge shock. I agree completely with my colleague about the need to ensure that the bridges in our country are safe and secure as we deal with these challenges.

I thank my friend for yielding.

Ms. SLAUGHTER. Thank you, Mr. DREIER.

Mr. Speaker, H. Res. 601 provides for consideration of H.R. 3159, the Ensuring Military Readiness Through Stability and Predictability Deployment Policy Act of 2007, under a closed rule. The rule provides 1 hour of debate, equally divided and controlled by the chairman and ranking member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill, except those arising under clause 9 or 10 of rule XXI. The rule considers as adopted the Armed Services Committee amendment in the nature of a substitute. The rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, the war in Iraq has taken us into uncharted territory as a Nation and as a society. During the Vietnam war, 4 percent of the general population served in the military. During World War II, fully 12 percent of our people served. Forms of personal sacrifice and national service were to be found everywhere, planted in victory gardens or held in war bonds. Even during the Civil War, a conflict from a different age, more than one in ten Americans fought.

Never in our history has America fought a war of this magnitude, or one that is this difficult, with an entirely voluntary military force composed of only 1 percent of the general population. And while so much of what is going on in Iraq hearkens back to past conflicts, what is occurring within our society does not.

It is true that the historically high percentage of National Guard troops fighting abroad has spread the reach of this war farther than some anticipated. But for nearly all Americans the immediacy of the war has been dulled by distance. We have never been asked to sacrifice as people. We have, instead, been told to go about our lives as usual and ask merely to support the troops in a vague sense.

Within this mass of normality lies the lives of those Americans who have actually fought in Iraq, the mothers, husbands, sons, daughters and siblings who have been sent there and who have seen things that few of us can relate to or even imagine. They have been asked to fight in a conflict whose architects have largely receded from the public view, but not before the failures of these officials made themselves felt every time a soldier was forced to enter a battle without proper body armor or without a vehicle that would keep him or her safe. In a very real sense, the families of these soldiers have been asked to endure the same reality and forced to live every moment of their deployment with the fear that their loved one will be injured, or worse.

Despite it all, despite everything that the members of our military and their families have been asked to bear for year after year, the talk of what is to be done in Iraq is often clinical: We should increase troop numbers; we should lower them; we should place more troops here, send more troops

there. Troops are spoken of as if they were simply another machine to be moved about and to be used at our will.

Our soldiers are human beings. They are our fellow citizens. They have dignity. They have rights. They do not deserve to be cast around as the administration stumbles forward seeking to find a solution to a problem of its own creation.

Already, a flawed war plan has forced the members of our military to endure not just the brunt of battle but also to make up for miscalculation at home. Tours have been extended and then extended again in an unprecedented way. Previously unknown burdens have been placed on our men and women in uniform as a result. At a certain point, we as a society have to say enough is enough.

The legislation before us is supported by men like Senator JIM WEBB and Representative JOHN MURTHA for a reason: Former soldiers know what current deployment schedules are doing to our soldiers and to their families. It will restore some order to the process by prohibiting the deployment of any active military unit to Iraq unless that unit's soldiers have rested for at least as long as they have fought. It is a simple premise that was followed in virtually every war America has fought. It should be followed again today.

Mr. Speaker, this bill should not tie the hands of generals. If national security or the safety of our troops would be put at risk by shortened deployment, the bill's requirements can be waived. But the President will have to do so publicly and certify to Congress that his decision is vitally important. With everything our soldiers are asked to do, it is long past time that the President was forced to explain to Congress and to the American people why it is all necessary.

Mr. Speaker, this bill is about who we are as a society and about the values we hold. Our fellow citizens have been sent to fight in this conflict and have asked nothing from us in return. But we certainly owe them everything. We owe them our support, not in a rhetorical sense or in blind allegiance to the administration's claims but in a real sense, by making sure that they are given the proper training and armor, by making sure they are allowed to rest for an adequate amount of time between deployments.

Mr. Speaker, we have a chance to live up to our responsibilities as a people today. I hope this body is ready to face that challenge.

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

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

I would like to thank my very good friend from Rochester, New York (Ms. SLAUGHTER), the very distinguished Chair of the Committee on Rules, for yielding me this time. I am compelled to rise in the strongest possible opposition to this rule and the underlying legislation. Once again, the Democratic majority is running scared from openness and transparency because they know that their policies cannot withstand any scrutiny. They have shut off all meaningful debate, amendments and alternatives.

Mr. Speaker, I will say that no matter how intense, no matter how bitter, no matter how hate-filled the vitriol is that comes towards us, I will continue to strive to work in a bipartisan way to deal with this very important issue and other issues as well.

I think we evidenced that last night when we offered an amendment in the Rules Committee that would have allowed the Members of this body to replace this proposal with one that actually enjoys strong, bipartisan support. I am referring, of course, to the Iraq Study Group recommendations, the so-called Baker-Hamilton Commission.

This group spent literally months, Democrats and Republicans together. A former Member of this house as the Democratic leader, the former Secretary of State, James Baker, as the Republican leader, and an equal number of Republicans and an equal number of Democrats came up with bipartisan recommendations as to how we, as a Nation, could move forward.

Knowing that this sound and very responsible policy would very easily trump the inferior proposal that my colleagues on the other side of the aisle are hoping to move on the floor today, they took the only route that they seem to know, and they have a great deal of experience at this, Mr. Speaker. They just shut down the process completely.

They seemed to know, Mr. Speaker, that, unfortunately, this very thoughtful work product, which is not supported by everyone, but it enjoys strong bipartisan support. Again, our former colleague, the very respected former Chair of the Committee on Foreign Affairs it is now called, it was the International Relations Committee and Foreign Affairs Committee before that, Mr. Hamilton, and the highly regarded Secretary of State, James Baker, came up with this package.

And what is it our colleagues did? With a very passionate statement made by our friend from Virginia, my classmate, Mr. FRANK WOLF, who was really the progenitor of this Iraq Study Group, working with a wide range of people to come up with just the establishment of the group, and now this work product has come forward, heralded by people all across this country, and what is it that they have done? They have chosen to take this inferior proposal and say, we are not going to even allow consideration of the Iraq Study Group.

Now, having precluded any real debate, they have nothing to fall back on but really cheap political ploys. The announcement was made several weeks ago that every single week leading up to Congress' adjournment for the month of August, we would have votes on Iraq.

One of the Democratic majority's favorite gimmicks is to give their ill-conceived bills grand-sounding names and shroud them in warm, fuzzy ideas that no one could possibly oppose.

Earlier this week, they rammed through the House is a massive giveaway to trial lawyers. And what was it called? The anti-discrimination bill.

Just yesterday, we considered a bill that slashes Medicare coverage for millions. What was it called, Mr. Speaker? The Children's Health and Medicare Protection Act. The audacity of cutting Medicare with a bill that has ''Medicare protection'' right in the title is, to me, absolutely staggering.

Now, Mr. Speaker, I am proud that we, as Republicans, worked to address important issues with prudence and deliberation, issues that affect the quality of life and standard of living for all Americans. Unfortunately, my colleagues on the other side, we will witness it in just a few minutes once again, they resort to demagoguery and name calling and all kinds of other vitriol.

When we refuse to be suckered by their slipshod efforts and poor policies, they accuse us of being pro-discrimination, or anti-children's health, or any other awful-sounding label that they can come up with. They will make some great and fascinating political ads. As this season goes on, we will see some of them on YouTube, I am sure, and other places. And if you look at these votes on discrimination and on the issue of Medicare and children's healthcare, obviously, we will be hearing a lot about the things that have been done here on the House floor during the campaign season, which obviously is under way right now.

They will no doubt continue with this tired approach here today. We are going to hear about how the underlying bill before us today is about ''troop welfare.'' We are going to hear about the ''terrible strain'' the war in Iraq has put on the members of our Armed Forces and their families.

I want to make sure it is absolutely clear that we are all, all, very concerned, Mr. Speaker, about the welfare of our troops. It is a bipartisan concern, and anyone who would argue that we are somehow not concerned about the welfare of our troops is barking up the wrong tree. We see with sobering clarity, Mr. Speaker, the magnitude the impact the war has on their families. No American deserves more support than those who put their lives on the line to protect each and every one of us, and no one is more determined to fulfill our commitment to these men and women than my Republican colleagues and I are.

That is precisely, precisely, Mr. Speaker, why I stand in opposition to both this rule and the underlying legislation. The Democratic majority can slap any old bill together and say it promotes troop welfare. But, Mr. Speaker, that does not make it so. And they can slap any old bill together and

accuse its opponents of undermining troop welfare. But that doesn't make it so.

The reality is that this bill undermines our military leadership, who are already committed to the welfare of our troops and their families. And to imply in any way that our Nation's civilian and military leadership is not committed to the welfare of our troops and their families is again a very specious argument.

The reality is that this bill undermines our military leadership who are committed to the troops; and, in fact, it opens up the potential to force troops to stay in the field longer, handle missions for which they are not prepared, and ultimately create greater risks for our men and women who are in harm's way.

Mr. Speaker, our Armed Forces are already working toward the goal of ensuring that every servicemember spends 2 years at home after each year in the field, and that Reservists get 5 years at home after each 1 year of deployment.

Mr. Speaker, the Marine Corps is already providing what this bill would mandate, time at home at least equal to time deployed. The Commandant of the Marine Corps must approve any deviation from this policy.

Let me say once again, Mr. Speaker, I don't understand why it is that we are here dealing with this issue when we could in fact pass the recommendations of the Iraq Study Group. We instead are doing something that the Marine Corps is doing right now. Again, the Commandant of the Marine Corps would have to approve any deviation from this policy.

What this bill does is to remove any flexibility that allows our military leaders to make deployment decisions that best provide for both troop welfare and, Mr. Speaker, something that we never hear discussed from our colleagues on the other side the aisle, and that is mission completion, completing our mission, making sure that we have success and victory. It adds another layer of bureaucratic red tape. Ironically, and tragically, it could actually force our commanders in the field to extend deployments and force our troops to take on missions for which they are not fully prepared.

Mr. Speaker, preventing our commanders from being able to task each unit to take on the mission for which it is best prepared and best trained would needlessly risk the lives of our troops.

I know that we all want the ultimate desire of every member of our armed services: that they be speedily and, as I said a moment ago, victoriously returned to the loving arms of their families and the accolades of a grateful Nation. But, Mr. Speaker, this bill is not, this bill is not the way to ensure that.

The Democratic majority can keep playing these games. They can continue to claim that this bill will improve the quality of life of our troops and their families. They can continue to accuse its opponents of callousness and indifference to servicemen and servicewomen. But I don't believe the American people will be fooled, Mr. Speaker. They are quite capable of seeing past clever bill titles and phony rhetoric.

This Democratic majority has got to learn that it takes more than demagoguery to lead this body and to lead this country.

Mr. Speaker, I urge my colleagues to oppose this rule, as well as the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), whose compassion and conviction on this issue is probably unsurpassed in the House.

Mr. MCGOVERN. I thank the distinguished chairwoman of the Rules Committee for yielding me the time.

Mr. Speaker, H.R. 3159 is a very straightforward bill with a very straightforward message. Like its name implies, this is a bill to ensure that our military is ready to carry out combat and combat-related missions by having a stable, predictable deployment policy.

H.R. 3159 would require that our uniformed men and women, our military units, receive minimum periods of rest and recuperation between their deployments to Iraq. We have been hearing for over a year now about the strain on our active duty, Reserve and Guard units caused by multiple redeployments to Iraq and the ever-shrinking time at home provided by many units between deployments.

So why did this legislation work its way through the Armed Services Committee at this time? There is a very simple reason, Mr. Speaker, why this bill is so timely now. On May 9, Secretary of Defense Robert Gates announced a change to deployment policy. Secretary Gates changed the current policy for active Army units from 1 year at home for 1 year deployed to a policy of 15 months deployed for every 12 months at home.

Mr. Speaker, this is a change that is moving in the wrong direction. Rather than taking care of our troops, this change increases the stress and strain on our servicemen and servicewomen. This change has raised serious concerns about the sustainability and readiness of our active duty Army and whether such a reduced period at their home bases allows sufficient time for units and individuals to adequately train, equip, recover and reconstitute for the next deployment.

If anyone in this Chamber is not concerned about the physical, mental, emotional and logistical strain placed on every combat unit and individual subject to multiple deployments to Iraq, then I hope they will stand up during this debate.

□ 0940

We hear a lot of talk in this House about ''supporting the troops.'' Only a handful of Members in this body have had to lay it on the line in Iraq. Only a handful had to bid their families farewell and face combat in Iraq.

For the rest of us, there is no sacrifice, no strain, no stress placed on us personally or on our families and loved ones.

Well, here is our chance to show that we genuinely do understand what we have been asking our troops to do in Iraq, that we genuinely do understand the toll that it takes on each of them individually, as a unit and as a service, that we genuinely do understand the sacrifice that we ask of their families, and that we will require the Pentagon to provide our uniformed men and women a minimum amount of time to recover from combat to reconnect with their families and to prepare again for a return to battle.

There are some in this Chamber who will yelp and yowl that this is just a ploy to end the war.

Mr. Speaker, as someone who is clearly on record as wanting to end this war as quickly as humanly possible, I can testify that this is not the case.

I opposed this war with every fiber of my being, but I strongly believe that for as long as this war endures, the bare minimum this Congress must do is take care of the troops who carry out this mission and make sure this war does not shatter our military from the strain of multiple deployments.

I urge my colleagues to support the rule and the underlying bill.

Mr. DREIER. Mr. Speaker, as one who joins with my colleague from Worcester in stating that we all want to see this war end as quickly as we possibly can, and we want to see this mission be victorious, I am happy to yield 2 minutes to the former Governor of Delaware (Mr. CASTLE) who offered a very thoughtful amendment in the Committee on Rules.

Mr. CASTLE. Mr. Speaker, I thank the distinguished gentleman for yielding.

I do rise in opposition to what I consider to be a closed rule. I do support the underlying bill, but I object to the leadership's decision to prevent any substantive debate.

I offered an amendment yesterday that would have credited soldiers with one additional day of leave for every month that they are deployed in a combat zone. All members of the Armed Forces, including those serving the Guard and Reserve, receive 2½ days of leave time per month, regardless whether they are deployed in Iraq or back in the U.S. at their home base.

I developed this legislation, an extra day per month, not from anything out of my mind but in correspondence with a soldier who had been in the combat zone. We feel very strongly that spending time with family and loved ones after returning from deployment is essential to a soldier's mental health,

and that is why I prepared the amendment and introduced it.

We think that it is small step to help the troops, but this amendment was denied in the rule. For that reason, I oppose the rule as we have it.

But I am also very disappointed that this House continues to prevent consideration of the Iraq Study Group Recommendations Implementation Act. They are now getting close to 60 Members, almost evenly divided between Republicans and Democrats, who support the concepts in this.

My decision is that the time has come to have the discussion of the Iraq Study Group's recommendations on the floor of the House of Representatives, and I hope that can happen sooner rather than later.

Mr. DREIER. Would the gentleman yield?

Mr. CASTLE. I would be happy to yield.

Mr. DREIER. I thank my friend for yielding, and I would like to congratulate him not only for his amendment, but also for the comments that the former Governor of Delaware has just offered on the work of the Iraq Study Group.

Again, this was a bipartisan effort that was launched by the gentleman from Virginia (Mr. WOLF), who, as we all know, speaks passionately and eloquently on this and other issues.

We all want to see this war come to an end. President Bush stood right here in this Chamber in January delivering his State of the Union message, and he said the following: I wish this war was over and we had won.

So there is a shared goal of our trying to bring this war to an end as quickly as possible and to bring our men and women home to their families.

Frankly, I join my colleague from Delaware in stating that I believe that the opportunity for implementation, if not all, most of the work of the Iraq Study Group, this great bipartisan gathering, would go a long way towards achieving that goal to which both Democrats and Republicans claim to aspire.

So I would just like to thank my friend for his remarks, and I thank him for yielding to me.

Mr. CASTLE. In closing, I think both of these amendments are extremely important. I sometimes understand the writing on the wall when it comes to votes on rules, but I would hope that we in this House would consider the amendment that I put forward on the extra day leave in the Iraq Study Group recommendations sooner rather than later. I think it is an important way to move towards actually ending the war.

So I oppose the rule and urge Members to vote against the rule.

Mr. Speaker, I rise in opposition to this closed rule.

While Members of this body will have differing views regarding the U.S. policy in Iraq and Afghanistan, we can all agree that the American soldiers who have been deployed into these combat zones have bravely risked their lives in the service of their Nation. These men and women have done everything we have asked of them, and as we all know, many returning soldiers experience some form of post-traumatic stress.

Under the current Pentagon policies, all members of the Armed Forces, including those serving in the Guard and Reserve, receive 2.5 days of leave time per month—regardless of whether they are deployed in Iraq or back in the U.S. at their home base. My amendment would have simply credited soldiers 1 additional day of leave time for every month that they are deployed in a combat zone. For example, if a soldier serves 12 months in Baghdad, that soldier would be credited 12 additional days of leave to be used when he or she returns stateside.

Although I am obviously the sponsor of this amendment, I cannot take credit for the idea. My staff developed this legislation after talking with a soldier who as we speak is deployed in a combat zone. Corresponding via e-mail, this soldier shared his experiences in combat and offered his opinion that many of the troops returning home after a deployment would benefit from being credited with additional leave time based on the number of months they served in a combat zone. This soldier noted that the opportunity to spend some time away from military life once returning stateside would be important in terms of both mental and physical recovery.

In fact, the Director of the U.S. Army Medical Command's Office for Behavioral Health has stated that 15 to 30 percent of troops returning home from combat experience post-traumatic stress or other mental health symptoms. While the Army Medical Command notes that this is not unusual after combat, it underscores that in addition to receiving treatment, it is critical for soldiers returning home from a combat zone to "spend time with family," "avoid a busy schedule," and "resume family routines" as soon as possible.

It is clear that my amendment would not solve every problem that troops face when they return stateside. Receiving appropriate diagnosis and treatment is also vital in dealing with post-traumatic stress. And this amendment is not meant to diminish the efforts of our military leaders to provide care for soldiers once they return to the U.S. The Army's Medical Command and its corresponding services have in many cases gone above and beyond the call of duty to diagnose, treat, and prevent post-traumatic stress disorder. Still, in many cases spending time away from military life and reconnecting with friends and family is the best way for individuals to prepare to resume their service in the military.

Mr. Chairman, my amendment recognizes the difficulties faced by soldiers who serve time in a combat zone and would assist them in their homecoming by providing additional leave time to help improve their transition. The men and women who have sacrificed so much to serve our Nation in combat have earned this additional time to spend with their loved ones. Unfortunately the rule before us prevented any substantive debate, including debate on my important amendment.

Ms. SLAUGHTER. Mr. Speaker, does the gentleman have any other speakers?

Mr. DREIER. May I inquire of the Chair how much time remains on each side.

The SPEAKER pro tempore. The gentleman from California has 16½ minutes remaining, and the gentlewoman from New York has 19½ minutes remaining.

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

Mr. DREIER. Mr. Speaker, I am very happy to yield 3 minutes to my very good friend from Morristown, New Jersey, who is a hardworking member of the House Committee on Appropriations, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding.

While I support the military goals of this legislation, all of us do, I rise in opposition to this rule and this bill. We all want to see the dwell times for our troops expanded to meet Department of Defense standards, but this legislation would place handcuffs on our military commanders as they work to stabilize Iraq.

My colleagues, in many senses this is a political document, pure and simple. The dwell time requirements appear to be not so much efforts to improve the readiness of units and quality of life of servicemembers in our Armed Forces; rather, these requirements are designed to force a withdrawal and reduction of U.S. forces committed to Operation Iraqi Freedom.

The proof: This bill slaps deployment prohibitions only on forces destined for Iraq, but would allow those very same forces, regardless of dwell time, to be committed to combat in Afghanistan or anywhere else in the world where they might be needed.

Over the past few weeks, we have heard Members of the majority speak with varying levels of clarity about their plans to ''end the war'' or ''bring the troops home.'' Of course, we all desire to bring the troops home. One even proclaimed the ''war is lost.''

But that is not the message we are hearing from Iraq today. Both General Petraeus and General Odierno have stated that initial assessments of the new strategy are encouraging as the Iraqi Army is taking a much more prominent role in the fighting.

In recent days, many of us have read the op-ed in the New York Times written by two self-described critics of the war effort. From John Burns, Baghdad bureau chief, New York Times: ''I think there's no doubt that those extra 30,000 American troops are making a difference. They are definitely making a difference in Baghdad.''

And from USA Today, ''Coalition forces have uncovered more insurgent weapons caches in the first 6 months of this year than the entire previous year.''

Mr. Speaker, we have seen an increase in security, a decrease in killing, fewer car bombs, lower levels of civilian casualties; all good things. And what is this House's response to this demonstrable progress? They would

offer legislation that would hamstring and handcuff our military commanders, short-circuit the training of Iraqi soldiers, and endanger further security progress.

Mr. Speaker, I have always said that I want our war fighters' deployments to be short and as safe as possible. I do want our troops out of Iraq and Afghanistan, and anywhere in the world where they are in harm's way, soon. But this is not the way to do it.

I rise in opposition to this, the rule, and to this type of thinking that endangers not only our soldiers but endangers the civilians that we are there to help.

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

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 5 minutes to my good friend from Bridgeport, Connecticut (Mr. SHAYS), who next weekend will be making his 18th trip to Iraq. I know he shares my concern over the fact that, unfortunately, this rule fails to allow this House to consider the work of the bipartisan Iraq Study Group.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is a closed rule. It is a continuation of closed rules on an issue that should be a very open. We went into Iraq on a bipartisan basis; that cannot be denied. Two-thirds of the House voted to go into Iraq, three-quarters of the Senate voted to go into Iraq.

The Senate is allowing open debate on the issue of Iraq. There was the Webb-Hagel amendment, which is basically this underlying bill. There was the Hagel-Levin amendment, which talked about troops not being sent in for more than 12 months if they are in the Army and 7 months if they are in the Marines. That was an amendment I would have liked to have introduced to this bill. Why couldn't we have had a debate on it? If it doesn't make sense, and there would have been a number on my side of the aisle who would have voted against it, it would have defeated it. But we would have started to have some dialogue about the condition of our troops. That would be a healthy thing to have.

But the most important amendment that was presented was the effort by Mr. WOLF to have support for the Iraq Study Group. The thing that is astonishing is, when we voted about the Iraq Study Group a few weeks ago, only 69 Members in the Chamber voted against it, but it was attached to an appropriation. And being attached to an appropriation, we can't get the Senate to act until Lord knows when, probably after October when we are supposed to have our budgets done. We need another vehicle.

Mr. DREIER. Will the gentleman yield?

Mr. SHAYS. Absolutely.

Mr. DREIER. I thank the gentleman for yielding, Mr. Speaker.

I will say again that it really baffles me as to why this majority will not allow us to have an opportunity to consider this bipartisan work product of the Iraq Study Group.

On the opening day, Mr. Speaker, the new Speaker of the House of Representatives stood and talked about this new sense of bipartisanship. We all know that the war in Iraq was the key issue in the November election. We know that the war in Iraq was the key issue in last November's election, and it is on the minds of all of our constituents. We are all concerned about the future that this war on terror holds for all of us, and that's why the Iraq Study Group was established.

Our former colleague, the former chairman of the Committee on Foreign Affairs, Lee Hamilton, the former Secretary of State, a Democrat and Republican led eight other Democrats and Republicans, highly regarded in this country, strongly partisan individuals, they came together with a bipartisan proposal. Unfortunately, the supposedly new bipartisan spirit that exists here in the House denies us a chance to even consider that.

No one demonstrates more passion on this issue than Mr. WOLF. When he made the arguments before the Rules Committee, they were very compelling and very strong as only FRANK WOLF can offer them. Unfortunately, Mr. Speaker, we have not seen a chance to do that.

Mr. SHAYS. I thank the gentleman for making this point. The bottom line is: In this Chamber, only 69 Members voted against having the Iraq Study Group revisit Iraq so they could come out with a report that could complement, either agree with or disagree with, what General Petraeus and Ambassador Crocker are going to conclude.

It seems to me it would be in the best interest of both Republicans and Democrats to find areas where we can agree, where we can work together. I cannot, for the life of me, understand why this Democratic Congress is opposed to bringing the Iraq Study Group up for a vote.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume, and I do so to say that just this week we all saw a great deal of attention focused on an op-ed piece written in the New York Times by two of the harshest critics of the war in Iraq. I am referring, of course, to the Brookings Institution Fellows Michael O'Hanlon and Kenneth Pollack. And I saw Ken Pollack with Wolf Blitzer on CNN the other day saying he did not write the headline in the New York Times which talked about this is a war we might win. He did stand by every word in that piece that was written, and I am going to ask to include that piece in the CONGRESSIONAL RECORD.

[From the New York Times, July 30, 2007]

A WAR WE JUST MIGHT WIN

(By Michael E. O'Hanlon and Kenneth M. Pollack)

WASHINGTON.—Viewed from Iraq, where we just spent eight days meeting with American and Iraqi military and civilian personnel, the political debate in Washington is surreal. The Bush administration has over four years lost essentially all credibility. Yet now the administration's critics, in part as a result, seem unaware of the significant changes taking place.

Here is the most important thing Americans need to understand: We are finally getting somewhere in Iraq, at least in military terms. As two analysts who have harshly criticized the Bush administration's miserable handling of Iraq, we were surprised by the gains we saw and the potential to produce not necessarily ''victory'' but a sustainable stability that both we and the Iraqis could live with.

After the furnace-like heat, the first thing you notice when you land in Baghdad is the morale of our troops. In previous trips to Iraq we often found American troops angry and frustrated—many sensed they had the wrong strategy, were using the wrong tactics and were risking their lives in pursuit of an approach that could not work.

Today, morale is high. The soldiers and marines told us they feel that they now have a superb commander in Gen. David Petraeus; they are confident in his strategy, they see real results, and they feel now they have the numbers needed to make a real difference.

Everywhere, Army and Marine units were focused on securing the Iraqi population, working with Iraqi security units, creating new political and economic arrangements at the local level and providing basic services—electricity, fuel, clean water and sanitation—to the people. Yet in each place, operations had been appropriately tailored to the specific needs of the community. As a result, civilian fatality rates are down roughly a third since the surge began—though they remain very high, underscoring how much more still needs to be done.

In Ramadi, for example, we talked with an outstanding Marine captain whose company was living in harmony in a complex with a (largely Sunni) Iraqi police company and a (largely Shiite) Iraqi Army unit. He and his men had built an Arab-style living room, where he met with the local Sunni sheiks—all formerly allies of Al Qaeda and other jihadist groups—who were now competing to secure his friendship.

In Baghdad's Ghazaliya neighborhood, which has seen some of the worst sectarian combat, we walked a street slowly coming back to life with stores and shoppers. The Sunni residents were unhappy with the nearby police checkpoint, where Shiite officers reportedly abused them, but they seemed genuinely happy with the American soldiers and a mostly Kurdish Iraqi Army company patrolling the street. The local Sunni militia even had agreed to confine itself to its compound once the Americans and Iraqi units arrived.

We traveled to the northern cities of Tal Afar and Mosul. This is an ethnically rich area, with large numbers of Sunni Arabs, Kurds and Turkmens. American troop levels in both cities now number only in the hundreds because the Iraqis have stepped up to the plate. Reliable police officers man the checkpoints in the cities, while Iraqi Army troops cover the countryside. A local mayor told us his greatest fear was an overly rapid American departure from Iraq. All across the country, the dependability of Iraqi security forces over the long term remains a major question mark.

But for now, things look much better than before. American advisers told us that many of the corrupt and sectarian Iraqi commanders who once infested the force have been removed. The American high command assesses that more than three-quarters of the Iraqi Army battalion commanders in

Baghdad are now reliable partners (at least for as long as American forces remain in Iraq).

In addition, far more Iraqi units are well integrated in terms of ethnicity and religion. The Iraqi Army's highly effective Third Infantry Division started out as overwhelmingly Kurdish in 2005. Today, it is 45 percent Shiite, 28 percent Kurdish, and 27 percent Sunni Arab.

In the past, few Iraqi units could do more than provide a few ''jundis'' (soldiers) to put a thin Iraqi face on largely American operations. Today, in only a few sectors did we find American commanders complaining that their Iraqi formations were useless—something that was the rule, not the exception, on a previous trip to Iraq in late 2005.

The additional American military formations brought in as part of the surge, General Petraeus's determination to hold areas until they are truly secure before redeploying units, and the increasing competence of the Iraqis has had another critical effect: no more whack-a-mole, with insurgents popping back up after the Americans leave.

In war, sometimes it's important to pick the right adversary, and in Iraq we seem to have done so. A major factor in the sudden change in American fortunes has been the outpouring of popular animus against Al Qaeda and other Salafist groups, as well as (to a lesser extent) against Moktada al-Sadr's Mahdi Army.

These groups have tried to impose Shariah law, brutalized average Iraqis to keep them in line, killed important local leaders and seized young women to marry off to their loyalists. The result has been that in the last six months Iraqis have begun to turn on the extremists and turn to the Americans for security and help. The most important and best-known example of this is in Anbar Province, which in less than six months has gone from the worst part of Iraq to the best (outside the Kurdish areas). Today the Sunni sheiks there are close to crippling Al Qaeda and its Salafist allies. Just a few months ago, American marines were fighting for every yard of Ramadi; last week we strolled down its streets without body armor.

Another surprise was how well the coalition's new Embedded Provincial Reconstruction Teams are working. Wherever we found a fully staffed team, we also found local Iraqi leaders and businessmen cooperating with it to revive the local economy and build new political structures. Although much more needs to be done to create jobs, a new emphasis on microloans and small-scale projects was having some success where the previous aid programs often built white elephants.

In some places where we have failed to provide the civilian manpower to fill out the reconstruction teams, the surge has still allowed the military to fashion its own advisory groups from battalion, brigade and division staffs. We talked to dozens of military officers who before the war had known little about governance or business but were now ably immersing themselves in projects to provide the average Iraqi with a decent life.

Outside Baghdad, one of the biggest factors in the progress so far has been the efforts to decentralize power to the provinces and local governments. But more must be done. For example, the Iraqi National Police, which are controlled by the Interior Ministry, remain mostly a disaster. In response, many towns and neighborhoods are standing up local police forces, which generally prove more effective, less corrupt and less sectarian. The coalition has to force the warlords in Baghdad to allow the creation of neutral security forces beyond their control.

In the end, the situation in Iraq remains grave. In particular, we still face huge hurdles on the political front. Iraqi politicians of all stripes continue to dawdle and maneuver for position against one another when major steps towards reconciliation—or at least accommodation—are needed. This cannot continue indefinitely. Otherwise, once we begin to downsize, important communities may not feel committed to the status quo, and Iraqi security forces may splinter along ethnic and religious lines.

How much longer should American troops keep fighting and dying to build a new Iraq while Iraqi leaders fail to do their part? And how much longer can we wear down our forces in this mission? These haunting questions underscore the reality that the surge cannot go on forever. But there is enough good happening on the battlefields of Iraq today that Congress should plan on sustaining the effort at least into 2008.

I will say that as one reads the O'Hanlon-Pollack article, it is clear that there are many very important challenges that lie ahead in Iraq. But the fact that we have seen a quelling of the violence in the al-Anbar Province, as we look at the difficulty that we face, but the fact that we've seen Sunni leaders unite with us in fighting al Qaeda, we, I believe, are making progress.

War is a very, very ugly thing, and this war is no exception. No one can say exactly what the outcome will be, but I do know that the cause of freedom is worth fighting for, and I do know that these constant attempts to prevent this House from looking at, working on, and considering the work of the Iraq Study Group, the bipartisan work product of the Iraq Study Group, is just plain wrong, so I am going to continue to strongly oppose this rule and these continued efforts to politicize our quest for victory and bringing our troops home.

I reserve the balance of my time.

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

Mr. Speaker, despite our great respect and affection for those who brought their amendments to the Rules Committee yesterday, it is well known in this House and in the country that the Democrat majority intends to bring the war to a close as quickly as possible and as quick as it is practicable to do so.

To reinstitute the Iraq Study Committee, to refinance it, put it back together, wait for a report would take far longer than we frankly are willing to give.

But this bill before us today, the underlying bill before us, is humane. And it says, for goodness sake, don't redeploy troops over and over and over again unless they have had at least as much time at home to rest as they have had in combat.

This is a different kind of combat, Mr. Speaker. Soldiers before have always been given recreation and rest after intense combat. Not this time. The soldiers in Iraq and all the military people of Iraq face almost instantaneous death every moment of the day and night without any respite at all. We are seeing the results of that brought home with the posttraumatic stress syndrome which is rising so rapidly.

In addition to that, we are demanding at last, because we didn't have the opportunity before by not being in the majority, that these troops be equipped properly.

The New York Times said on a front page story recently that 80 percent, Mr. Speaker, of the marines that died in Iraq would have lived, those with upper body wounds would have lived with the proper equipment. How can we live with that?

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We know now that instead of sending useless Humvees that were of no use at all to them against the IEDs, if we had always sent MRAPs, a technology we have known for 30 years, heaven knows how many of the nearly 4,000 who died would have been saved and how many of the more than 30,000 who have been wounded would have been spared that.

That weighs heavily on the conscience of those of us in the House of Representatives, and it angers the people that we represent.

We've talked to the parents of those who have been sent back two, three, four times. I have talked to one father who told me as his son was being deployed for the fourth time; if he gets killed, I will kill somebody. The anguish of these parents is palpable; and, as I stated before in my earlier statement, we don't fight this war. The 1 percent of the military people and their families are fighting this war. We've been asked for no sacrifice of any kind.

How glib it is for us to stand on this floor and say, leave it to the generals and look how well they're doing. The number of generals who have resigned their commission so that they could speak out against this carnage and this despicable war that was unplanned and planned by people who have left the scene cannot go on any longer.

And I will tell you that we have to go and look families in the face, and there are a number of times that I've gone to services, and my position on the war is well-known, and I've wondered if the families, how they would accept my presence. I have never been to a single one where they didn't say to me, bring them home, bring them home.

For heaven's sake, Mr. Speaker, if it's not just for that alone, those of us here have that obligation to bring them home.

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

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume; and I will say again to my colleagues that, as we look at this challenge, this is a very difficult one. It is one that we seek to address in a bipartisan way, Mr. Speaker, Democrats and Republicans coming together.

Now, our former colleague, Mr. Hamilton, co-chairman of the Iraq Study Group, has made it very clear that the

work product which was unleashed, turned over last December, is still applicable today. This notion of saying that we need to look at bringing this group back together, I don't have it with me here, but I have one downstairs in my office. We have the volume, the work of the Iraq Study Group, that we've all gotten copies of; and all we're asking, Mr. Speaker, is that this bipartisan work product be able to be voted on and supported here.

Now, what is it that we have before us? We have a closed rule. And I'm saddened greatly to report to the House, by virtue of this closed rule having come from the Rules Committee, reported out last night, we have by far exceeded the doubling, the doubling of the number of closed rules in this Democratic majority than we had in the Republican majority at this time at the beginning of the last Congress. It saddens me.

Again, I will say that, Mr. Speaker, while we hear about this great new day, a sense of openness, transparency, accountability, what is it that we've gotten? We may not have been perfect when we were in the majority, but under this new majority that promised all of these great things to the American people, we have gotten now more than twice as many closed rules in the first 7 months of the year than we had in the first 7 months of the 109th Congress, and I just think it's a sad commentary on where we are.

Now to the issue at hand, Mr. Speaker. As we look at the challenge that the families of those loved ones face, I would like to share the remarks of some of the families that I have heard.

There is a young man who was killed tragically in the battle of Fallujah. His name is J.P. Blecksmith from San Marino, California. His father, like J.P., was a Marine; and after his son was tragically killed, Ed Blecksmith said to me, he said, David, if we don't complete our mission in Iraq, my son J.P. will have died in vain. And he said, we need to do everything that we possibly can to ensure victory.

And I will tell you that what we're doing here today under this closed rule, I believe, creates the potential for undermining the success that, as was pointed out and as I said in my last statement, is outlined in the remarks in the article in the New York Times, the op-ed piece written by Ken Pollack and Mike O'Hanlon, and there's another statement that was made.

I met a woman just a couple of months ago. Denise Codnot is her name. She came here to Washington, and she walked into my office, Mr. Speaker, and her son Kyle was killed in Iraq, 19 years old. He was in the Army. And she looked me in the eye and said, my son wasn't killed in Iraq. My son proudly gave his life, proudly gave his life for the cause of freedom. And she said to me, we must do everything within our power to ensure success and victory.

This war on terror has been very painful for us, Mr. Speaker, very, very painful for everyone involved, especially the families of those men and women in uniform. But we know there is an interconnectedness of this war on terror, and that is the reason that on this rule we are going to continue our quest to deal with modernization of the Foreign Intelligence Surveillance Act.

Now, I know that my colleagues last night in the Rules Committee, we passed out a special rule that will allow for consideration of possible negotiations that would take place on this issue, but, Mr. Speaker, we have been waiting since April of this year when the statements began to come forward from the Director of National Intelligence, Mike McConnell; from the Director of the Central Intelligence Agency, Michael Hayden; from the Secretary of Homeland Security, Michael Chertoff, the three Michaels I call them, who have come forward with this urgent plea for us to take the very antiquated, three-decade-old, three-decade-old 1978 Foreign Intelligence Surveillance Act and modernize it.

I am going to move, Mr. Speaker, to defeat the previous question, and I would like to yield 1½ minutes to my colleague from Albuquerque, New Mexico (Mrs. WILSON) whose legislation will be made in order if we are successful in defeating the previous question.

Mrs. WILSON of New Mexico. I thank my colleague from California.

This is something we've been trying to get addressed since April, since the Director of National Intelligence came to this Congress and said we need to fix the Foreign Intelligence Surveillance Act. There are things we should be listening to that we are not listening to, that we are missing, and it is hurting the security of this country. It continues to imperil the security of this country, and it is only because we are now forcing the Democrats to deal with this publicly that we may be making progress on this issue.

I am disappointed, though, to hear some of my colleagues in this House suggest in these negotiations that we should have a judge overseeing foreign intelligence collection overseas that does not involve any Americans. That has never been the role of the Foreign Intelligence Surveillance Court. The whole point in making these changes is to make sure that we don't have counterterrorism analysts who are very valuable, highly trained people, expert in languages in regions, in organizations, spending their time developing probable cause statements for foreigners in foreign countries who are communicating with other foreigners. There's absolutely no reason for any court to be involved in that kind of an effort.

Speed matters. It matters in a war on terrorism where terrorists are using our communications networks in order to try to kill us. It is vital, absolutely vital that we fix the Foreign Intelligence Surveillance Act before the House adjourns for the August recess.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida, a member of the Rules Committee and a member of the Intelligence Committee, Mr. HASTINGS, to assure everyone that the FISA bill is on the calendar for this week.

Mr. HASTINGS of Florida. Thank you very much, Madam Chair.

You know, for over a year now the Intelligence Committee and Members of this body have been in negotiations with the administration regarding FISA. When I hear my colleague talk about it, I know that, in the realm of the American public, she's persuasive enough to make it appear that there's something that's happening that is dreadful and America's about to be attacked because we don't have sufficient information that we are receiving from those persons who would do us harm overseas.

The simple fact of the matter is that JANE HARMAN, the former Chair of this committee, and BUD CRAMER have been actively involved. It is not as if nothing has been going on with reference to FISA.

I don't have that same fear. I serve on the same committee that she does. I have every reason to believe that the negotiations are not causing this country to not receive the information that is necessary; and if anyone would argue that this Nation's FISA program is not under courts at this particular time and that the issue is that the administration wishes to move it from under the courts, then I would have them to know that there needs to be greater discussion.

One of the things that has happened is some of the stuff we can't talk about is being nuanced, and I rather think that that is not the way to go about trying to change a law. Yes, it's important that we receive the information about those who are going to do us harm, if they can. And, yes, it's important that we be able to intercept their foreign-to-foreign communications. But to give the general impression that there is this necessity that it be done yesterday is not what the reality is.

Mr. DREIER. Mr. Speaker, I understand that I only have 1 minute remaining, and I know that my colleague from Albuquerque would very much like to have an opportunity to be heard on this issue. I have some closing remarks. I wonder if the distinguished chairman of the Committee on Rules has any time she might yield to the gentlewoman from Albuquerque to respond.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time I have left?

The SPEAKER pro tempore. The gentlewoman from New York has 13½ minutes remaining.

Ms. SLAUGHTER. I yield 30 seconds to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Speaker, I thank my colleague from New York for her graciousness.

I would just tell my colleagues that the Director of National Intelligence, Michael McConnell, has said we are

missing things we should be getting. In classified session in this House yesterday, he was much more specific about just what the magnitude is of what we are missing.

Mr. DREIER. Mr. Speaker, I'm planning to close, if the gentlewoman from New York has no further requests.

Ms. SLAUGHTER. I have no other speakers.

Mr. DREIER. Mr. Speaker, I think it's been very, very clear here this is a closed rule. It's outrageous that we have continued down this pattern of closed rules; and we were promised, the American people were promised much better than that. The underlying legislation is legislation that the administration just announced the President would veto if it were to pass. We should be debating the work of the Iraq Study Group, the bipartisan package; and, unfortunately, with this closed rule, we're denied a chance to do that.

I also believe that my colleague from New Mexico, while debate seemed to be very personal among members of the Intelligence Committee, it comes down to the very strong statements that have been made by the Secretary of Homeland Security, the Director of National Intelligence and the Director of the Central Intelligence Agency. We need to immediately modernize the three-decade-old Foreign Intelligence Surveillance Act.

So I urge my colleagues to vote ''no'' on the previous question so that we'll have an opportunity to make in order the very thoughtful legislation that has been introduced by our colleague from Albuquerque, Mrs. WILSON.

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

Ms. SLAUGHTER. Mr. Speaker, I again want to assure my colleagues that FISA is on the calendar before we go home, which may be the middle of next week. We're not going to leave here without getting that fixed.

Let me also state that, in addition to the dreadful, awful loss of our service persons and the terrible wounding and mangled 30,000 or more, there's another cost to this war, Mr. Speaker. A new estimate is that the war in Iraq will cost the taxpayers of the United States $1 trillion. We are spending at the rate of $10 billion a month. Obviously, this is money that we don't have.

We're borrowing mainly from four sources, the first one being China, Japan, South Korea; and, Mr. Speaker, as this debt piles up, it will take generations for our children, our grandchildren, our great-grandchildren and our great-great-grandchildren simply to pay off.

So let me stop as I began, to again express my sorrow to the people of Minnesota and make it clear that the spending on this war, which is rife with corruption, I do need to say, that in addition to 160,000 military persons in Iraq, we have 185,000 contractors, spending tax money at an enormous rate. We are beginning for the first time in 6 years, as we've taken the majority, to really look at where that money has gone and try to ferret out the corruption, the cronyism, the unbid contracts and all of the other scandals that have gone on there.

Just this week again we learned that millions of dollars spent in construction to turn things over to the Iraqi people is unacceptable to the people of Iraq because of the shoddy workmanship. This is a scandal of major proportions, Mr. Speaker. It really is important that we bring this to an end and try to clean up and maybe hopefully get our international reputation back to some degree.

But the most important thing is that this bill says simply this: Our soldiers need rest. How dare we send people into the battle day after day, night after night, without saying from this House and from this government that what we want for them is what the military always had in the past, an opportunity to rest and renew? It's not only critical for them personally, but it's critical for the units in which they serve that they are in top form. The fact is that we could do that quite simply here just today with this bill and also make certain that we don't ever again send one of them out on one of those roads to patrol unprepared, untrained and unprotected because we failed to spend the enormous amount of money on the right kind of equipment.

It's time, Mr. Speaker. We owe it; and I'm ashamed that all these years, that for the past 6 years, no oversight, not any, no hearings, have been held on this war. No hearings have been held on where all of that money has gone, and we're just beginning now to scratch the surface.

But the first obligation that we have, far more than money involved, the largest obligation we have is to the men and women that we say would you please set your life aside and go and fight. We owe them everything in the world that we can give them.

I'm happy that we have put a lot of money this year on our side into the Veterans Administration, and certainly it's for traumatic brain injury which we see so much of it and that the Veterans Administration is in no way equipped to handle. We have enough money now in the bills so we can send them to the places where they can get the very best help available. But young men and women that are 18, 19, 20 years old, maimed for life. And Mr. Speaker, it is time some intelligence here in the House reigned.

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 601 OFFERED BY MR. DREIER OF CALIFORNIA

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the bill (H.R. 3138) to amend the Foreign Intelligence Surveillance Act of 1978 to update the definition of electronic surveillance. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools

for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1020

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2272, AMERICA COMPETES ACT

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 602 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 602

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2272) to invest in innovation through research and development, and to improve the competitiveness of the United States. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 1 hour.

Ms. SUTTON. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Ms. SUTTON. I yield myself such time as I may consume.

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

Ms. SUTTON. Mr. Speaker, H. Res. 602 provides for the consideration of the conference report to accompany H.R. 2272, the 21st Century Competitiveness Act. The rule waives all points of order against the conference report and its consideration and considers the conference report as read.

Mr. Speaker, I rise today in support of House Resolution 602 and the underlying conference report on the 21st Century Competitiveness Act. Too often, we hear that our Nation is struggling to properly educate our students in math and science, and as a result we are falling behind in this world. This is unacceptable to me, and it should be unacceptable to this Congress.

But today we have the chance to change this. Today we make a true commitment to our future. Today we can make it clear that we support American innovation and understand the vital need for our Nation to remain competitive in the global economy.

The 21st Century Competitiveness Act will help ensure that our students, teachers, businesses and workers are prepared to continue to keep this country at the forefront of research and development. Our bill increases funding and makes improvements for the National Science Foundation, the National Institutes of Standards and Technology, and at the Department of Energy Office of Science. The bill increases funding for science, technology, engineering and math, also known as STEM research and education programs.

This bill also allocates funding for the Manufacturing Extension Partnership. These MEP programs leverage Federal, State, local and private investments to stimulate new manufacturing processes and technologies. It's through these new processes and technologies that we can ensure American manufacturers have the tools to compete effectively and efficiently against overseas manufacturers.

The MEP program has proven to be remarkably effective in my home State of Ohio where small and midsize manufacturers face limited budgets, lack of in-house expertise and lack of access to the newest technologies. MEP assistance provided training, expertise and services tailored to the critical needs of Ohio's small and midsize manufacturers.

Through this assistance, many manufacturers in Ohio have increased productivity, achieved higher profits, and remain competitive by providing the latest and most efficient technologies, processes and business practices. In 2006, in fact, as a direct result of MEP assistance, my State enjoyed over $150 million of new investment and over $500 million in increased or retained sales. Companies in Ohio participating in the MEP reported cost savings of over $100 million.

Through the continued funding of this vital program, we can bring these vast benefits to even more small manufacturers across the country. Our efforts here today are vital to stopping the offshoring and outsourcing as well that may have hurt many communities in my home State of Ohio and all across this Nation.

This Congress can send a strong message today that we want to ensure that our Nation is prepared for the future. Let's pass this rule and the 21st Century Competitiveness Act.

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

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. I want to thank the gentlewoman from Ohio (Ms. SUTTON) for yielding me the customary 30 minutes.

Mr. Speaker, this rule will allow the House to consider a conference report that incorporates several similar measures that have passed the House and Senate authorizing funding for scientific research and increasing the number of students majoring in math, science, engineering and foreign languages.

The several bills that passed both Houses were approved by overwhelming bipartisan votes. The authorization level for all of these bipartisan bills combined a total $24 billion in the House. I am concerned, however, that the conference report today contains over $43 billion in overall authorizations, nearly double.

It is vital that the United States continue to grow more globally competitive in the areas of scientific research and technology. Federal and private investment in supporting research and development is essential to the health of our economy and our competitiveness as a Nation.

We must plan for the future by areas of basic research and science today.

However, there is also something we must do today, and that is update our Foreign Intelligence Surveillance Act laws. This body has missed several important opportunities to consider changing our laws to account for technological advances, and now we are faced with a limited time remaining before Congress recesses for the August district work period.

You can all agree or disagree that our FISA laws need to be updated. All I will be asking my colleagues to do is to vote ''no'' on the previous question so that Members will have the opportunity to debate and consider fixing our outdated FISA law that currently requires our intelligence community to ask a judge permission before listening to telephone conversations of foreign terrorists in foreign countries who threaten our Nation's security.

Let me be clear also. If the previous question is defeated, the America COMPETES conference report will still be on the floor today. This is not an attempt whatsoever to delay this conference report. It is only an attempt to bring this issue to the floor as soon as possible, but, more importantly, before the Congress recesses.

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

Ms. SUTTON. Mr. Speaker, before I yield, I just want to make it clear, as has been stated on this House floor

many times in recent days, that the FISA legislation will be on the floor of this House before the August recess. We're happy that we are here today to pass this rule and this legislation, and we are also able to deal with FISA.

Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. I thank my colleague from the Rules Committee from Ohio.

First of all, I want to congratulate the outstanding work of the Science Committee under the leadership of Mr. GORDON and Mr. HALL. That committee has produced more bipartisan useful legislation, maybe, than any other committee so far in this body. They are to be commended.

Mr. Speaker, this bill is yet another nail in the ladder of creating opportunity and making this country competitive in the 21st century global economy.

I want to talk a little bit about what can happen if you have companies, large and small, that make a difference and commit themselves to training the workforce, commit themselves to participating in a local community to advance science and math.

We have small companies in Vermont that have done this. We also have a big company, IBM. It is celebrating its 50th anniversary in Vermont, and that will be later this summer. IBM is a major employer. It is a company that transformed itself from computers to services in a whole array of activities that has been beneficial and relied on having the best training for new employees, the best science and math.

That company has not only helped provide good jobs to Vermonters as well as people around the world, it has participated very actively in our State efforts to improve science and math training. This legislation is going to focus resources on that effort in Vermont and across the country.

My congratulations to the Science Committee for the good work that it's done and to the companies large and small across this State that have helped be a partner on these policies that are essential for the future.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to a real doctor from Georgia, a member of the Science and Technology Committee, and a former member of the Rules Committee, Dr. GINGREY, for 5 minutes.

Mr. GINGREY. I want to thank Doc for yielding, the gentleman from Washington, I thank him very much.

Mr. Speaker, I rise to express my deep concern over the process, really, with which we are proceeding today on such an important matter.

I recognize, as a member of the Science Committee, all the hard work that has gone into the America COMPETES Act to maintain and enhance our Nation's investment in the core STEM field, science, technology, engineering and mathematics. I believe that every member of our committee understands well that the future of our competitive economic edge rests in energizing our students at every level so they can pursue these fields of study.

I want to commend my chairman, Mr. GORDON, and Ranking Member HALL. The bills that came before us in committee, all four bills, which we combined to be part of this conference report, I wholeheartedly support every step of the way. But I am very concerned with this conference report and the process, this lightning speed quickness that it has been brought to the floor of this House is absurd.

I want to ask what is the rush. As ranking member of the Technology and Innovation Subcommittee, I was very pleased to be picked as a conferee. I don't get that opportunity often in the 5 years that I have been a Member of this Congress. However, I was only made aware of the appointment Tuesday at 3:30 and, immediately, that the full conference committee would be holding the one and only formal meeting at 5 o'clock, an hour and a half later.

This is a 470-page document that was not even available to conferees until 4:30 yesterday. I can't speak for my colleagues on the other side of the aisle, but I don't want to go back home to Georgia next week and explain to my constituents that I spent, as Representative HASTINGS just said, $43 billion of their tax money on this measure that neither I nor most of the Members of this House on both sides of the aisle even had an opportunity to read, much less think about, before casting that vote. Further, I am extremely concerned with the cavalier attitude with which the majority appears bent on bringing this report to the floor today.

The rules require, and I noticed that earlier the chairman of the Rules Committee was on the floor. She knows the rules require that it shall not be in order to consider a conference report that has not been available to Members, Delegates and Resident Commissioner in the CONGRESSIONAL RECORD for at least 3 calendar days. This report was filed yesterday, yet here we are today preparing to vote on a negotiated deal that is incorrectly being labeled as bipartisan. It was bipartisan in the House. It's not bipartisan in this conference report.

It was only bipartisan to the extent we were invited to the party, but we were told to please just observe the dancing, and, by the way, don't eat any of the refreshments.

The House did not use proxy votes, and yet that rule was also waived yesterday for the purpose of the formal conference.

In addition, by a vote of 258–167, this House passed a motion to instruct conferees Tuesday to insist on the House authorization levels and to restore language on coal-to-liquids technology that had previously been accepted in this House by a vote of 264–154. Both instructions were ignored in conference. The coal-to-liquids technology provision was offered as an amendment in the conference yesterday and was voted down, despite the wishes of this whole House.

What's the point of having rules if we're not going to follow them, and what's the use of holding votes if we are not going to adhere to their outcome and insist on a conference committee report? It's extremely unfortunate that again this week we are faced with the regrettable fruits of the Democratic leadership's rush to adjourn.

My point is, this rush to get things done so you can go home and say that you accomplished this, and that's fine, but we've got to get it right and we have got to follow the rules. I mean, whether this side, we were in the majority, if we are guilty of doing the same thing on occasion, and maybe that was done on appropriations bills, but when you are dealing with something like this, and this is the policy in science education and trying to stimulate our young people and make this country more competitive in the global economy, we have got to get it right.

When we have a bill coming out of the House that very generously authorizes almost $23 billion, $24 billion, $25 billion, and all of a sudden it's $43 billion, I have some real concerns about that. So it's extremely unfortunate that we are rushing this through, and it is the American public who is being left with an ever-increasing bill for this attitude.

I asked my colleagues on the policy, or on the process. I am not talking about the issues that others have raised, but I am saying vote ''no'' to this rule and the underlying report.

Ms. SUTTON. Mr. Speaker, at this time it is my great pleasure to yield 20 minutes to the distinguished gentleman from Tennessee, the chairman of the Committee on Science and Technology, Mr. GORDON, whose leadership brought us here to this great day.

Mr. GORDON of Tennessee. Thank you, Lady SUTTON. I will grace you by not taking that full 20 minutes.

I want to thank Mr. WELCH for his kind words. I want to thank Mr. HASTINGS for not being too ugly about this bill, and I want to make my friend on the Science Committee, Mr. GINGREY, feel better about this bill.

Mr. Speaker, in the last few hours of every session, it doesn't matter who is in the majority or who is in the minority, things get a little bit tense. Folks want to get going for their district work period, and so this is an opportunity for us all to come together.

This is a bill that was based on a suspension that passed out of this House unanimously, based on a bill out of the Senate that passed 88–8. This is a bipartisan, bicameral bill.

The National Chamber of Commerce supports this bill. The National Association of Manufacturers supports this bill. The Business Roundtable supports this bill. Every university that is represented in this body supports this bill

because it is a good bill. It's going to help American workers, businesses. It's going to help students and teachers be able to compete in the world. It's going to help us regain and maintain a leadership in research, innovation and technology.

Let me just take a moment and tell you a little bit about the bill.

Well, it's also based on, of course, Sherry Boehlert, the former, very good Republican chairman of our Science Committee, myself when I was ranking member, LAMAR ALEXANDER, who has done Herculean work in the Senate, as well as JEFF BINGAMAN asked the National Academy of Science to do a report on the competitiveness of America in the 21st century. Norm Augustine, the former head of Lockheed Martin, Craig Barrett at Intel, many other scholars, as well as academic and business individuals, came together and they told us in a very sobering way that America was heading in the wrong direction in terms of competitiveness in the 21st century.

Now, this is not just an idle thought for the ones of us that have kids and grandkids, because I am very concerned that the next generation of Americans could be the first generation of Americans that inherit a national standard of living less than our parents if we don't do something. This bill will help change the corner, turn that corner.

Let me tell you about it; it deals really with three main areas. First of all, following the recommendations of the rising above the gathering storm, we are going to increase our expenditures and research in this country, in the National Science Foundation that does such a good job, the National Institute of Standards and Technology. And, again, for my friend from Georgia, these are just authorizations.

If they can't justify what they are doing, then the appropriations will not appropriate those funds. This is just authorization. It doesn't spend any money, but it does give us a great blueprint.

The next thing we are going to do, we have to recognize that there are about 7 billion people in the world, half of which make less than $2 a day. We can't compete with that. We don't want to compete with that. We don't want our kids and grandkids to have to be in that situation.

What do we do? We have to compete at a higher level. If they are going to make one widget in China or India or elsewhere, we have got to make 50 in this country at the same time. We need to be inventing the widget maker and we need to be manufacturing the widget maker. That's what this bill is going to help us do. But to do that, our workers have to perform at a higher skill level. We have to help them do that.

When you look, and it's a sad situation right now, but only Cyprus and South Africa have lower overall math and science scores than we have in this country right now. What is the reason for that? Is it that we are not as smart as other countries? No, that's not the case.

The problem is we have very good and talented teachers in this country, but unfortunately, when it comes to math and science, about 63 percent of the math teachers at the middle school have neither a major or a certification to teach math.

The science teachers in this country are trying to do a good job, but 87 percent of them have neither a major or certification to teach the physical sciences. It's hard to inspire. It's hard to really convey information when you don't have a good background. I want to give you an example of that.

My father was a farmer. He went to World War II, and he came back, and because of the GI Bill, he was able to go to college. He got a degree in agriculture. I come along, and my mother had to give up her job at the cafeteria, so my father needed a second job.

So he applied to teach, and he got the last teaching job at Smyrna High School in my home county. So since he was the last person to get a job, they assigned him to teach high school science and to coach girls basketball.

I am not sure which one my father knew the least about. He was a bright, able fellow, but they put him in a difficult situation. And it was tough for his students, I am sure.

□ 1040

Well, we have got to do better than that. And so what this bill is going to do is really two things in that area. We are going to take those good teachers like my father, bring them back into school. We will do it in the summer, so they can get their certification, hopefully go ahead and get a master's, get an AP certification so they can do a better job.

We are also going to provide scholarships for approximately 10,000 students each year on a competitive basis that want to go into math, science, and education and agree to teach for 5 years in high-need areas. This is going to go a long way to helping our skills.

And so, finally, we are going to look at one other area, one other area that Rising Above the Gathering Storm mentioned, was we have to become energy independent in this country. We have been talking about a lot of energy bills and are going to hopefully pass an energy bill at least in the House. The Senate has done. It is a long way to getting something completed.

But, today, this is a conference report. This is not just a bill that then goes to the other body and goes to conference. This is a conference report that was passed out of that conference on a bipartisan, bicameral basis, and it does something about energy independence today. And let me tell you about that, and this is a recommendation that came from the National Academies of Science.

We are going to set up an agency within the Department of Energy modeled after DARPA, which is in the Defense Department, a high-risk, high-reward group. It is going to look at the the seven or eight most cutting-edge types of new technologies. And we are going to bring our private sector, the public sector, the national labs, the universities all together with a very narrow bit of management that is only going to be like project directors to bring all these folks together. And, just like in the Department of Defense, the Internet was developed, stealth and technology was developed, but there were a lot of things that didn't work out, because they weren't afraid to try. High risk, high reward. That is what we are going to do.

We are going to get in there, and we are going to find those areas that are new technologies that are going to bump our ability to create renewable energy in this country, which is going to help us become energy independent, it is going to create jobs, and it is going to create exports.

This is a very good bipartisan, bicameral bill that is endorsed by the Chamber of Commerce, by the National Association of Manufacturers, by the Business Roundtable, universities. And this afternoon we will talk about this some more. I am going to bring you a list of businesses and organizations that support this that is going to go on and on and on.

So, my friends, let's put aside I guess just the natural bit of tenseness that goes with ending a session. Let's work together and get something good today and pass this bipartisan, bicameral bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from Michigan (Dr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

You heard one speaker say this was a bad bill and should not be passed. You heard another one say it is a good bill and should be passed. There are good points on both sides of that argument. But I would point out that I have never seen a perfect bill reach the floor of this House; and, on balance, I believe this bill is good and should be passed, and I will be supporting the bill and presumably the rule that is presenting it to us.

I do this in spite of the fact that Dr. GINGREY and Ranking Member HALL, whom I have great respect for, have serious doubts about the bill.

Let me explain why I am supporting this. America is in trouble. It is in trouble in several areas. It is in trouble in science, and it is in trouble in education, manufacturing, outsourcing. Let me examine some of those.

Just an example, science education. Had I the time I could give you chart after chart after chart showing you where American students stand on the international scale compared to other high school graduate students:

In physics, dead last of all developed nations.

High school mathematics graduates, second from the bottom of all developed countries.

General science, about fifth from the the bottom.

In the PITA studies, United States last of 21 nations in mathematics.

We think we are the leading nation. We think we are doing a good job of educating our students. We are not, and we must face that. This bill addresses much of that problem by improving the education and training for teachers, both incoming teachers and existing teachers. It will improve the curricula, it will help students achieve better, and we must achieve higher levels again.

China and India recognized this issue 20 years ago, that the future belonged to the nations that educated their children in mathematics and science. China did it the dictator's way: You will learn math and science. India did it through inducements. But, as a result, they are now ahead of us, and we are now losing jobs to those nations because we have neglected our math and science education.

In our research efforts, we have always been the leader in scientific research for half a century, ever since World War II. We are losing ground. Believe it or not, South Korea is starting to put more than we are, as a percent of GDP, into basic research efforts, and that is being joined by other countries as well.

Manufacturing is a tremendous problem. We are losing jobs to other countries. And it is not just the wage base. I come from a manufacturing district. I have many conversations with manufacturers. It is not just the wage base. They are getting better quality, more highly educated workers abroad for lower pay. That is a hard combination to beat. And we really have to work hard in this Nation to improve education and improve manufacturing.

Now, how does that affect this bill? This bill is designed to affect and improve all of those areas. It does not do it ideally. I disagree with a number of things in the bill. I join my Republican colleagues in doing that. But, on balance, it is a start. If this were an appropriations bill, I might have some reservations, but it is an authorization bill. We get another bite of the apple each time we decide which programs we are actually going to fund.

I could mention ARPA–E in here. I am less than enthusiastic about it. If it works, I am delighted. I am skeptical. But why not authorize it, let the appropriators work with us, and decide whether or not we should fund it.

America as a Nation is based on competition. We are not afraid of competition, and this bill will engender competition. It will give us the opportunity to compete face-to-face at level-to-level with other countries and give us an opportunity to restore our manufacturing base, improve our science education, improve our manufacturing facilities and really do a better job.

You have heard before, this is endorsed by many major organizations in this country, all of whom have a deep interest in improving manufacturing and improving our competitiveness. This bill was suggested by President Bush in his American Competitiveness Initiative in his State of the Union speech last year. This is not a fly-by-night idea. This is something that I have been working on for almost every year since I came here 14 years ago and particularly the last 10 years. It is coming to fruition.

I have worked with the White House on it. I have worked with many scientific societies, and much of the genesis of this comes from the the National Academy of Sciences and The Gathering Storm Report, which is headed very ably by Norman Augustine, one of our leading industrialists and scientists.

It is not a perfect bill. I wish it were, but it is not. But in this process this is the best we can get, and it gives us a base to build on. And through appropriate use of this authorization and the appropriations bills, we will strengthen our Nation, we will strengthen our manufacturing base, we will strengthen our schools, we will strengthen our math and science education, and we will have a better Nation and a stronger Nation as a result.

One last comment. We spend a tremendous amount of money on defense, a tremendous amount of money on defense. We have always managed to succeed in situations like Iraq because of our superior knowledge, our superior research, and our superior resources. We are in danger of losing that edge. And I have met with people from the the Pentagon suggesting scientific ideas to them that they can use to improve the situation in Iraq. We need that kind of interaction between the scientific community and the military community, and I hope that will also result from this and give us a stronger Nation.

Ms. SUTTON. Mr. Speaker, at this time, it is my privilege to yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished gentlelady from Ohio, and I thank her for her leadership not only on the Rules Committee but on the Judiciary Committee. It is a pleasure to have the opportunity to work with her.

Mr. Speaker, let me acknowledge the chairman of the Science Committee, Mr. GORDON, and the ranking member of the Science Committee. As an alumnus of this committee, let me applaud this effort and indicate that this is not the end but it is the beginning. It has been a long journey, but it is premised on very important challenges.

We begin to look around the world, and we notice that nations who in years past were looking to the United States for the cutting edge of technology now are graduating more mathematicians and engineers in 1 month, such as China, than we might be graduating in 1 year. We understand the premise of this competitive legislation. H.R. 2272 is long overdue, and it is reaching to answer a crisis.

Earlier this morning, we heard reference to President John F. Kennedy about his pronouncement that America was going into space. It was said at that time that the President didn't know how we were going into space, did not have a grasp of the possible technology, but yet by his pronouncement it opened the doors of America's inventiveness to be able to create this pathway to space.

Well, now that we have statistics behind us of Leave No Child Behind, a bill that we hope we will truly reform, we do have numbers suggesting that America's children are shortchanged in math and science. We do know that America's schools are failing with respect to equipment in science laboratories; and we do know America's schools need the kind of trained teachers, master teachers who can emphasize math and science. So I am very grateful that this particular legislation allows for 25,000 new teachers over the next 3 years through Professional Development Summer Training Institute's graduate education focusing on math and science.

Today, in my own district, I am working with private-to-public sector to help fund one of the failing school districts to give them what you call master teachers in math and science to build up their laboratories. But we are using private dollars because we can't get the public dollars. This maintains the importance of qualified teachers in mathematics and science. It does something that is key, that many of us have been working on who have been advocating for NASA for many years, and that is a partnership between the public and private.

I hope that NASA will be one of those who can be utilized to engage more heavily in the community on the issues of math, science, and engineering.

And something that we have worked on and I have worked on all my years on the Science Committee, working with historically black colleges and Hispanic-serving colleges, we now have a focus on minorities and women in the science area.

When I first came to this Congress, I passed legislation that would allow excess equipment from the Nation's laboratories to be used in our secondary and primary schools, anything to put a nexus between research and science and development to the Nation's education system. This puts it squarely on the front burner. And I think what also happens is that we have revitalized the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy's Office of Science.

The key element of this legislation is that, without ideas, we are not competitive. That is why it is so named. And I hope that as this bill moves forward the President and Presidents to come will make this a cornerstone of their administration; that is, that

America fails when her inventiveness, when her scientists and engineers are stifled and America fails when its people, are, in essence, divided and some go forward and some do not. So the idea that we must see again the emphasis on math and science for girls as we do boys is crucial.

Let me just simply say, as a partner to this effort, we recently passed my NASA Coin Bill. Interestingly enough, in that legislation there are opportunities to embrace children-focused programs that would encourage the research or the science at a primary school level so that children grow up saying, ''I want to be.'' And I know they want to be basketball players and they want to be maybe astronauts because they look great, but I want them to grow up and say, ''I want to be a math teacher or mathematician. I want to be a biologist or a chemist or a nuclear physicist or an engineer of many different types.'' As we reflect on the tragedy of the Minnesota bridge collapse, we need engineers and technicians to help build America and to create jobs.

I close, Mr. Speaker, by simply saying science is the work of the 21st century. This is what this bill is about.

Mr. HASTINGS of Washington. Mr. Speaker, I mentioned in my opening remarks that I will urge my colleagues to vote ''no'' on the previous question so we can address the very, very important issue of reform of FISA.

I yield 5 minutes to the gentlelady from New Mexico, a member of the Intelligence Committee, Mrs. WILSON.

Mrs. WILSON of New Mexico. Mr. Speaker, we now have 2 days left before the August break, and I would ask my colleagues to oppose the previous question on this conference report so that we may immediately address the problems in the Foreign Intelligence Surveillance Act.

We have now reached a point where the majority is committed to bring legislation to the floor, and that is a very big step forward, and I regret that it has taken so much public pressure to get us to this point. I am actually a believer that intelligence matters are best dealt with quietly, but when quiet encouragement does not work and national security is at stake, we have an obligation to increase the public pressure in order to get a political decision to move and get things done when it is important to this country.

Now that that political decision has been made and the majority has said they will bring legislation to the floor, we need to make sure that that legislation fixes the problem. In other words, we have to get this right. It is critical to get this right. Several Democrat leaders have put forward some ideas, but there are two of them that don't make any sense to me.

□ 1100

They want, first, only temporary authority to listen to foreigners in foreign countries. And, second, they want to still be in a situation where you have to get a court order to approve eavesdropping on foreigners in foreign countries.

Let's look at that for a second. My colleagues want two things. They want only temporary authority to listen to foreigners in foreign countries. The war on terrorism is not a temporary thing, and spying is not new. As early as the invention of the telegraph and reading people's mail during World War I that was going back and forth to Europe, in World War II much of the war was won because we broke codes that the Germans and Japanese were using and listened to their communications. During the Cold War we listened to our enemies. We have a foreign intelligence apparatus, and we spy on our enemies. Foreign intelligence collection is not new, and it is not temporary. We need to fix this law and get it right now.

Secondly, several of my Democrat colleagues have put forward the idea that you should still need court approval to eavesdrop on foreigners in foreign countries. It takes about 200 man-hours to develop a probable cause statement, a packet to go to the court, it's about that thick, to get approval from a court to do a wiretap.

Now, these people who have to put these together are not clerks or even lawyers. They are experts in counterterrorism, and their time is much better spent tracking these people than putting together paperwork.

More importantly, the Foreign Intelligence Surveillance Act was never intended to put a U.S. judge in charge of deciding whether we can listen to foreigners in foreign countries. That is why we spy and what we do. We don't need judges to be considering those kinds of things. And the only reason they are is because technology has changed faster than the law.

FISA, the Foreign Intelligence Surveillance Act, was never intended to require warrants to listen to foreigners in foreign countries. In 1978, when the law was written, almost all long-haul communications were over the air. That's where international calls were. Almost all local calls were on a wire. When they wrote the act, they froze the law in time. They required a warrant for anything on a wire. And over-the-air communications didn't require a warrant at all because that's where we collect foreign intelligence.

In a bill that comes to this floor, we need to do two things. First, no warrant or court intervention should be required to listen to foreign terrorists in foreign countries. Speed matters. And, second, we must continue to require warrants to listen to people in the United States. The Foreign Intelligence Surveillance law was intended to protect the civil liberties of Americans. It was intended, and has done actually a very good job at rolling back the abuses that the intelligence community was involved in in the 1950s and 1960s.

Let's get this court back to focusing what it was intended to do, which is to protect the civil liberties of Americans, and allow our intelligence community to do what they are intended to do, which is to keep this country safe and prevent the next terrorist attack.

Ms. SUTTON. Mr. Speaker, at this time it's my honor to yield 2 minutes to the distinguished gentleman from Florida, a member of both the Rules Committee and the Select Committee on Intelligence (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my good friend from Ohio for yielding.

If it is that we must say that my friend from New Mexico, Mr. Speaker, is to receive credit for a discussion of FISA, it should also attend the facts that for over a year the Intelligence Committees of this Congress have been in negotiations with the administration regarding matters having to do with FISA.

Just so we assure everybody that the matter of FISA is on the agenda, it will be taken up before we leave. And I can only say that there are many of us in this body who do not feel that it is inappropriate to establish an appropriate entity for oversight, no matter where information may be coming from.

The thing that I wish to dispel is that there is no reason for us to be fearful of us not having information that is needed. It is true that the Director of National Intelligence has said that there are matters that we may be missing. But there may be matters that we may be missing even if we fix FISA if we hurry to judgment and not do it correctly.

So civil liberties are important to Americans. Civil liberties are paramount when it comes to our consideration of gathering information. We don't want to troll and catch some American citizens and have their information poorly used.

Now, I don't know about anybody else, but there is one provision that considers giving the Attorney General this power and not courts. If it was this Attorney General, then I'm awfully glad that we're in the present posture that we're in, because I would not want this Attorney General making those decisions.

Mr. HASTINGS of Washington. Mr. Speaker, I'm pleased to yield 1 minute to the gentlelady from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Speaker, the Director of National Intelligence has said that there are things we should be listening to which we are not getting.

All of us remember where we were on the morning of 9/11, remember who we were with, what we were wearing, what we had for breakfast.

I would guess that nobody listening to me here today, or very few, remember where they were the day that the British Government arrested 16 people who were within 48 hours of walking on to airliners at Heathrow and blowing them up over the Atlantic. It was successful intelligence cooperation between the British, Pakistani and American Governments that prevented that

attack. And you don't remember it because it didn't happen.

Intelligence is the first line of defense in the war on terror, and we must fix this law and get it right.

Ms. SUTTON. Mr. Speaker, I would inquire of the gentleman if he has any remaining speakers. I'm the last speaker on this side, and I'll reserve my time until the gentleman has closed for his side.

Mr. HASTINGS of Washington. If the gentlelady is prepared to close, I am prepared to close on my side.

Mr. Speaker, I yield myself the balance of time.

Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question. By defeating the previous question we will give Members the ability to vote today on the merits of changing current law to ensure our intelligence community has the tools they need to protect our Nation from potentially imminent terrorist attack.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time.

Ms. SUTTON. Mr. Speaker, it is time that we make a commitment to our students who want to succeed in the fields of math and science. It's time that we help our manufacturers and promote innovation and industrial competitiveness. With this legislation, we are setting our course.

While there are many things that must be done on many different issues to see real improvements, passing the 21st Century Competitiveness Act today is one very positive and enormous step in the right direction. We are saying we want to invest in our teachers. We want to invest in our students, invest in science and research and development and innovation. We are developing our workforce for the jobs of today and tomorrow.

Mr. Speaker, we are preparing our Nation for a bright future. I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

AMENDMENT TO H. RES. 602 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

Sec. 2. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the bill (H.R. 3138) to amend the Foreign Intelligence Surveillance Act of 1978 to update the definition of electronic surveillance. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 602, if ordered; ordering the previous question on House Resolution 601; and adoption of House Resolution 601, if ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 198, not voting 9, as follows:

[Roll No. 791]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman

Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—198

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Clarke
Crenshaw
Cubin
Davis, Jo Ann
Ellison
Johnson, Sam
Lee
Olver
Paul

□ 1132

Messrs. COLE of Oklahoma, TERRY, and HUNTER changed their vote from ''yea'' to ''nay.''

Mr. COOPER and Mr. SERRANO changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 194, not voting 9, as follows:

[Roll No. 792]

YEAS—229

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NAYS—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—9

Cannon
Clarke
Crenshaw
Cubin
Davis, Jo Ann
Ellison
Johnson, Sam
Mahoney (FL)
Meeks (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1140

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3159, ENSURING MILITARY READINESS THROUGH STABILITY AND PREDICTABILITY DEPLOYMENT POLICY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 601, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 201, not voting 6, as follows:

[Roll No. 793]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—201

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Clarke
Crenshaw
Cubin
Davis, Jo Ann
Ellison
Johnson, Sam

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1147

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 200, not voting 8, as follows:

[Roll No. 794]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—200

Aderholt
Akin
Alexander
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)

Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Clarke
Crenshaw
Cubin
Davis, Jo Ann
Ellison
Johnson, Sam
Perlmutter
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. There are 2 minutes remaining in this vote.

□ 1153

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 845. An act to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls.

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy:

The Senator from Utah (Mr. BENNETT), from the Committee on Appropriations.

The Senator from Nebraska (Mr. NELSON), from the Committee on Appropriations.

The Senator from Colorado (Mr. ALLARD), At Large.

The message also announced that pursuant to section 6968(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Naval Academy:

The Senator from Mississippi (Mr. COCHRAN), from the Committee on Appropriations.

The Senator from Maryland (Ms. MIKULSKI), from the Committee on Appropriations.

The Senator from Arizona (Mr. MCCAIN), designated by the Chairman of the Committee on Armed Services.

The Senator from Maryland (Mr. CARDIN), At Large.

The message also announced that pursuant to section 1295b(h), of title 46 App., United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy:

The Senator from Hawaii (Mr. INOUOYE), ex officio as Chairman of the Committee on Commerce, Science and Transportation.

The Senator from New Jersey (Mr. LAUTENBERG), from the Committee on Commerce, Science and Transportation.

The Senator from Alaska (Mr. STEVENS), from the Committee on Commerce, Science and Transportation.

The Senator from South Carolina (Mr. GRAHAM), At Large.

The message also announced that pursuant to section 4355(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Military Academy:

The Senator from Texas (Mrs. HUTCHISON), from the Committee on Appropriations.

The Senator from Louisiana (Ms. LANDRIEU), from the Committee on Appropriations.

The Senator from Rhode Island (Mr. REED), designated by the Chairman of the Committee on Armed Services.

The Senator from Maine (Ms. COLLINS), At Large.

ENSURING MILITARY READINESS THROUGH STABILITY AND PREDICTABILITY DEPLOYMENT POLICY ACT OF 2007

Mr. SKELTON. Mr. Speaker, pursuant to House Resolution 601, I call up the bill (H.R. 3159) to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MINIMUM PERIODS OF REST AND RECUPERATION FOR UNITS AND MEMBERS OF THE ARMED FORCES BETWEEN DEPLOYMENTS.

(a) REGULAR COMPONENTS.—

(1) IN GENERAL.—No unit or member of the Armed Forces specified in paragraph (3) may be deployed for Operation Iraqi Freedom or Operation Enduring Freedom (including participation in the NATO International Security Assistance Force (Afghanistan)) unless the period between the deployment of the unit or member is equal to or longer than the period of such previous deployment.

(2) SENSE OF CONGRESS ON OPTIMAL MINIMUM PERIOD BETWEEN DEPLOYMENTS.—It is the sense of Congress that the optimal minimum period between the previous deployment of a unit or member of the Armed Forces specified in paragraph (3) to Operation Iraqi Freedom or Operation Enduring Freedom and a subsequent deployment of the unit or member to Operation Iraqi Freedom or Operation Enduring Freedom should be equal to or longer than twice the period of such previous deployment.

(3) COVERED UNITS AND MEMBERS.—The units and members of the Armed Forces specified in this paragraph are as follows:

(A) Units and members of the regular Army.

(B) Units and members of the regular Marine Corps.

(C) Units and members of the regular Navy.

(D) Units and members of the regular Air Force.

(E) Units and members of the regular Coast Guard.

(b) RESERVE COMPONENTS.—

(1) IN GENERAL.—No unit or member of the Armed Forces specified in paragraph (3) may be deployed for Operation Iraqi Freedom or Operation Enduring Freedom (including participation in the NATO International Security Assistance Force (Afghanistan)) if the unit or member has been deployed at any time within the three years preceding the date of the deployment covered by this subsection.

(2) SENSE OF CONGRESS ON MOBILIZATION AND OPTIMAL MINIMUM PERIOD BETWEEN DEPLOYMENTS.—It is the sense of Congress that the units and members of the reserve components of the Armed Forces should not be mobilized continuously for more than one year; and the optimal minimum period between the previous deployment of a unit or member of the Armed Forces specified in paragraph (3) to Operation Iraqi Freedom or Operation Enduring Freedom and a subsequent deployment of the unit or member to Operation Iraqi Freedom or Operation Enduring Freedom should be five years.

(3) COVERED UNITS AND MEMBERS.—The units and members of the Armed Forces specified in this paragraph are as follows:

(A) Units and members of the Army Reserve.

(B) Units and members of the Army National Guard.

(C) Units and members of the Marine Corps Reserve.

(D) Units and members of the Navy Reserve.

(E) Units and members of the Air Force Reserve.

(F) Units and members of the Air National Guard.

(G) Units and members of the Coast Guard Reserve.

(c) WAIVER BY THE PRESIDENT.—The President may waive the limitation in subsection (a) or (b) with respect to the deployment of a unit or member of the Armed Forces if the President certifies to Congress that the deployment of the unit or member is necessary to meet an operational emergency posing a threat to vital national security interests of the United States.

(d) WAIVER BY MILITARY CHIEF OF STAFF OR COMMANDANT FOR VOLUNTARY MOBILIZATIONS.—

(1) ARMY.—With respect to the deployment of a member of the Army who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Chief of Staff of the Army.

(2) NAVY.—With respect to the deployment of a member of the Navy who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Chief of Naval Operations.

(3) MARINE CORPS.—With respect to the deployment of a member of the Marine Corps who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Commandant of the Marine Corps.

(4) AIR FORCE.—With respect to the deployment of a member of the Air Force who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Chief of Staff of the Air Force.

(5) COAST GUARD.—With respect to the deployment of a member of the Coast Guard who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Commandant of the Coast Guard.

The SPEAKER pro tempore (Mr. WEINER). Pursuant to House Resolution 601, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ensuring Military Readiness Through Stability and Predictability Deployment Policy Act of 2007''.

SEC. 2. MINIMUM PERIODS OF REST AND RECUPERATION FOR UNITS OF THE ARMED FORCES BETWEEN DEPLOYMENTS.

(a) REGULAR COMPONENTS.—

(1) IN GENERAL.—No unit of the Armed Forces specified in paragraph (3) may be deployed in support of Operation Iraqi Freedom unless the period between the most recent previous deployment of the unit and a subsequent deployment of the unit is equal to or longer than the period of such most recent previous deployment.

(2) SENSE OF CONGRESS ON OPTIMAL MINIMUM PERIOD BETWEEN DEPLOYMENTS.—It is the sense of Congress that the optimal minimum period between the most recent previous deployment of a unit of the Armed Forces specified in paragraph (3) and a subsequent deployment of the unit in support of Operation Iraqi Freedom should be equal to or longer than twice the period of such most recent previous deployment.

(3) COVERED UNITS.—Subject to subsection (c), the units of the Armed Forces specified in this paragraph are as follows:

(A) Units of the regular Army and members assigned to those units.

(B) Units of the regular Marine Corps and members assigned to those units.

(C) Units of the regular Navy and members assigned to those units.

(D) Units of the regular Air Force and members assigned to those units.

(b) RESERVE COMPONENTS.—

(1) IN GENERAL.—No unit of the Armed Forces specified in paragraph (3) may be deployed in support of Operation Iraqi Freedom unless the period between the most recent previous deployment of the unit and a subsequent deployment of the unit is at least three times longer than the period of such most recent previous deployment.

(2) SENSE OF CONGRESS ON MOBILIZATION AND OPTIMAL MINIMUM PERIOD BETWEEN DEPLOYMENTS.—It is the sense of Congress that the units of the reserve components of the Armed Forces should not be mobilized continuously for more than one year, and the optimal minimum period between the previous deployment of a unit of the Armed Forces specified in paragraph (3) and a subsequent deployment of the unit in support of Operation Iraqi Freedom should be five years.

(3) COVERED UNITS.—The units of the Armed Forces specified in this paragraph are as follows:

(A) Units of the Army Reserve and members assigned to those units.

(B) Units of the Army National Guard and members assigned to those units.

(C) Units of the Marine Corps Reserve and members assigned to those units.

(D) Units of the Navy Reserve and members assigned to those units.

(E) Units of the Air Force Reserve and members assigned to those units.

(F) Units of the Air National Guard and members assigned to those units.

(c) EXEMPTIONS.—The limitations in subsections (a) and (b) do not apply—

(1) to special operations forces as identified pursuant to section 167(i) of title 10, United States Code; and

(2) to units of the Armed Forces needed, as determined by the Secretary of Defense, to assist in the redeployment of members of the Armed Forces from Iraq to another operational requirement or back to their home stations.

(d) WAIVER BY THE PRESIDENT.—The President may waive the limitation in subsection (a) or (b) with respect to the deployment of a unit of the Armed Forces to meet a threat to the national security interests of the United States if the President certifies to Congress within 30 days that the deployment of the unit is necessary for such purposes.

(e) WAIVER BY MILITARY CHIEF OF STAFF OR COMMANDANT FOR VOLUNTARY MOBILIZATIONS.—

(1) ARMY.—With respect to the deployment of a member of the Army who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Chief of Staff of the Army.

(2) NAVY.—With respect to the deployment of a member of the Navy who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Chief of Naval Operations.

(3) MARINE CORPS.—With respect to the deployment of a member of the Marine Corps who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Commandant of the Marine Corps.

(4) AIR FORCE.—With respect to the deployment of a member of the Air Force who has voluntarily requested mobilization, the limitation in subsection (a) or (b) may be waived by the Chief of Staff of the Air Force.

(f) DEFINITIONS.—In this Act:

(1) DEPLOYMENT.—The term ''deployment'' or ''deployed'' means the relocation of forces and materiel to desired areas of operations and encompasses all activities from origin or home station through destination, including staging, holding, and movement in and through the United States and all theaters of operation.

(2) UNIT.—The term ''unit'' means a unit that is deployable and is commanded by a commissioned officer of the Army, Navy, Air Force, or Marine Corps serving in the grade of major or, in the case of the Navy, lieutenant commander, or a higher grade.

(g) EFFECTIVE DATE.—This Act shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SKELTON. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3159, introduced by my colleague on the House Armed Services Committee, Ellen Tauscher, the gentlelady from California, as well as other Members of the House.

Our troops and their families are stressed and they are under pressure. Yesterday, the USA Today newspaper had an article entitled, ''Stress of War Hits Army Kids Hard.'' The article, sadly, was about the increasing number of child abuse and neglect cases among deployed Army families. The article quotes Amy Lambert, an Army wife living at Fort Stewart, Georgia. She states, ''I firmly believe that more time at home between deployments would be the most beneficial solution.'' I think that quote sums up the reason we're here and why this bill is before the House.

Our troops and their families are tired. They are being stressed by the continued and extended deployments. It's time that Congress takes a stand on behalf of our families and states in a clear, unequivocal voice that it is time that servicemembers have a minimum dwell time between deployments.

This bill would require that active component units and members be provided at least the same time at home as they are deployed. It would also require that Reserve and National Guardsmen who are called to deploy are given at least three times at home as they are deployed.

This proposed minimum period of deployment is less than the Department's own goal, which provides that active duty servicemembers should be deployed for 1 year, with 2 years back in home station, and Reservists and Guardsmen should have 5 years between deployments.

The Army recently implemented a policy that requires active duty units to deploy for 15 months and only spend 12 months back at their home station. This is a troubling sign, Mr. Speaker, since the time back at home station is used to reset, retrain and re-equip forces.

Servicemembers and their families are entitled to a predictable and stable time between deployments. Congress needs to step up on behalf of the troops, as well as their families, and say enough is enough.

We need to hold the Department accountable to their own policies and protect the readiness of our forces. That's no small thing. We have a moral responsibility to our troops to ensure

that their quality of life is reflective of the sacrifices that we ask them to make.

We need to ensure that our active forces have at least the same amount of time deployed that they have back home with their families, and that our citizen-soldiers have at least three times the amount home as that time deployed.

This bill is also about our national security and its readiness, and it's about strategic risk. This bill will help to ensure that our military can deal not only with Iraq, where they have been serving remarkably under extraordinarily difficult conditions for 4 years, but wherever the next conflict occurs, our force must have adequate time to train if it is to be prepared.

And in this exceptional all-volunteer force, we must keep our retention levels up if we are to insure that our military will be able to succeed both now and in the next fight, which, of course, is very unpredictable.

H.R. 3159 is a step in the right direction. I urge my colleagues to stand with us in support of our troops and in support of our families.

Before I reserve the balance of my time, I ask unanimous consent that the gentlelady from California (Mrs. TAUSCHER) control the time on my behalf.

The SPEAKER pro tempore (Mr. LYNCH). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SKELTON. I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I rise in opposition to the bill.

The SPEAKER pro tempore. The gentleman from California is recognized for 30 minutes.

Mr. HUNTER. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, this is a well-motivated bill. I want to commend my colleagues on the Armed Services Committee for all the great work that they do, Democrat and Republican. Most of the time we're on common ground. In this case, I think that this bill does not accrue to the benefit of the troops. I think it hurts the troops.

□ 1200

I think that is a question every Member of the House has to ask themselves: Is this going to be good for the troops, or is it going to be bad for the troops?

I think it will be bad for the troops, for this reason: We are fighting a war in Iraq which requires innovation, flexibility and experience. This bill, which will put a straitjacket on our ability to deploy troops on the basis that their clock has not yet expired back in the United States before they go over, is going to have an incredibly detrimental affect on our ability to project a well-rounded, effective fighting team in the warfighting theater in Iraq.

Let me talk about that a little bit, Mr. Speaker.

You are going to have units which desperately require specialties. Some of the specialties, I would remind my friend, are IEDs, the ability to operate jammers, the ability perhaps to decontaminate if you come into contact with some of the chemical weapons stockpiles that were left by the old regime. Military effectiveness is built on dozens and dozens of specialities, all of which support the other.

The idea that you can't put this team together, that the Marines or the Army can't put their warfighting team together because they looked at the list of people who are most able to fill those roles, most able to move in and stand next to their fellow Marine, their fellow soldier, their fellow airman, the guy that is doing the mechanic work on that important helicopter that is going to be the transportation vehicle, the guy that is doing the repair work on that particular weapons system, those people are not going to be able to flow over into the theater because their clock hasn't moved appropriately on the one-to-one ratio.

Now, we consulted the U.S. Marines on this provision. We didn't consult political people in the White House. We didn't consult people who had an opinion on whether or not we should be in Iraq. We consulted the people who have the job of putting together these packages of personnel which are required in the warfighting theater and transporting them to the theater.

Of course, the Deputy Commandant of the Marine Corps for Plans and Operations is Lieutenant General Richard Natonski. Here is his statement he gave to the committee. He said, ''In order to support OIF requirements during Fiscal Year 2008 and comply with the minimum period between deployments proposed by provisions like H.R. 3159, a one-to-one ratio, the Marine Corps would have to adjust force generation plans. These plan adjustments would include extending unit deployments.''

Somebody has to stay on the battlefield. The battlefield is not going to be empty. So if you are not going to allow new Marines to come in, the Marines that are there right now are going to have to stay there.

It is the same with the Army. These plan adjustments could include extending unit deployments, creating provisional units. That means you are going to have to put new units together because the old unit hasn't had its meter expire yet. And forcing units to execute missions as in-lieu-of forces, meaning that units that don't have that specialty are going to have to become units that have that specialty. That means ''quickie'' training and moving people immediately into the battlefield to fill a role that otherwise could be filled by people who have a deep specialty in that capability.

Mr. Speaker, he finishes with this statement that every Member of Congress should listen to very carefully. He said, each of these adjustments that will be required by Mrs. TAUSCHER's bill, among others, incurs higher risk than that associated with deploying the unit at a deployment-to-dwell time of seven to six.

I want to remind my colleagues, higher risk means higher risk of casualties. That is what happens when the guy that is supporting you on the battlefield doesn't have as much experience as you would like him to have, doesn't have that specialty, hasn't been there before, doesn't have that insight that is going to keep you alive.

Mr. Speaker, this is a well-meaning bill. But if you ask this question, does it help the troops or hurt the troops, this bill hurts the troops.

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

Mrs. TAUSCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am honored to offer H.R. 3159, a bipartisan bill to mandate minimum periods of rest, training and recuperation for units and members of the regular and Reserve components of our Armed Forces between deployment. Fixing our troops' unpredictable rest and retraining policy is long overdue.

In an interview last Monday, Marine Corps Commander General James Conway highlighted repeated deployments and short periods of time between them to rest as factors contributing to increased mental stress and burdens on families of service men and women.

As a member of the Armed Services Committee, I am intimately acquainted with how this war has damaged our national security, our diplomatic standing and the readiness of our military; and, as a Californian, I am well aware of how it is draining the defense and security resources of my home State and others.

As we speak, a unit from Walnut Creek, California, in my district, is leading a task force comprised of six units that come from armories throughout the East Bay and Northern California. The California Army National Guard indicates that the unit of 824 soldiers is the largest single California National Guard unit to be deployed since the Korean War. These are men and women who will benefit from this legislation in real time.

We are sending more and more men and women to Iraq every day. The Bush administration is failing to accurately account for all of the costs of these repeated deployments. On the microlevel, our deployed men and women are being taken away from their families in a revolving door of service because the war has gone on much longer than the President believed it would. And on a larger scale, we are damaging the readiness for our Armed Forces to defend against future attacks here at home and around the world, as well as national emergencies here at home.

Mr. Speaker, my bill simply states that if a unit or a member of a regular

component of the Armed Forces deploys to Iraq, they will have an equivalent amount of time at home before they are redeployed. No unit or member of a Reserve component, including the National Guard, could be redeployed to Iraq within 3 years of their previous deployment. In the event of an operational emergency posing a threat to vital national security interests, the President may waive the amendment's limitations by certifying to Congress that deployment of the unit or a member is necessary for national security.

The military departments also are provided waiver authority in the bill for individual volunteers who seek to redeploy before the expiration of the mandated time of rest between the deployments. This bill in no way, shape or form hinders the Commander in Chief's ability to manage military personnel.

Mr. Speaker, it is critical that we come together and take a very critical step to preserve the readiness of our men and women in uniform for them and for our national security.

If we are honest about wanting to support our troops, there is no better place to start than to correct our troop rotation policy. For far too long, the members of the Guard and Reserve have been unrepresented in Congress. Today, every Member has an opportunity to help them.

Mr. Speaker, I include the following letters of support for my bill from the Reserve Enlisted Association and Veterans for America.

RESERVE ENLISTED ASSOCIATION,
July 27, 2007.

Hon. ELLEN TAUSCHER,
Washington, DC.

DEAR CONGRESSWOMAN TAUSCHER: Thank you on behalf of the members of the Reserve Enlisted Association of the United States (REA) for keeping enlisted men and women serving in the Reserve Component in the forefront of your work as evidenced by your introduction of a bill to mandate minimum periods of rest and recuperation between deployments.

REA appreciates the intent of the bill to provide predictability for serving reservists, their families and their employers.

Your continued support of the Reserve Components is greatly appreciated.

Sincerely,

LANI BURNETT,
CMSgt, USAFR (RET),
Executive Director.

VETERANS FOR AMERICA STATEMENT IN SUPPORT OF H.R. 3169

We are compounding the wounds of war.—Bobby Muller, President of Veterans for America.

Veterans for America strongly supports H.R. 3159, sponsored by Rep. Ellen Tauscher, calling for adequate dwell time for our service members serving in Iraq and elsewhere.

Current deployment policies and operational tempo are compounding the wounds of war. It is a medical fact—confirmed by DoD studies such as the Mental Health Advisory Team IV—that repeated exposure to combat greatly increases the likelihood of service-connected mental health problems. The DoD Mental Health Task Force has already reported that almost half of the members of the Guard and Reserve who have served in Iraq are experiencing such problems, as are 38 percent of Soldiers, and 31 percent of Marines.

Inadequate dwell time will cause these numbers to further increase.

Rep. Tauscher's bill will help to ensure that our brave men and women in uniform have the time at home they need to prepare for a return to combat.

Veterans for America urges members of the House Armed Services Committee to support this important legislation. The well-being of our service members depends on it.

Mr. Speaker, I would like to briefly comment to my colleague from California when he talks about and laments on behalf of the Pentagon about all of the problems that they are potentially going to have making all these units up and doing all of these things.

I would like to remind my colleague that the Pentagon has plenty of people speaking for them and working for them. It is our job as the Members of the House of Representatives to speak for our Armed Forces and their families to be sure that we have a consistent policy for dwell time and rest. I appreciate the fact that we are all interested in making sure that we have a strong military, but we need to do that in a way that is responsible and responsive to the needs of our military and their families.

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

Mr. HUNTER. Mr. Speaker, I would like to yield 4 minutes to the gentleman from New Jersey (Mr. SAXTON), who is a former chairman of the Terrorism Subcommittee and the ranking member on the Subcommittee on Air and Land Forces.

Mr. SAXTON. I want to thank Mr. HUNTER for yielding time and just say to my friend, Mrs. TAUSCHER, that I very much understand and appreciate the goals that she has in bringing this legislation forward, but, at the same time, I think there are some realities that we have to face relative to the subject that the bill addresses.

The problem here is twofold. Number one, there is the issue of command flexibility. As Mr. HUNTER pointed out just a few minutes ago, we learned in previous wars that making decisions on tactical activities in a war should not probably be made at the White House and probably should even less likely be made here by 435 Members of Congress.

So while I very much appreciate and agree with the goal of making sure that every soldier and Marine and every member of the four services gets time to recharge their batteries between deployments, having a law which stipulates how precisely that is to be done is a very unwise thing to do.

Secondly, let me say that this problem involves the total number of people that we have in the service. We make decisions from time to time, and sometimes those decisions are right, hopefully most of the time those decisions are right, but sometimes they are not.

In 1991 and 1992, when we started to hear about the ''peace dividend,'' we decided, collectively, all of us together, some in disagreement, that it would be okay to reduce the size of the Army from about 18 divisions to the equivalent of 10. We collectively decided to reduce the number of people in the Army significantly, almost by half. So today we are operating with the equivalent of 10 divisions, made up in a different structure, a brigade structure; and today 20 of those brigades, Army and Marine brigades, are deployed in Iraq.

When the Commander in Chief and his military commanders in the field decide they need to make changes, they make them based on need, based on threat, and based on operational plans and operational capabilities. That flexibility must in this situation, in my opinion, be preserved.

So, while those of us on this side of the aisle certainly share the goals of the gentlewoman from California, this bill is most unwise and will do, as Mr. HUNTER said, much more harm than good to our troops in the field.

Mrs. TAUSCHER. Mr. Speaker, at this time, I am happy to yield 1 minute to my friend and colleague from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for yielding and I rise in strong support of her legislation.

Mr. Speaker, there is no disagreement that we should do only what is right for our troops in the field and keep them safe, but there is a disagreement over the meaning of article I of the Constitution of the United States.

Conduct of the foreign policy of this country is not the exclusive purview of the executive branch, but for too long in this institution we have behaved as if it is. So this bill says that it is about time that the Congress of the United States took on our responsibility for assessing the problems in Iraq, took on our responsibility to provide for the common defense. Not to be a spectator as the executive branch makes these decisions in isolation but to be a thoughtful and full partner in that decision-making process.

It is very important for the Members to understand that if the President feels that there is an impairment to the national security of the country, he has the authority to waive the provisions of this bill. But, absent that, he should abide by it.

Please vote ''yes.''

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank my friend from California for yielding.

Mr. Speaker, I listened with interest to this debate. I think I will start with the constitutional side of this and what I believe is a disagreement and maybe a fundamental and real disagreement in the Constitution.

I will make this statement, that the Constitution grants Congress the

power to do three things with regard to war: One of them is to declare it, and that is clear; the second one is to raise an Army and a Navy and, by implication, an Air Force, and that is clear; and the third thing is to fund it. But there is nothing in this Constitution that says that we have the authority to overrule the Commander in Chief, nor to micromanage a war. Nor are there any 535 generals that are somehow or another empowered within article I or any other article of the Constitution it.

So when the gentleman says that it is a constitutional responsibility of Congress to conduct foreign policy, I would ask, where in this Constitution do you find that? I find that all vested in the powers of the President, where he appoints ambassadors, he sets foreign policy. Yes, with the advice and consent of the Senate on the confirmation, but it is the President's foreign policy, it is the President's State Department, and it is the President's military to command.

When we deviate from that, we put ourselves in the condition where our Continental Army was back before we established this Constitution. They knew what was wrong. The Continental Congress was trying to fight a war by consensus, and that is why we have a Commander in Chief, and we must adhere to that.

If you really want to give some rest to these troops, don't tell the President what he has to do. He is doing all he can to give our troops all the rest he can.

I just came back from there. Expand this standing, active duty military so that they can get some rest. Don't pull them out of the field. And if you are sincere about this, don't limit it to Operation Iraqi Freedom. Expand this globally. If you really mean it, they get tired wherever they are, in Afghanistan, Iraq and wherever they happen to be on the globe.

The President knows that. He cares about these troops. I looked him in the eye last week. He is doing everything he can. Everyone is a volunteer, and everyone is a volunteer not just for the military but for this mission. And you cannot separate your support for the troops from support of the mission. You must support their mission. If you are going to ask them to put their lives on the line for us, then you stand for their mission. The least we can do is wait for General Petraeus' report.

Mrs. TAUSCHER. Mr. Speaker, I would like to remind my colleagues that opposing this bill is to ratify the status quo; and if my colleagues choose to say that things are going just great, that we are not damaging our readiness, that we are not damaging the ability for the Guard to be home when they are needed by their Governors to do emergencies here, that we are not overstressing our troops, then I urge my colleagues not to support my bill. They are then ratifying the status quo.

Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I want to thank Mrs. TAUSCHER for this very important legislation, and I support it wholeheartedly.

I want to say to the last gentleman that spoke, it is because we support our troops, because we care about them and their families, that we support this legislation. 159,000 of our troops are currently deployed in battle to stabilize Iraq.

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On Tuesday, the United States Department of Defense reported that another 20,000 will be sent to Iraq for rotation duty.

In the meantime, our servicemembers continue to suffer through multiple deployments with little time for rest or to retrain. The DOD has continuously failed to meet the goal of deploying active duty troops for 1 year and allowing them to rest for 2, along with ensuring that Reservists are deployed for 1 year and rest for 5. This failure has often been called a backdoor draft.

Not only has ongoing multiple deployments had a detrimental physical and emotional impact on our troops and their families, but it also has hindered the Armed Forces' ability to reach its retention and recruitment goals. Namely, both the Army and Air Force have failed to reach their retention goals for the mid-career and career personnel. At the current rate, there will be few officers and enlisted soldiers left to lead. Who will be our next generation of soldiers? I urge all of my colleagues to vote in support of this legislation.

Mr. HUNTER. I yield 3 minutes to the gentlewoman from Virginia (Mrs. DRAKE).

Mrs. DRAKE. Mr. Speaker, I recognize that this is a contentious issue. I also recognize that some of us will never agree on the question of Iraq and whether our presence there is justified. However, I believe there is common ground, and I introduced a substitute amendment during the Armed Services Committee that highlights the common ground.

My substitute amendment, which is modeled after Senator LINDSEY GRAHAM's alternative to what has come to be known as the Webb amendment, replaced the base text with a sense of Congress that the Department of Defense should strive to meet certain goals concerning dwell time between troop deployment.

My amendment maintained the goals that are outlined in the underlying bill. My amendment represents an alternative that touches on the issues that all of us, Republicans and Democrats, agree on. We all agree that our troops need to rest between deployment. We all agree that a rested fighting force is an effective fighting force. We all agree, hopefully, that these goals should not be limited to troops deployed to Operation Iraqi Freedom, which the underlying bill unfortunately does.

We all agree that this committee must continue, as it has done so effectively in the past, providing the resources to our troops that they need to do their jobs effectively and safely.

I believe this bill creates an unrealistic expectation on the part of our families and our military members. The bill does not define threat to national security interests, and the Presidential waiver is simply paperwork with no minimum standard.

I also believe this bill violates the separation of powers as defined in our Constitution. Unfortunately, the Democrat majority decided to consider this bill under a closed rule with no room for debate on alternatives.

Mr. Speaker, there is common ground on this issue, but, unfortunately, it is not represented in this bill, and I urge my colleagues to vote against H.R. 3159.

Mrs. TAUSCHER. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentlewoman for introducing this legislation and giving me 1 minute.

Deployed, depleted, desperate. Deployed, depleted, desperate. A news article in the Raleigh, North Carolina, paper in April of this year, and I read: ''The volunteer military, especially the Army and the Marine Corps, has been ground down by endless combat deployments.'' Deployed, depleted, desperate. They desperately need this bill to pass so they can spend time with their families.

One other quick point. An Army study found that the more often soldiers are deployed, the longer they are deployed each time. And the less time they spend at home, the more likely they are to suffer mental health problems, such as combat trauma, anxiety, and depression.

I close by saying again, deployed, depleted, desperate. We have got to pass this legislation. God bless our men and women in uniform. As Barry McCaffrey said in the spring of this year, the Army and the Marine Corps are going to unravel if we don't help them.

Mr. HUNTER. Mr. Speaker, I want to address my remarks to the gentleman, for a second, to the gentleman who just spoke.

My son is a marine who is doing his third tour. He is calm. He is determined. He loves his country, just like all of his fellow marines. The constant illustrating or projecting of our Armed Forces as somehow victims is something that finds absolutely no truth when you go out among our uniformed personnel.

The Marine Corps has never been more effective. They have never had higher morale. They have excellent reenlistment rates. Interestingly, there are high reenlistment rates among the

people that are in combat. They are not deployed to the point where they are depleted, and they are not desperate and their families are not desperate.

With those happy words, I would like to yield 3 minutes to the gentleman from California (Mr. MCKEON), a member of the committee.

Mr. MCKEON. Mr. Speaker, I thank the gentleman for yielding, and I thank him and his family and son, especially, who joined the Marines the day after 9/11 and is now serving his third deployment.

I rise today in opposition to the cleverly dubbed troop readiness bill being considered. While none of us here want to be at war, the fact remains that we are. And we owe it to the honorable men and women in uniform to provide the proper tools, resources and atmosphere for victory.

So it is beyond my comprehension that my colleagues on the other side of the aisle must insist on limiting the authority of our military leaders and General Petraeus.

From the outset, this poorly crafted dwell time bill may have the faint appearance of trying to improve the readiness of units and quality of life of members in the Armed Forces, but it is just another example of the disingenuous goal masked by a clever name. In truth, the bill is a backhanded attempt to force an American withdrawal from Iraq.

In doing so, the bill limits the flexibility of the U.S. military commanders to conduct operations in the field and only prohibits troops deployed in Iraq. This is a point that should not be overlooked. The true intent of this legislation is obvious. There are mandates that only apply to the U.S. forces committed to Operation Iraqi Freedom. Afghanistan, another active theater in this war against terror, is not even mentioned. If this were a sincere effort on the part of my Democrat counterparts, it would apply to all deployments.

Mr. Speaker, the harsh realities in this bill would have lasting negative effects on our military and would inappropriately infringe upon the constitutional duties of the President of the United States as Commander in Chief. If this bill were to become law, it would paralyze our military. It would increase stress on our Armed Forces by reducing the pool of forces available and would intensify the risk of our soldiers remaining in Iraq. Moreover, it could theoretically extend the amount of time forces remain on the ground in Iraq, which would negatively impact the morale of our soldiers and their families at home.

Mr. Speaker, H.R. 3159 is bad policy, and I urge my colleagues to oppose it. Churchill once said in the midst of another war, ''Give us the tools and we will finish the job.''

Mr. Speaker, it is the duty of this House and of this Congress and of this Nation to give our men and women the resources they need to see this conflict through to the end. While our troops are fighting in Iraq, Democrat leadership is crafting thinly veiled legislation to weaken their ability to succeed, and I think we must ask ourselves why. I urge my colleagues to join me in opposing this bill.

Mrs. TAUSCHER. Mr. Speaker, I remind my colleagues that voting against this bill is to vote for the status quo.

At this time I am very happy to yield 2 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Mr. Speaker, to paraphrase an old ad, when ELLEN TAUSCHER and IKE SKELTON speak, I listen. They work together carefully on important legislation, and this is a piece of important legislation.

I don't know about others in this Chamber, but I am tired. We have been working all day and all night for weeks to try to get to an August recess after accomplishing as much as possible. It is 100 degrees outside. The humidity level is very high, but we are in an air-conditioned place.

In contrast to us, over 100,000 American troops, very brave kids, are in 120 degree weather with 40 to 75 pounds of equipment on their backs, bravely defending America. I think as tired as I am, this bill strikes the right tone and says that in order to fulfill our constitutional duty to provide for the common defense, our constitutional duty to provide for the common defense, we have to make sure that we have a ready military.

Mr. Speaker, we don't. It is broken. Every expert we have heard from knows that. Our failure to plan adequately for the post-military phase in Iraq and Afghanistan and elsewhere has created a broken military.

So I commend the sponsor of this bill and the others who have helped draft it. I am proud to be a cosponsor in the effort to state clearly that the kids we have sent into harm's way should get the rest and training they deserve.

I would close by saying there was a lot of conversation this morning about FISA and how we are at heightened risk and we are doing the wrong things. Well, I know what is the right thing to do about FISA, and I know what is the right thing to do about a broken military. Pass this bill.

Mr. HUNTER. Mr. Speaker, I am just constrained again, and I yield myself 30 seconds.

The military is not broken. The Army is not broken. The Marine Corps is not broken. This continued depiction of our military people as victims who are totally desperate, as the last Member of Congress who spoke on the other side depicted them, that they are somehow desperate, their families are desperate, they are ineffective, they are broken, is totally in error.

We have never had better morale. We have never been more effective. The interesting thing is the people who are reenlisting are reenlisting from the combat units. That means that they think that their mission has value, and that means that they have high morale.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I don't think you can find a single Member in this House who does not want the war in Iraq to end. We pray every day, every day that the war ends. And we are all so very proud of the brave men and women who serve us in the Armed Forces. We all want them to come home to their families safe and secure.

But unfortunately, the terrorists don't really care what we want. Like it or not, the terrorists' war against us is going to continue through the end of this administration and into the next. Whatever you think of George W. Bush, after his time is up, this war will not end.

I can understand the consternation that some have for the way the Bush administration has prosecuted this war. I can understand the desire of some who want to tie his hands. But for the life of me, I cannot understand why we would want to tie the hands of the next administration, of the next President, as he, or she, takes on the mantle of responsibility to lead our Armed Forces as Commander in Chief.

In fact, I just heard the other day one of the major Democrat Presidential contenders, Senator OBAMA, who said that as President he might order an invasion into Pakistan. This, of course, would be a major escalation of the war. How would this legislation affect his ability to do that? What impact would it have on our troops, because this legislation only refers to Iraq deployments.

Could some troops who just returned from Iraq, could they immediately be deployed to Pakistan by ''President Obama''. I believe it would allow that, regardless of their need for dwell time.

All of us need to think through everything we are doing and how our actions affect our troops and their families. Military families should not be given false hope of decreased deployments and longer dwell times, because any President forced to take on the tremendous responsibility of leading our Armed Forces in this war will just utilize the waiver provisions in this bill and make it meaningless.

You would think any President would just give their Secretary of Defense a blanket waiver. So really, what is the point of this legislation?

Mr. Speaker, in September, General Petraeus will be coming to Congress with his unvarnished assessment in his report on progress in Iraq. Recent reports fortunately have been more positive about the progress being made by our military; although, I will note that the lack of progress by the Iraqi Government on the political front remains a huge problem. The fact that the Iraqi Parliament is taking a recess is cause for great consternation.

But let us all pray that real progress is happening which will allow our troops to come home, and complete their mission and come home soon. I would ask my colleagues to wait to hear the assessment from General Petraeus and then make a judgment on how to move forward in Iraq. I don't believe this legislation is fair to our troops.

And I also want to make a point that I have very high regard and respect for my colleague, the gentlewoman from California, who brings this to the floor today. I do not question her motives for a moment on this, but I do urge my colleagues to defeat this legislation.

Mrs. TAUSCHER. Mr. Speaker, at this time I am very happy to yield 1½ minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentlewoman for yielding.

I want to say as a marine combat veteran 40 years ago in Vietnam, I sometimes wonder, as I look around this Chamber, which Members would I follow into combat. Those of you who are sitting here now, those of you who are sitting here now, are you competent enough to lead soldiers into this very difficult human endeavor?

The troops are doing a stunningly competent job and they continue to do so. Are we as Members of this House doing a stunningly competent job to be thoroughly informed about the problems of the war in Iraq and the Middle East?

Part of our competence must be to understand the psychological and physical stress our soldiers in real combat must endure. Experience in combat, those of us who have been there, know how valuable that is to one soldier and the next soldier. But we as policymakers must come up with a policy, and we weigh that experience that is necessary with the physical and psychological endurance of those soldiers that is necessary.

Respecting the troops means we are responsible and competent in developing a policy that is worthy of those young men and women. I urge support for this legislation.

Mr. HUNTER. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Missouri (Mr. AKIN) whose son has served as a marine in Iraq.

Mr. AKIN. Mr. Speaker, I have to say in terms of sympathy, I understand the motivation I believe and the interest in our troops that this legislation is designed to deal with. I have two marines that are my sons. I have visited the one when he was in Fallujah. I talked to a number of their troops. I think I understand the stresses that are involved in warfare, also as somebody who served as an officer myself.

That said, however, I think there is a danger when we take a look at a specific problem and we try to micromanage a solution from the position of Congress. It didn't work during the War of Independence. And the tradeoffs as to whether or not you are going to leave somebody in theater longer, there are a lot of different factors that you have to balance and a lot of special situations.

To give you one that seems a little bit obvious, I suspect that General Petraeus and other generals have been in theater a pretty long time. They probably would have to get a special waiver from the President to do their jobs.

We understand it would be better if they could take a break and see their families more, but the specific situation in their situation calls for the fact that this sort of blanket rule we are going to top-down impose as Congressmen or Congresswomen doesn't make a whole lot of sense.

□ 1240

To try to set up a policy now and to hamstring all the military planners and to apply it just specifically to the situation in Iraq effectively reduces our options, makes it more complicated for us to get our job done, and effectively makes it so that we have less practical combat strength.

I think all of us have agreed that we've seen that we need more troops, and that's something that we need to deal with and have the courage to put that into the budgets in the future. But I think this is a micromanagement. While it may be inspired by good intentions, and I do know that there is a lot of stress on Marine families and Army families as well, I think this is the wrong to go, and I would urge my colleagues to vote ''no.''

Mrs. TAUSCHER. Mr. Speaker, I'm so happy to yield 1 minute to my friend and colleague, the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the gentlewoman from California for yielding.

Mr. Speaker, I rise today in very strong support of H.R. 3159, of which I'm a proud cosponsor.

I would like to thank the gentlewoman from California and the chairman of the Armed Services Committee for their leadership on this issue.

Just 14 months after returning from deployment in support of Operation Iraqi Freedom, the 833rd Engineer Company of the Iowa Army National Guard was again mobilized for combat duty in Iraq. The men and women of the 833rd have served with distinction. Yet, by providing inadequate and unpredictable rest between deployments, the Bush administration has broken our contract with our citizen soldiers. We have strained our troops, endangering both our men and women in uniform and our national security.

Our servicemembers must have the dwell time necessary to be fully rested, trained and equipped. This bill provides the rest and predictability necessary to ensure the health of our Armed Forces, and I strongly urge its passage.

Mr. HUNTER. Mr. Speaker, I yield to Mr. SHIMKUS, the gentleman from Illinois, 3 minutes.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I thank the ranking member and my good friend, Congresswoman TAUSCHER.

This is a tough bill, and I appreciate it being brought to the floor. People know I come here heartfelt because of my 25 years connected with the United States Army. I don't like to throw that out. You know that. An Army Ranger and Army paratrooper, still an active reservist, but I have become frustrated that we are losing sight of why we have a military.

The mission of the United States military is to fight and win our Nation's wars. Now, many people don't want us to have a military, I understand that, but I think the best hope for democracy and freedom in the world today, even in our work with NATO, is a strong, powerful, committed, professional United States military, and we work on that with our NATO allies.

The mission of the infantry is to get close with and destroy our enemies. Destroy our enemies, to go after them and fight them and send down the message that we're going to fight you until you leave us alone.

Now, there are folks on the other side who don't want us to have that. I am one that thinks it's necessary to have in this country. So I don't think we're in conflict. I do think that we have lost some faith in our leadership in the military. I still have it. I still think our career military officers will make the tough call to deploy and use their troops.

I'm going a little bit slower than I hoped because I'm talking from the heart, but more than just the officer rank, it's the career enlisted leaders. In the Army, it's the command sergeant majors all the way up, from the commanding down to the first sergeant in the company. You have to believe that they will raise the issue about whether their troops cannot perform the mission. That is part of who they are. And when you fight in the trenches and you develop that bond that makes you an effective fighting force, how dare they not think about their soldiers first. I think they do.

I believe in the military. I think their heart's right, and our volunteer military is the best on the face of the earth today. I know we want to keep it that way.

I'm not sure this is the right way to go, but I just wanted to come down and talk from the military's perspective.

GENERAL LEAVE

Mrs. TAUSCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3159.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. TAUSCHER. Mr. Speaker, at this time, I'm honored to yield 2 minutes to my friend and colleague, the gentlewoman from New Hampshire

(Ms. SHEA-PORTER) who's a cosponsor of this legislation.

Ms. SHEA-PORTER. Mr. Speaker, I thank the gentlewoman from California for the opportunity.

I stand here today in strong support of H.R. 3159. As a former military spouse and the proud wife of a veteran, I know how important this is to military families. The President's policies have failed on many levels, but they certainly have failed on the soldiers, the troops who are suffering this great strain right now.

I find it ironic that the Iraqi parliament is on vacation for a month while we stand here and tell our troops that they cannot have a break, that they need to stay in the field in the heat and keep fighting the battle for the Iraqis.

The Army's available, active duty combat brigades, along with 80 percent of the Reserves and National Guard, have served at least one tour in Iraq and Afghanistan; and the strain is starting to show.

Recruiting and reenlistment are down, especially in the Army which has reported about a 7 percent first retention drop, and we're having to offer greater bonuses to attract people. Reports of traumatic brain injury and post-traumatic stress syndrome are up; and this spring the Secretary of Defense announced that active duty soldiers can expect to spend more time in Iraq than they spend at home, with only 12-month breaks between 15-month deployments.

We hear a lot of talk from the White House about supporting our troops. That is what this bill does. This bill will support our troops by supporting their right to have a break from combat, and it will support our military families by protecting their rights to spend time with their loved ones.

I urge my colleagues, regardless of how they feel about this war and the President's policies, to support H.R. 3159.

Mrs. TAUSCHER. Mr. Speaker, at this time, I'm happy to yield 1 minute to my friend, colleague and neighbor from California (Ms. LEE).

Ms. LEE. Mr. Speaker, let me just say thank you to the gentlewoman from California (Mrs. TAUSCHER) for putting forth this bill, which I believe will take a significant step forward in ending this occupation in Iraq.

This administration professes to care about our troops, so let me tell you, why have about 250,000 of our troops served more than one tour? Tell me this, why have tours in Iraq been extended for all active duty Army soldiers from 12 months to 15 months?

I will tell you why. This administration, after nearly 5 years, nearly half a trillion dollars, and nearly 3,700 brave American lives, is willing to sacrifice the health and safety of our troops and the security of our Nation in a last-ditch effort to save face for its failed policies in Iraq.

Enough is enough, Mr. Speaker. The price is simply too high. The least we can do is give our troops this badly needed break. That's the least we can do.

I congratulate Congresswoman TAUSCHER for this legislation and urge my colleagues to support it. Our troops need this, and both sides of the aisle should vote for this in a bipartisan fashion.

Mrs. TAUSCHER. Mr. Speaker, at this time, I'm happy to yield 1 minute to my friend and colleague, the gentleman from Georgia, who is the vice chairman of the Subcommittee on Terrorism on the Foreign Affairs Committee, Mr. SCOTT.

Mr. SCOTT of Georgia. Mr. Speaker, I thank very much Mrs. TAUSCHER. It's such a pleasure to be here.

This is an extraordinarily important bill, and it is timely. I think it's very important to answer one of my colleague's questions about the constitutional responsibilities. It's clear in Article I, section 2, of the Constitution. Both James Madison as well as Hamilton concurred when they mentioned not only to declare war is the duty of the Congress, not only to raise the Army, but to support the Army. Those words are there, Mr. Speaker.

Now, I have been over to Iraq and Afghanistan and talked and looked at the soldiers themselves. I've gone throughout my district and talked to soldiers' families. The stress is in their eyes as you go.

I've gone to Landstuhl in Germany and sat with our soldiers on every trip. I've been three times over there and three times we've been to Germany and talked. The stress is there.

In the military report that was just issued, Mr. Speaker, it said that the extension of the duty, the longer the time and the stress of combat, the longer and the greater occurrences of psychological stress. Our Army may not be broken, Mr. Speaker, but it's at the breaking point, and we need to give ample time for our soldiers to come home and rest.

If you care about the soldiers, vote for this bill.

Mr. HUNTER. Mr. Speaker, I yield to Dr. GINGREY, the gentleman from Georgia, 3½ minutes.

Mr. GINGREY. Mr. Speaker, I want to refer to my colleague from Georgia who just spoke. I reference article II, section 2, of the Constitution where it says the President shall be Commander in Chief of the Army and the Navy of the United States and of a militia of the several States.

Mr. Speaker, I rise today in strong opposition to this legislation. It's rather outrageously being hailed by the Democrats as a readiness measure. Unfortunately, I fear this becomes nothing more than another attempt by this majority to pander to their liberal base and capitalize on public opinion polls by once again, this time a little more subtlety, attempting to draw down the troops in Iraq.

This is because the readiness provision within this bill apply only to troops returning from Iraq. While a unit which just completed a 15-month tour in Iraq could not be deployed for 15 months, they could be deployed to combat in Afghanistan or, for that matter, Mr. Speaker, anywhere else in the world tomorrow without any regard for dwell time or readiness.

Inexplicably, while we're engaged in a worldwide campaign against terror, this majority is only concerned with the readiness of the troops deploying to Iraq.

Further, Mr. Speaker, by legislating the military deployment cycle, this bill would hamper the Department of Defense and bar the deployment of units that may be needed to reinforce our efforts in Iraq. Any constitutional scholar would tell you that these decisions, by their very nature, are the job of the Commander in Chief, not 435 would-be commanders in chief.

Now, to get around these unfortunate facts, my friends on the other side of the aisle included in their bill a Presidential waiver. During consideration of the bill in committee, the dangerous implications it could have on our ability to fight and win this global war on terror were often dismissed by the Democrats, my colleagues on the House Armed Services Committee, because of the presence of a waiver in the bill.

In reality, Mr. Speaker, not only will this bill make it more difficult to prosecute the global war on terror, the waiver adds another layer of bureaucracy that could potentially disrupt the deployment preparation cycle.

Mr. Speaker, all of this comes, unfortunately, during a time when we are just now starting to see marked progress and the momentum swinging in our favor in Iraq. Sadly, what is great news for America and for our troops is consequently bad news for the Democratic majority and this defeatist attitude.

Just this week, a New York Times editorial authored by Mike O'Hanlon and Kenneth Pollack reflected this progress. Make no mistake, Mr. Speaker, these two men have steadily criticized the prosecution of the war and lack of progress in Iraq over the past 4 years. However, just this week they wrote, ''We are finally getting somewhere in Iraq, at least in military terms. Today, morale is high. The soldiers and the Marines told us they feel that they now have a superb commander in General David Petraeus; they are confident in his strategy, they see real results, they feel now they have the numbers needed to make a real difference.''

And thankfully, U.S. casualties in Iraq are the lowest in 8 months.

Mr. Speaker, I know we are all passionate about this issue, and I care deeply about our troops and our Nation, and I know Mrs. TAUSCHER and my colleagues on the other side of the aisle do as well. But now is not the time to risk impeding the progress that we are making. Now is the time to continue building on the turnaround we

have made in the Anbar Province and the improvement we are seeing in Baghdad.

I urge my colleagues to vote ''no.''

Mrs. TAUSCHER. Mr. Speaker, at this time, I'm happy to yield 2 minutes to my friend and colleague, the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank my good friend and thank her for her leadership on the Armed Services Committee; and to my friends on the other side of the aisle, it is great news that we have a new direction in the Armed Services Committee that takes seriously the issues of readiness and the quality of life for our troops.

Some would ask the question, troops are in battle, why are you worrying about the quality of life? Because my friend who cited the Constitution failed to recognize Article I, Section 8, that indicates that Congress does have the authority to declare war. Embodied in that declaration is a responsibility for our troops.

And might I refer my friend to the letter by the Reserve Enlisted Association which is thanking Congresswoman TAUSCHER for acknowledging the importance of rest time, rest time between battles. These soldiers are battle worn, mentally and physically. The first part of their duty they were over there with no equipment, no Humvees that were reinforced, no equipment that protected them from those weapons they were being shot at by. The Veterans for America emphasizes we are compounding the wounds of war.

When I visited Iraq, I would talk to individuals who are carpenters and painters. They were given a gun, and they were told to get into battle. Readiness is a key.

I just was home in my district, and a mother came to me crying. Her son is a naval Reserve officer who's been in the Reserves for some 20 years or so, 38 years old, is being handed a gun and said go off to war. There are disciplines and there are training that we must give to these individuals.

And just a few appropriation cycles ago, I offered an amendment dealing with the time frame for redeployment. We're seeing soldiers being redeployed once, twice, three times, four times with no rest. And so we have a balance here for active duty, Reserve, National Guard forces, and others.

We are clearly doing the right thing in this bill, and I ask my colleagues to support it.

Mr. Speaker, I rise today in strong support of H.R. 3159, the Ensuring Military Readiness Through Stability and Predictability Deployment Policy Act of 2007. I would like to thank my colleague Ms. TAUSCHER for introducing this legislation, and the Chairman of the Armed Services Committee, Mr. SKELTON, for his leadership on this Issue.

Mr. Speaker, no issue will define this Congress more than how we handle the ongoing conflict in Iraq. In recent weeks and months, this Congress has taken definitive action to end what we, and the people of the United States, believe to be a conflict without tangible goals and targets. The American people made their views clear last November: The time has come to end U.S. military involvement in Iraq.

And yet, the Bush Administration has decided to instead increase the numbers of American soldiers in Iraq. President Bush's ''New Way Forward'' strategy, announced in January, calls for the deployment of over 20,000 additional U.S. combat forces, to be used to stabilize Baghdad and the Anbar Province. This is coming at a time when, according to an NBC News/Wall Street Journal Poll, 59 percent of Americans believe we should be reducing the number of troops in Iraq.

Mr. Speaker, at the heart of this effort are our brave troops, the men and women who courageously risk and too often lose their lives thousands of miles from home. The Iraq war has already cost over 3,500 American lives. More than 25,000 Americans have been injured. Thousands of U.S. personnel have lost limbs or suffered debilitating mental and physical injuries. Yet as casualties rise, the Bush Administration pushes for the escalation of American soldiers into the most hostile communities in Iraq. In addition to the enormous expenditure of lives, American taxpayers have paid more than $400 billion to sustain this misadventure.

When a soldier is deployed away from home for lengthy periods of time, his or her entire family suffers. Earlier this week, the United States Army released a report that stated that the children of enlisted soldiers are 60% more likely to be abused or neglected when a parent is deployed to a combat zone. The author of this study commented, ''The surprising finding was that the effect of deployment was so consistent. Just about any way we could divide the population, we found increased rates of child maltreatment during deployment. We looked at pay grade, rank, single or multiple deployments, whether the family lives on or off post—all showed increases.'' Researchers attributed this to the increasing trend of continuous deployment of our soldiers. As Chair of the Congressional Children's Caucus, I would like to register my strong concern about the impact this war is having on American children and families.

This bill, H.R. 3159, contains important provisions to ensure that those who are sent to fight in what I have always considered to be an ill-advised war have adequate time to rest and recover between deployments: time to spend with their families and loved ones, and time to recover from the mental and psychological problems that are all too common after combat deployment. As we continue to work here in Congress to bring this war to a speedy and comprehensive conclusion, I believe we must make every effort to provide consideration for those who bear the brunt of this Administration's ill-advised preemptive war in Iraq.

Mr. Speaker, I believe that our service men and women deserve enough time to rest and recover at home between combat deployments for Operation Iraqi Freedom. This legislation reaffirms the stated Department of Defense policy for deployment, which is currently being waived for Iraq, calling for a 1:2 deployment ratio for active duty and a 1:5 ratio for reserve soldiers. It continues to allow the President and the Chiefs of the Military services to waive these requirements, if unforeseen circumstances arise.

Four years after our ill-advised invasion, the evidence is clear and irrefutable: The invasion of Iraq, while a spectacularly executed military operation, was a strategic blunder without parallel in the history of American foreign policy. This is what can happen when the Congress allows itself to be stampeded into authorizing a president to launch a preemptive war of choice. It is time to rethink our strategy in Iraq, to encourage and engage in diplomacy, and to sit down with the various players in the Middle East and make real strides towards securing Iraq, the Iraqi people, and most importantly our most precious resource: the troops we love so dearly.

Mr. Speaker, I will continue to strongly oppose this war until we are finally able to end this conflict. In the meantime, I believe it is our responsibility, here in Congress, to make sure that those we send to fight and risk their lives in Iraq receive the very best care and services. This includes adequate time to rest and recover between deployments.

I strongly urge my colleagues to join me in supporting this legislation.

Mrs. TAUSCHER. Mr. Speaker, at this time, I'm happy to yield 2 minutes to my friend and colleague, the gentleman from Pennsylvania, Admiral SESTAK.

Mr. SESTAK. Mr. Speaker, this is a tough bill. We found out after Vietnam that, instead of rotating our forces, if we had just stayed there with the same force, as we did in World War II, our fighting would have been more effective and less lives would have been lost. But this war is different.

We found out in World War II that, on average, a man in that combat did 182 days of combat, horrific combat, but 182 days on average. In this war, in those 15 months, our men and women are overseas in Iraq. Every day of those 15 months those men and women go outside the wire, into combat. This is a different war.

I am taken, first and foremost, by the reports that more are coming home with post-traumatic syndrome. I am, second, taken with our constitutional responsibility to make rules for the government and regulation of our armed services. And then third, I'm taken by the waiver, the national security waiver that is placed within this bill that our national command authorities, the President and the Secretary of Defense may waiver for national security reasons the requirement to send troops forward if they have even been home less than they were in combat.

Our national command authorities every day must approve every deployment. They must, therefore, only turn to us and say it is a national requirement that they must redeploy less than they have been over there in Iraq.

□ 1300

This is a different war, and I am glad to see we are taking seriously our responsibility to provide for the rules,

the regulation, the government of our armed services in what is truly a different war and yet give our President the right to ensure that the risks are weighed for a national security waiver.

Mrs. TAUSCHER. Mr. Speaker, I yield 1 minute to my friend and colleague, the gentlelady from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. I would like to thank my colleague, Mrs. TAUSCHER, for her leadership on this committee and on this issue. When I went to Congress, I never thought that I would be deploying troops or welcoming caskets back to my congressional district. What I am learning is most of the young men and women who get killed in Iraq are on their second or third or fourth tour. Clearly it must indicate that they need some rest and down time.

I am here to say I understand, Mr. Leadership in the military, you think you know what you are doing, but I am telling you I sit with mothers and fathers and sisters and brothers and aunts and uncles who have lost people in the military. If all it takes to help them save their lives is to give them some rest, give them some rest.

Does it need to be mandated? Apparently so. Let's mandate it. Let's give our young men and women the time they need, down time, to be able to do a good job. I support your resolution and am glad to stand up with you.

Mrs. TAUSCHER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, what I continuously hear from my colleagues on the other side of the aisle are arguments that speak for poor Pentagon planners that are going to have to work a little harder to put units together and handcuffing the Commander in Chief.

Let me remind my colleagues that this Presidential waiver, which is inside of this bill, is not only substantive, but it is there to prevent further degrading of our military readiness. I think we all understand that we have heard from people like General McCaffrey, who most recently reported to Congress that 88 percent of nondeployed Army Guard units are rated not ready or poorly equipped, that the Army is overextended, and that we will soon be unable to meet our Homeland Security commitments and meet any new threats if we maintain the current abusive and untenable dwell-time policy.

The question for the Members of the House today is who do you stand for. Do you stand for military planners or other members of the Pentagon who have the executive branch to speak for them, or do you stand with the American people, the families of our troops, and the troops themselves, to be sure that we increase our readiness to make sure that we honor their service and their valor and their sacrifice by making sure that they are not only retrained and ready, but they have time to be home with their family before they are redeployed.

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

Mr. HUNTER. Mr. Speaker, could you tell us how much time we have left.

The SPEAKER pro tempore. The gentleman from California has 1 minute, and the gentlewoman from California has 3½ minutes.

Mr. HUNTER. Mr. Speaker, let me make this point: we are in two warfighting theaters right now, Afghanistan and Iraq. We have troops deployed.

We are, by all accounts at this point, doing well in those warfighting theaters. Somebody stays in battle space. For the gentlelady who asked me, who do you stand with, the planner in the Pentagon, or the troops in the field, I would answer very firmly, I stand for the troops in the field. I stand for that marine corporal who needs to have that gunnery sergeant, who's been there before, who understands how you avoid that roadside bomb, who understands how you approach that village, who understands how you work that cannon, who understands how you interrogate people without risking your own troops.

That comes from experience, and the idea that we are going to deny these experienced, noncommissioned officers, these old hands whose experience can make the difference between life and death because their meter didn't expire when they were back home, and they only got 6 months' worth of dwell time in country, rather than 7, is the wrong reason to vote for this bill.

Please oppose this bill, readiness mandates, with a ''no.''

Mrs. TAUSCHER. Mr. Speaker, I want to respond to my colleague, because I think it's important that we make sure that we have everything on the table and that we are very clear about who we are standing for and who we are putting the burdens on.

What is clear to me is that we have the finest military in the world, that we have men and women, sons and daughters, spouses, brothers and sisters, employees, friends and neighbors that have decided to give their country their time, ultimately, perhaps, pay the sacrifice, the ultimate sacrifice, and go fight for the American people and their ideals to protect us here at home.

We have an opportunity today to do what is right, to do what the Pentagon has not done for many reasons. I know my colleagues want to make this about the Iraq war, but I know this is really about our families and our troops.

If we cannot guarantee them some predictability for their dwell time at home, for retraining and rest, we are going to continue to degrade the readiness of our military. We are in no shape in this very dangerous world to continue on that path.

Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentlelady from California (Ms. WATERS).

Ms. WATERS. I would like to commend the gentlelady from California for the tremendous work that she has done, not only to deal with all of the problems of our being in Iraq, but for bringing this legislation to the floor.

The U.S. has been at war in Afghanistan since October 7, 2001, and in Iraq since March 19, 2003. Since that time, over 1 million troops have been deployed to Iraq, in total, with 500,000 having been deployed at least twice. These numbers are rapidly growing at the detriment of the military. There are currently 160,000 troops on active duty in Iraq.

To keep up this level of deployment with an all-volunteer military, the administration is cutting corners on previous rules on troop deployment limits and rest times. Our military is being ground down to the hilt, and it's near the breaking point.

In recent briefings, Major General Batiste said young officers and noncommissioned officers are leaving the service at an alarming rate. Equipment is in dismal shape, requiring hundreds of billions of dollars to refit the force to preinvasion conditions. Active duty companies preparing for deployment to Iraq within the next 6 months are at less than 50 percent strength, are commanded by young and sometimes inexperienced lieutenants, and are lacking the equipment needed for training. Our all-volunteer force cannot sustain the current attempt for much longer.

The lack of deployment limits and dwell times have taken an incredible strain on the individuals who have been asked to shoulder this burden. Post-traumatic stress disorder and similar illnesses are significantly amplified by enduring or repeated deployments to Iraq.

Consequently, our men and women in uniform are returning with levels of mental illness not seen since Vietnam. According to a recent study by the Department of Defense, 49 percent of National Guardsmen report mental health problems. Let us not forget the hidden casualties of the war in Iraq, the families.

Ms. ESHOO. Mr. Speaker, I rise in support of this bill to provide minimum ''dwell-time'' for our troops who have served in Iraq.

Madam Chairwoman, I opposed the war in Iraq from the outset and will continue to do so.

In 4 years, the war has done great damage to our global prestige, our national morale, and our national security. More than anything, it has damaged our military and their families.

It is Congress's duty to ensure that our troops are treated with respect and that they have resources for the missions they perform. Equally important, it is Congress's job to ensure our troops have the rest and training they need. With this bill, we will do right by our military personnel and their families by ensuring they have adequate time at home between deployments.

The Defense Department has established a goal to provide active duty service personnel

with 2 years at home between each year they are deployed, and 5 years at home for every year of deployment for reserves.

Regrettably that goal has not been achieved. In fact, the policy has been waived by the Defense Department for those serving in Iraq.

In the last 4 years our troops and reserves have shouldered the burden of multiple deployments overseas with professionalism and courage. The strain on them and their families grows with each day they are away from home, yet tours of duty have been extended time and again. Just this past April, Secretary Gates announced that tours of duty for the Army would be increased from 12 months to 15 months.

The strain is not only being felt by our troops and their families, it's also affected the Armed Forces, particularly the Army, in meet recruiting and retention goals.

With this bill, we call for time between deployments for active-duty personnel in Iraq to equal to or exceed the length of their most recent deployment. For National Guard and Reserve units and members, the bill calls for time between deployments of at least three times longer than the length of their most recent deployment.

This may seem like a small step, but for our troops it's essential.

I urge my colleague to vote yes on this bill.

Ms. WOOLSEY. Mr. Speaker, I rise today in support of H.R. 3159 and thank Congresswoman TAUSCHER for her leadership.

We have had a lot of disagreement on the occupation of Iraq. There is one thing we all agree upon, however—the support of our troops.

The toll that has been taken on our men and women in uniform is unimaginable. They have volunteered to sacrifice so much in service to their Nation.

Unfortunately, political decisions by this administration have prevented us from bringing this misguided occupation to an end.

Today, we try to fulfill our commitment to the brave troops who are out there serving on the front line. The least we can do is to ensure that every service member gets the right amount of training and rest. It is our moral obligation.

I support H.R. 3159 and look forward to the day when we can bring our troops home for good.

Ms. WATSON. Mr. Speaker, we have had some fierce debates here in the Congress about our occupation of Iraq. Many Republicans insist that redeploying our troops from Iraq will lead to failure there. My Democratic colleagues and I see it much differently. We see clearly that our continued occupation is a debacle that prevents Iraqis taking control of their own nation and destiny.

But what Democrats and Republicans can agree on is that Iraq is not America's only national security concern. America faces several potent strategic challenges: al Qaeda. Afghanistan. Iran. North Korea. If we continue to exhaust our military in Iraq, we risk being at a disadvantage facing these other dangerous threats.

This bill ensures that our troops get the rest, recuperation and retraining they need to be most effective. If we fail to provide our troops with the time they need to rest, refit, and retrain at home, we are putting them at a disadvantage when they return to theater.

Furthermore, the common sense provisions in this bill mean that we are paying attention to another group that has borne the brunt of this war: our soldiers' families. It has been said that there are two ways to break the military: you can break the soldier, or you can break the family. Our troops agreed to accept a certain level of hardship when they enlisted. The least we can do in return is make sure that we have their back, and are giving them the time they need to recuperate.

The strength of our armed forces comes from the strength of our men and women in uniform. If we fail to pass this bill, we risk weakening American national security. We face a host of threats beyond Iraq. Pass this bill to keep America strong and prepared.

Mr. PAUL. Mr. Speaker, I rise in support of this legislation to provide some Congressional oversight over the deployment and maintenance of our troops stationed overseas. As the Constitution states in Article I Section 8., Congress has the power "to make rules for the government and regulation of the land and naval forces," and therefore Congress has an obligation to speak on such matters. I have been and remain extremely concerned about the deployment extensions and stop-loss programs that have kept our troops deployed and engaged for increasingly extended periods of time. My constituents who are affected by this policy have contacted me with their concerns as well.

The legislation at least seeks to provide some guidance and relief to our troops who have been stretched to the limit by the increasing duration of deployment overseas and the decreasing duration of time back home between deployments. Several military experts, including General Barry McCaffrey, have commented on this problem and the challenges it poses to the health and safety of our troops.

Although I am voting for this bill, I am increasingly concerned about Congress's approach to the issue of our continued involvement in Iraq. Rather than a substantive move to end the US military presence in Iraq, this bill and others that have passed recently seem to be merely symbolic moves to further politicize the war in Iraq. Clearly the American public is overwhelmingly in favor of a withdrawal from Iraq, but Congress is not listening. At best, the House seems willing to consider only such half-measures as so-called re-deployment. We need a real solution that puts the safety of our troops above politics. We need to simply bring them home. As I said recently on the Floor of the House, we just marched in so we can just march out.

The proper method for ending the war is for Congress to meet its responsibility to deauthorize and defend the war. Micromanaging a troop deployment is not the answer since it overstays the bounds of Congressional authority.

Mr. HOLT. Mr. Speaker, the House is taking action today to bring some sanity back to our military deployment and rotation policies. I intend to vote for this bill.

We all know that because of these repeated deployments, the divorce rates of military families are up, and the financial burdens faced by our Guard and Reserve families have been enormous. While this bill cannot address all of the deployment-related problems confronting our military families, it would address one of the most glaring: insufficient down time and retraining between deployments.

If this bill becomes law, it would mandate dedicated periods of time between deployments for all servicemembers. For active duty personnel, the intervals between deployments would have to be at least as long as the last deployment itself. For our Guard and Reserve forces, the interval between deployments would have to be at least three times the length of a servicemember's last tour.

Every Member of this House can tell multiple stories they've heard from servicemembers or their family members about the toll that these multiple, sometimes back-to-back deployments take on our military families. Let me quickly relate one story I've heard, one of many reasons I'm voting for this bill today.

Bill Potter is an attorney and lecturer in politics at both Princeton University and Rutgers University. Just over a year ago, he wrote an op-ed in the Trenton Times regarding the situation of his nephew, a Marine Corps captain, who had been blinded in his right eye after being fired on by an Iraqi policeman-turned-insurgent—one of many Iraqi policemen-turned-insurgents that we have trained and armed with an inadequate counterintelligence effort by the Iraqi government to weed out such bad actors.

Bill's nephew is a remarkable young man. Wounded twice in Iraq on his first tour in 2005, recovered sufficiently to go on a deployment to the Pacific in 2006 and is now facing the prospect of a second tour in Iraq beginning in January 2008—and of leaving his now nine year-old son behind for a third time in as many years.

This young Marine—like so many others—has already paid too high a price for this President's misguided war in Iraq. This bill, if enacted, would at least give our servicemembers and their families some real down time between deployments—time to reconnect with each other, and time for these gallant Americans to get the rest and refresher training that they will need to face the future. It's for all of those reasons that I'm voting for this bill, and I urge my colleagues to do the same.

Mr. WOLF. Mr. Speaker, I went to the Rules Committee yesterday for the fourth time since January asking that my amendment be made in order to allow the House to discuss and vote on the recommendations of the bipartisan Iraq Study Group as the way forward in Iraq.

For the fourth time this year, the Rules Committee said no. I can only assume from that action that the Democrat leadership instead prefers to continue to lock down the House and deny the opportunity to take the bipartisan road on Iraq policy.

On the question of finding solutions in Iraq, this House cannot continue to just blindly follow the White House or the leadership of the Congress.

The Washington Post has editorialized that the debate on Iraq in recent weeks is all about political gamesmanship. Every member in this House knows that's true and that is what's been going on here. More importantly, I believe that the American people know what's going on. Just look at the polls on where Congress stands.

We owe it to the men and women in our armed forces who are putting their lives on the line every day in Iraq to at least take the time to discuss the recommendations of the Iraq Study Group.

We also owe it to their families.

We need to have a honest, true debate on the recommendations of the Iraq Study Group.

To not vote on the recommendations of such a distinguished group that took over eight months looking at this issue and talking to dozens of military officers, regional experts, academics, journalists and high-level government officials from America and abroad just doesn't make sense. Take a look at the Iraq Study Group report for the extensive lists of those who advised the ISG, including the military senior advisor panel—retired Navy Admiral James O. Ellis, Jr., retired Army General John M. Keane, retired Army General Edward C. Meyer, retired Air Force General Joseph W. Ralston, and retired Army Lt. General Roger C. Schultz, Sr.

As I have said time and time again, the Iraq Study Group is the way forward and what I believe is the best and most appropriate way to be successful in Iraq.

It was bipartisan and all of its 79 recommendations were unanimous.

Two of its members—Lee Hamilton, the co-chair, and Leon Panetta—served in this body. Two others—Alan Simpson and Chuck Robb—served in the Senate.

Co-chair Jim Baker and Lawrence Eagleburger served as secretary of State.

Bill Perry was President Clinton's secretary of Defense.

Bob Gates served on the panel for seven months—stepping down to become the current secretary of Defense.

H.R. 2574, the Iraq Study Group Recommendation Implementation Act of 2007, which was the basis of the amendment I asked to be made in order under the bill we are debating today, has 59 cosponsors—34 Republicans and 25 Democrats.

We all know the war has created a bitter divide in our country. The ISG allows us to come together.

I will say it again: the best way forward is for both the Congress and the president to embrace the recommendations of the Iraq Study Group.

Mr. Speaker, in the final analysis, it comes down to doing the right thing. The question is, when will the leadership in Congress show the courage that the American people expect and do the right thing—not for me or for the members of this House, but for the thousands of brave men and women serving in uniform, their families and the good of our country?

Mr. CONYERS. Mr. Speaker, I rise in support of this bill.

We continue to fight to end the war in Iraq. However, in the meantime, we must ensure that our troops are provided with the time to return home, rest, recuperate and train before they return to battle. Our troops have risked their lives and Congress has a responsibility to stand up for them.

The legislation we are considering today strengthens the American military by mandating minimum periods of rest and recuperation for units and members of regular and reserve components of our Armed Forces between deployments. The bill states that if a unit or member of a regular component of the Armed Forces deploys to Iraq, they will have an equivalent amount of time at home before they are redeployed.

The legislation will help alleviate a significant military readiness crisis. When the Bush Administration took office in 2001, all active duty Army divisions were rated at the highest readiness levels and were fully manned, equipped, and trained. Now, the Administration's failed policies in Iraq have depleted our military and put a tremendous strain on our troops. Already, an estimated 250,000 soldiers in the Army and Marine Corps have served more than one tour in Iraq and each one of the Army's available active duty combat brigades has served at least a 12-month tour in Iraq or Afghanistan. And this spring, the Defense Secretary announced that all active duty Army soldiers would have their tours in Iraq extended from 12 to 15 months.

The war in Iraq has had disastrous consequences for our Armed Forces and our troops. By reducing the stress on our men and women in uniform and ensuring they get the training they need to stay safe, this legislation makes support for the troops into more than an empty slogan.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 601, the previous question is ordered on the bill, as amended.

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.

MOTION TO RECOMMIT OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HUNTER. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hunter moves to recommit the bill H.R. 3159 to the Committee on Armed Services with instructions to report the same back to the House forthwith, with the following amendments:

In subsections (a)(1) and (b)(1) of section 2, strike ''No unit'' each place it appears and insert the following: ''Subject to section 3, no unit''.

Add at the end of the bill the following new section:

SEC. 3. CERTIFICATION REQUIREMENT.

Subsections (a)(1) and (b)(1) of section 2 may not be implemented unless the Secretary of Defense certifies to the President and to Congress that implementation of those subsections—

(1) would not cause the tour length of any deployed unit (or members assigned to that unit) to be extended; and

(2) would not increase the operational risk to any deployed unit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. HUNTER. Mr. Speaker, thank you. I want to thank my colleagues on both sides of the aisle for their decorum during this debate and for their true interest and their motivation in support of our troops.

We all want to conclude this war. We all want to do everything that we can for military families. We simply have a difference of opinion as to whether or not mandating certain rest periods before a soldier or a marine can go back to battle is in the interest of the war fighting troops.

My answer is, it's not in the interest. It will not raise their morale. What it will do is it will deprive our war fighting troops. It will deprive that corporal, it will deprive that squad in Fallujah or Baghdad or up in Mosul. That experienced old hand, that NCO, who is in the military for a career, and who knows that particular area, and he knows how to avoid roadside bombs, and he knows how to interrogate insurgents, and he knows how to approach a certain canyon so that you don't expose yourself to fire. He won't be there if the gentlelady's motion passes, because he will only have spent 6 months instead of 7 months back at Camp Pendleton, and he won't be available to move to the field of battle.

Now, you know, this is a war of specialties, and I notice that one thing that the majority did, which I think was a good move, was that they excluded the special operations forces from this particular law. The reason they excluded them is because they are special operations forces who have to move back and forth in the theater and have to move out of the theater on a regular basis, sometimes going back and forth between Afghanistan and Iraq, because they have specialties which mean life or death to our war fighters in both of those theaters, and they can't be held back, chained back by this law.

I have got news for my colleagues. There are a lot of people in the regular forces whose presence also means life or death to the combatants in those forces. You have to have experience.

Even the line units are full of specialties. If you have a person who is an expert in roadside bombs, and he comes back after a 7-month tour, if he is a marine, or after a 1-year tour, if he is an Army soldier, he comes back and he gets the latest schooling on a jamming device that will keep that 152 round from blowing up, that roadside bomb, and destroying a Humvee and destroying American soldiers.

He has that capability. But he now cannot go back into theater because the Tauscher amendment has passed, and he can't be deployed. So he stays here with that particular insight, that particular capability, and probably the Marines or the Army will rush a team in. They will try to give them a fast learning period and rush them in, to be a poor substitute for this guy who really has the expertise of telling our people how to jam those signals that detonate those deadly roadside bombs.

Now, what if we need decontamination, we have got a decontamination team in the regular military. They can't go over unless they get a waiver from the President.

Well, it was argued that these waivers will be easy to get. But you know the Marines have told us that they can't plan for a waiver, because they can only follow along. The law will say you can't go.

I have got a picture that I have kept in the Armed Services Committee for a

long time, as the former chairman of the committee, and now ranking member, serving alongside my great friend, Mr. SKELTON.

□ 1315

It is a picture of a 5-ton truck that was struck by a Humvee with a particular armor equipment and an armor package that this committee sent those soldiers. And there is a letter attached to it and it is a letter of thanks that says, ''Thanks to you on the Armed Services Committee for making sure that we got this armor.'' And this was after this 5-ton truck has been blown up. And it said, ''We owe our lives, the fact that all eight of us were able to escape, to you on the Armed Services Committee,'' but it also says, ''to our gunnery sergeant.'' That gunnery sergeant that had the capability, that had that certain expertise of being able to do what it took to make sure that all eight of his people survived.

Mrs. TAUSCHER has said, who do you stand with, the big Pentagon planners or the troops?

The worst thing you can do, Mrs. TAUSCHER, for my son who is on his third deployment, or anybody else's son, is to take away that gunnery sergeant or that senior NCO or that expert who can stand by their side and help them to survive in this very dangerous warfighting theater.

Please vote for this motion to recommit. This motion to recommit says that you cannot make this law certain unless you——

The SPEAKER pro tempore (Mr. LYNCH). The gentleman's time has expired.

Mr. HUNTER. I would ask the gentlelady for 30 additional seconds.

Mrs. TAUSCHER. I don't have the time, sir.

Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Mrs. TAUSCHER. Mr. Speaker, I want to make it very clear what this motion to recommit does. This motion to recommit guts our bill and prevents us from giving the dwell time necessary to our troops so that they are not overcommitted, that they can be rested, that they can be retrained, and that they can be resuscitated and spend time with their family.

This motion to recommit prevents us from having the readiness that we need for our national security. It prevents the 50 Governors from having their National Guard back home and rested, with good equipment, to deal with contingencies here at home.

This motion to commit is just another delaying tactic by the minority to deny our troops the dwell time that they need to train, equip, and rest.

The best part about this is the motion to recommit is absolutely unnecessary. If the Secretary of Defense determines that the proposed dwell times in this bill will cause tour lengths of currently deployed units to be extended, or increases the operational risk to deployed units, the underlying bill already provides the President's ability to waive the deployment mandate.

So this motion to recommit is not necessary. It is, once again, perhaps the last fig leaf on the last fig tree that my colleagues can find to not stand with the troops and their families to provide them the dwell time they need at home to be ready for the next deployment.

At this time, Mr. Speaker, I close by saying I urge my colleagues to defeat the motion to recommit and vote ''aye'' on H.R. 3159.

I yield to the chairman of the committee.

Mr. SKELTON. Mr. Speaker, I rise to oppose the motion to recommit offered by my friend, my colleague from California who has served with me through the years on the Armed Services Committee.

The ground forces of the United States in particular are being stretched and strained as never before. For instance, during the Second World War, those that were involved with active combat after 3 or 4 months at the most would be taken off line for rest and recoupment. The young men and young women today that are in Iraq are on point in combat and now are extended up to 15 months. I think this bill helps alleviate that point and helps keep the readiness at a higher level.

The stretching and straining of the ground forces, in particular the Army, will have a breaking point. We already know about the equipment shortage of nondeployed units. Why stretch these young people? Why not bring them home? This is a reasonable proposal, reasonable, and should be enacted into law. And, as the gentlelady from California points out, should there be any problem with any unit, there are waivers provided for in this legislation.

This is simple and straightforward. It is about protecting our military readiness, it is protecting the health of the troops and, by the way, helping those families recoup with their loved ones as they come back home with predictability, knowing when they will be home and knowing when they will be due to be deployed once again.

So I find myself having to vote against this motion to recommit for all those reasons: the families, the troops, and the need for predictability; and I compliment the gentlelady on this proposal to bring about predictability for our troops.

Mrs. TAUSCHER. Mr. Speaker, I urge my colleagues to defeat the motion to recommit, which will deny our troops the dwell time that they desperately need and will deny the American people the readiness in their military. I urge my colleagues to support H.R. 3159, and vote for its passage.

I yield back the balance of my time.

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

There was no objection.

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

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

Mr. HUNTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit H.R. 3159 will be followed by 5-minute votes on passage of H.R. 3159, if ordered, and the approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 207, nays 217, answered ''present'' 1, not voting 7, as follows:

[Roll No. 795]

YEAS—207

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jordan
Keller
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—217

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

ANSWERED ''PRESENT''—1

King (IA)

NOT VOTING—7

Clarke
Crenshaw
Davis, Jo Ann
Ellison
Johnson, Sam
Oberstar
Walz (MN)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1344

Messrs. OLVER, CUELLAR, JOHNSON of Georgia and AL GREEN of Texas changed their vote from ''yea'' to ''nay.''

Mr. CAMPBELL of California and Mr. MORAN of Kansas changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mrs. TAUSCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 194, answered ''present'' 3, not voting 6, as follows:

[Roll No. 796]

AYES—229

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—3

Davis (KY)
English (PA)
Murphy, Tim

NOT VOTING—6

Clarke
Crenshaw
Davis, Jo Ann
Ellison
Johnson, Sam
Oberstar

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1353

Ms. BERKLEY changed her vote from ''no'' to ''aye.''

Mr. TIM MURPHY of Pennsylvania changed his vote from ''no'' to ''present.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal.

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

RECORDED VOTE

Mrs. TAUSCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 186, answered ''present'' 2, not voting 12, as follows:

[Roll No. 797]

AYES—232

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Bachmann
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Forbes
Frank (MA)
Gerlach
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Pomeroy
Porter
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (MS)
Tierney
Towns
Udall (CO)
Van Hollen
Velázquez
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—186

Aderholt
Akin
Alexander
Altmire
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Etheridge
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jordan
Keller
King (IA)
King (NY)
Kirk
Kline (MN)
Knollenberg
LaHood
Lamborn
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—2

Gohmert
Tancredo

NOT VOTING—12

Clarke
Crenshaw
Davis, Jo Ann
DeFazio
Ellison
English (PA)
Johnson, Sam
Marshall
Oberstar
Rangel
Schmidt
Udall (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1400

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated against:

Ms. SCHMIDT. Mr. Speaker, I missed the last vote due to an appointment. Had I been present I would have voted "no" on the Journal.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3161, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 599 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 599

Resolved, That during further consideration of the bill (H.R. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, the bill shall be considered as read. No further debate on any pending amendment shall be in order. A further period of general debate shall be confined to the bill and shall not exceed 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The amendments printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Notwithstanding clause 11 of rule XVIII, no further amendment shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After a motion that the Committee rise has been rejected on a legislative day, the Chair may entertain another such motion on that day only if offered by the chairman of the Committee on Appropriations or the Majority Leader or designee. After a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII) has been rejected, the Chair may not entertain another such motion during further consideration of the bill.

The SPEAKER pro tempore (Mr. ROSS). The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from California, my very good, good friend, Mr. DREIER. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Mr. MCGOVERN. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 599.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 599 provides for further consideration of the FY 2008 Agriculture, Rural Development, Food and Drug Administration appropriations.

Mr. Speaker, I rise in support of the rule, and I rise in strong support of the underlying bill.

I want to thank my dear friend from Connecticut, ROSA DELAURO, the chairwoman of the Agriculture Appropriations Subcommittee for her work on this bill and her passion for fighting hunger in this country and around the world. I also want to commend Ranking Member KINGSTON and Chairman OBEY and Ranking Member LEWIS for all of their efforts and their hard work.

I very much regret that we have gotten to this point. I do not take the idea of structuring debate on appropriation bills lightly. Unfortunately, we have gotten to the point where structuring debate on the Agriculture appropriations bill is the only way to pass the bill before we break for the district work period.

As the distinguished majority leader so eloquently noted the other day, we have spent hours and hours and hours, beyond historical norms, to complete our work on the appropriations bills. Last June, Democratic and Republican leaders came to an agreement that, in exchange for allowing full and fair debate with up or down votes on dozens of amendments, Republicans would allow the appropriation bills to proceed through the House. We have been able to come to unanimous consents to consider those bills, and they have largely passed with large bipartisan majorities.

Now, I know that some of my friends on the other side of the aisle were upset with the process used to consider the SCHIP bill, and after our discussion in the Rules Committee last night, I understand their concerns. But they have decided to use that frustration as an excuse to prevent completion of our important appropriations work, and we do not believe that that is in the best interest of the Nation. Clearly, my friends on the other side have decided to abandon the June agreement, and that is their right. But it is our responsibility, in the majority, to complete these bills in a timely way.

Unfortunately, it has become clear that a small number of Members on the other side was willing to use a filibuster-by-amendment strategy to shut down the House and prevent us from completing our work. Mr. Speaker, if Members wish to filibuster bills, they should run for the United States Senate.

There is a difference between serious legislating and obstructionism. And I believe that offering amendments to cut bills by $50,000 and then $100,000 and then $101,000 and so on, and debating these bills forever and ever and ever and using procedural mechanisms to unjustifiably delay the consideration of bills, not to move serious legislation forward, but to delay the consideration of bills, I think that's obstructionism. And I think what we saw on the floor the other day was obstructionism.

This rule makes in order 12 amendments, all of them Republican amendments on a variety of issues. Many of what I would call the ''usual suspect'' amendments were made in order, amendments by members of the Republican Study Committee to cut certain programs in the bill, an amendment to cut funding across the board, an amendment from my good friend, Mr. FLAKE, to eliminate earmarks.

Mr. Speaker, I also regret that tensions have risen over the last several days. Perhaps it's inevitable before a break, and perhaps it's the heat and humidity, but I hope that all of us can come back after Labor Day refreshed and rededicated to doing the people's business in a civil way.

Mr. Speaker, HILLARY CLINTON says ''it takes a village.'' Maybe for us it takes a recess. In this business, your word is everything; without it, there is no trust. And without any trust, this would be a very, very unhappy place to work.

I thought we had a very good discussion in the Rules Committee last night. I believe we understand each other and where we're coming from a bit better. I know my friend, Mr. DREIER, and other members of the Rules Committee are eager to look for ways that we can make this process better. They have my word and I think the word of all of us on the Democratic side that we want to work with them to make that happen.

In the meantime, however, we have a responsibility to do the people's business. And the rule before us allows us to do that in an orderly way that allows for vigorous debate and votes on amendments.

So, Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

I reserve the balance of my time.

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

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I begin by expressing my great appreciation to my friend from Worcester for yielding me the customary 30 minutes.

I have to ask myself exactly why it is that we are here. One might think that this is Groundhog Day. We've already passed a rule on the Agriculture appropriations bill, and I would say to my friend, we've already passed the so-called SCHIP bill, which proposes a cut for seniors on the Medicare program and a massive tax increase for people all across this country and perpetuates this generational warfare challenge. That bill is behind us.

We have not had a single dilatory motion that I've seen since passage of this SCHIP legislation, and yet the Rules Committee chose last night to do something that, from all of the research that we have done, has never been done in the history of the Republic.

It is true that on occasion we have, after lengthy debate, come back with second rules when we were in the majority. For example, in 1995, we came back with a rule on the Interior appropriations bill that, by the definition of the new majority, would have been defined as an open rule. It simply said there would be a preprinting requirement that was put in order for all of the other amendments that would be offered during the measure.

Mr. Speaker, never before have we seen a rule on an appropriations bill come from the Rules Committee to the floor that self-executes one amendment. But this rule doesn't self-execute one amendment; it self-executes six amendments. This has never, ever been done.

We did, as my friend from Worcester said, have an interesting long discussion last night. We were here until nearly 3:30 in the morning yesterday, and then we had a lengthy discussion as we were waiting for votes here on the floor last night up in the Rules Committee. And I talked about the fact and my colleagues on our side talked about the fact that this was unprecedented. And Mr. HASTINGS, the gentleman from Fort Lauderdale, said, oh, well, will the world come to an end? The world isn't going to come to an end. But one of the great privileges that I have is working with our colleague, DAVID PRICE, on our House Democracy Assistance Commission. And we are, right now, engaged with 12 new and reemerging democracies around the world. I like to argue that one election a democracy does not make.

It's really hard work building democracies. And in countries like Lebanon, Afghanistan, Liberia, Kenya, Macedonia, the Republic of Georgia, the Ukraine, Haiti, Colombia, East Timor, Indonesia, Mongolia, countries that are moving towards democracy or have relatively young democracies, we have been working with their new parliaments because we know how important it is to have parliaments that have committee structure, oversight of

the executive branch, libraries, members who can work to provide constituent services. That's what this 20-member Commission that DAVID PRICE now chairs, and I'm privileged to serve as the ranking minority member on, has been working on.

What we've done, Mr. Speaker, is we've said we have a 220-year history in the United States House of Representatives. We don't claim to have a corner on the truth, we don't know exactly how it's done, but we do have experience. And Mr. Speaker, it saddens me greatly that as we continue to work with these new and reemerging democracies for these countries that are just beginning to have a taste of political pluralism, the rule of law, and the opportunity to build democratic institutions, that we, today, are once again restricting the opportunity that the minority has had.

I will say that my friend has talked about breaking an agreement. You know, there was an agreement, a bond that was talked about in last year's election and a bond that was made with the opening speech that was delivered by my California colleague, the gentlewoman from San Francisco, our new Speaker, the first woman Speaker of the House of Representatives. I regularly laud the fact that she has done that, the first Californian and the first Italian American. I am very proud as a Californian.

□ 1415

But I will tell you that commitment was made on the opening day, and has been made repeatedly, by my very good friend from Maryland (Mr. HOYER), the distinguished majority leader, time and time again. We have continued to hear about this promise that we will have a great new sense of openness. We will have transparency. We will have accountability. We will have the things to which we all supposedly aspire. But what is it we have gotten here, Mr. Speaker?

As bad as you all say that we were when we were in the majority, as bad as the now majority says that we were, Mr. Speaker, when we were in the majority, we would have never contemplated self-executing five amendments in a rule for an appropriations bill.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Wisconsin.

Mr. OBEY. I'm sorry, but the record shows that in the year 2000, when you were chairman, on three occasions, Transportation, Labor-H and Agriculture, you reported self-executing rules.

Mr. DREIER. If I can reclaim my time, Mr. Speaker, I would just say, were there six amendments that were self-executing in the passage of any of those rules?

Mr. Speaker, I am happy to yield back to the gentleman from Wisconsin.

Mr. OBEY. No. They were always Republican amendments, in contrast to this, which are both Republican and Democrat.

Mr. DREIER. Mr. Speaker, reclaiming my time, never before have we had an action such as this, self-executing six amendments in passage of the rule and completely shutting down the process. Mr. Speaker, never before has this been done. I have a litany of colleagues who share my outrage. They want to be heard.

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

Mr. MCGOVERN. Mr. Speaker, facts are a stubborn thing. At this point, I would like to yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, we have proceeded for 10 appropriation bills with an open rule with an agreement we would reach a unanimous consent agreement on those rules within the framework of the time that we spent last year.

I said on the floor that we spent approximately 52 hours longer on the first 10 bills than we had last year under unanimous consents that Mr. OBEY agreed to. I am informed by Mr. OBEY that our staff has recomputed the time, and when one includes the Agriculture bill, it is closer to 80-plus hours longer under open rules. That was certainly not shutting anybody down or out. That was not our intent. In fact, it was not our practice. As I pointed out then, we complied, we think, with the letter of that to which we agreed.

We now find ourselves in the context of trying to move forward on very important legislation. This bill was open, of course, for debate and amendment for an extended period of time. The debate was not used for amendments or debate about the substance of the bill before us.

In fact, it is my understanding the Rules Committee talked to those who wanted to offer amendments in this rule. It is not shutting out all amendments. In fact, what it is doing is including a number of amendments on both sides of the aisle. It includes in the self-executing, to which the gentleman refers, a balanced group of amendments, all of which, we think, will be agreed to.

Mr. FLAKE is going to offer some amendments, one I have a particular interest in. He was given the choice of what amendments that he wanted to offer. Yes, we have limited amendments, because we have limited time and we want to complete this bill.

When we complete the debate on this bill, it will be just a little shorter than the bill that was considered last year. Just a little. We think it is fair. But we are here because we did not pursue the agreement that we thought we had with the open-rule process.

Now, we still have one additional bill to go, the Defense bill. We are discussing that. We are hopeful that perhaps we can proceed as we have proceeded in the past, with an open rule on that bill.

But we are trying to facilitate the doing of the people's business. We said we would do that. That is what we are doing. We believe that Members have been treated fairly.

Yesterday, on SCHIP, there was a request of me to include an additional hour of debate. That was agreed to. I think that was a good and full debate. We had very significant differences on that bill. The bill was approved by the House. I think this bill will be approved by the House and moved. That will leave us just one appropriation bill. I think by the end of this week, we will have passed all of our appropriation bills.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I know that my very good friend, the distinguished majority leader, as am I, is an institutionalist. He is just a little junior to me in this House. I came here just a few months before he did in his special election in 1981.

Mr. HOYER. I will try to show the gentleman the appropriate respect, given that seniority.

Mr. DREIER. That is the reason I reminded my friend of that, of course, Mr. Speaker.

Let me just say that getting the people's business done is a priority for every Member of this House. I recognize the responsibility of ensuring that we move through with our appropriations work. As the gentleman knows very well, we were able to complete the House's work on appropriations bills in the past. The distinguished majority leader wants to do that as well.

I do believe that if we look at the, you can call it a bump in the road, we have had very, very strong disagreement, as I said earlier, over the SCHIP bill. There was a lot of consternation about this. But the fact of the matter is, the additional hour was granted. We have now moved beyond that bill. We are now at nearly 2:30 in the afternoon, and things have moved certainly relatively smoothly today on the floor. I am just saying that I am very, very concerned about setting this kind of precedent to the appropriations process itself.

I recognize we came forward with closed rules in the past. You all, unfortunately, have had twice as many closed rules at this point from the beginning of the last Congress. But on the appropriations process, I just hope, for the good of the institution, that being the half of the American people who won't be able to be heard, there were more than 60 amendments that were in the queue to be considered for this measure, that we don't go down to only 12 amendments. I just find that very troubling.

Mr. Speaker, I thank my friend for yielding.

Mr. HOYER. Mr. Speaker, I thank my friend for his observations, and I reclaim my time.

Mr. Speaker, very frankly, as I have said, we have spent almost 80 hours more on the first 10 bills than we spent last year under the unanimous consents we granted to you under Mr. OBEY's leadership. Given that fact, we considered a lot of amendments.

From my perspective, frankly, in a group of 435, the reason you have a Rules Committee is because you can't possibly accommodate all 435 Members if they want to offer one.

Mr. DREIER. Thanks for telling me that. I was wondering.

Mr. HOYER. As the former chairman of the Rules Committee, you know that.

Mr. Speaker, in fact, in my opinion, although we allowed it, there were an extraordinary number of redundant amendments, 1.25 percent, 1 percent, .75 percent. I understand that. They were message amendments. I understand making messages. That is part of what we are about.

This rule that the gentleman is very concerned about is a precedent. Frankly, we argued for following the precedent of last year. That was not done.

We are now trying to get the business of the people done, while at the same time giving a fair number of amendments, as we do on almost every other bill, but not every amendment. We think that we have done that. We think that we are fair in terms of the amendments that are included in the self-execution, because they are not just Democratic amendments. There are a balanced, equal number of amendments, and one other significant amendment I think will be unanimously supported, I hope and believe, and will facilitate the consideration of this bill and substantively move ahead the work of our country and our people.

Mr. DREIER. Mr. Speaker, if the gentleman will yield further, I mentioned the fact that this is the 27th year for the two of us to be serving in this great institution. If one goes back and looks beyond last year but instead at the appropriations process which during our 27-year period has been considered under an open process, there are times when we would be here late at night voting on appropriations bills in the past. It has allowed Members to work their will as they have gone through this.

So while you have looked at the precedent of last year as part of this agreement that you and Mr. BOEHNER had, the concern that I have is that this is setting a precedent for the future, which is a very, very troubling one.

Mr. Speaker, I thank my friend for yielding.

Mr. HOYER. Mr. Speaker, I will repeat: We are hopeful that we will be able to move forward in the future, next year, as we do the appropriation process, consistent with what we did on the first 10 bills and what we may do on the twelfth bill, in a manner that honors and respects one another's ability to make their point but also to do the business of the people. That is what they expect us to do. That is what we are going to do.

Mr. DREIER. Mr. Speaker, I yield 5 minutes to the gentleman from Dallas, Texas (Mr. SESSIONS), a hard-working member of the Committee on Rules.

Mr. SESSIONS. Mr. Speaker, I rise in strong opposition to this highly unorthodox rule and the unnecessary limiting process that is being proposed and that was even talked about here on the House floor today.

Mr. Speaker, today, for the first time since my service in Congress, the House is considering a rule for the Agriculture appropriations bill that is something other than an open rule. It is also the first time since I began my service that the Rules Committee reported out a limited rule for an appropriations bill that self-executes amendments and revisions to the base text of the bill that may not have withstood the scrutiny of this Congress.

One of the self-executing amendments of particular concern that was inserted late last night in the Rules Committee is included in part A of this rule. It is described as adding a limitation, and I quote, to effectively eliminate three West Virginia earmarks from the committee report accompanying the bill.

Upon further review, it turns out that these three earmarks total more than $1.5 million and were requested by Congressman ALAN MOLLOHAN and would benefit the Canaan Valley Institute, a nonprofit established by Congressman MOLLOHAN.

This highly irregular inclusion of this self-executing provision of the rule is particularly troubling, because the Canaan Valley Institute is currently under investigation by the FBI. In March, when he requested this funding, Congressman MOLLOHAN certified that he had no financial interest in any of the earmarks and affirmed the worthiness of each project.

I strongly believe that this late-night maneuver was not properly vetted through the regular order processes. As a result of that, several serious questions have arisen.

I would like to engage the Democrat Member of the Rules Committee, my friend from Massachusetts (Mr. MCGOVERN), on a few questions about this process.

The first question that I would yield to the gentleman on is, who asked the Rules Committee to take this highly unusual action and what explanation did they provide to justify the removal of Representative MOLLOHAN's earmarks?

Mr. MCGOVERN. If the gentleman will yield, the distinguished chairman of the Appropriations Committee, who is on the floor here today, Mr. OBEY, did. If you would like to ask him questions, you may.

Mr. SESSIONS. I am going to continue asking you questions, and I will continue yielding to you. I appreciate the gentleman.

Did anyone on the Rules Committee inquire as to whether Mr. MOLLOHAN's certification of no financial interest had been proven in any way deficient or inaccurate?

□ 1430

Mr. OBEY. Would the gentleman yield?

Mr. SESSIONS. I yield to the chairman.

Mr. OBEY. Let me simply say the reason these amendments are in the self-executing rule is that we agree with you that under the circumstances they should not be in the bill.

As I warned the House when we first started bringing appropriation bills to the floor, our committee did not have enough time to adequately get all of these amendments that were coming at us, and so we asked for a process which would allow us during the month of August to review all of them.

In the end the House decided they did not want to do that. One of the major reasons is because Members of your party wanted to make certain that we had an opportunity to deal with them on the floor now. I warned at the time that meant that mistakes would be made. They were. When we caught the mistake, I went to the Rules Committee and Mr. MOLLOHAN agreed that under the circumstances they ought to come out.

We ought to be congratulated for it, rather than being questioned about it.

Mr. SESSIONS. Reclaiming my time and continuing my dialogue with the gentleman, in other words, you had figured out that they were inappropriately inserted?

Mr. OBEY. No, we had determined that because they were in controversy, for the good of the House they should not be considered at this time.

Mr. SESSIONS. Continuing my dialogue with either gentleman, in as much as the Mollohan earmarks were approved by the entire Appropriations Committee, does the gentleman know whether the appropriation Members on both sides of the aisle have been advised about the reasons for canceling funding for the projects which they have overwhelmingly approved with the knowledge that it was appropriate at the time?

Mr. MCGOVERN. Mr. Speaker, will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Let me simply say to the gentleman that I very much regret the tone that the gentleman is taking here today.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. DREIER. Mr. Speaker, I rise to yield the gentleman from Dallas an additional minute.

Mr. SESSIONS. Mr. Speaker, another question which I wish to ask is whether the Rules Committee could advise Members seeking to remove Member-supported earmarks from other pieces of legislation, whether they might take

advantage of the precedent we are setting here today and whether they might expect the Rules Committee to look favorably on similar requests for self-executing provisions in the future?

Mr. Speaker, the reason why we ask these questions is because the self-executing provisions of this rule are highly unusual and I believe raise lots of questions. We look forward to asking these questions and hope we get forthright answers.

Mr. MCGOVERN. Mr. Speaker, let me finish what I was about to say to the gentleman from Texas.

I very much regret the tone of his remarks here on the floor today. Last night the gentleman talked about the need for civility and the need for us to have more comity in this Chamber. It is clear today that he obviously lost sight of at least the spirit of his remarks last night. I regret that very much.

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

Mr. OBEY. Mr. Speaker, I think we again need to remind ourselves why we are here in this situation. And I don't like it, but we are here because people need to experience the consequences of their own actions, at least adults do.

Why are we here? We are here because as the distinguished majority leader pointed out, despite the agreement that we felt we had reached for consideration of the appropriation bills, we had seen more than 4 hours of dilatory action the last time this bill was on the floor. As a result, this House was not able to complete action on a single provision in the agriculture appropriation bill even though we were told that the minority was really unhappy about something else totally unrelated to that bill.

So they dragged this out for 4 hours during which we were able to accomplish nothing. At the same time, the President is on the other end of Pennsylvania Avenue. At the same time we have had foot-dragging on the part of the minority on this bill, the President held a press conference this morning in which he is attacking the Congress for not moving these bills at a sufficiently rapid speed.

Secondly, I would point out that, as the distinguished majority leader indicated, we have spent some 86 hours more debating appropriation bills this session than we spent debating appropriation bills the previous session when the now-minority party was then in control. Why was that the case? Because last year we considered 144 amendments to those appropriation bills, whereas this year we have considered 339 amendments. That is a 77 percent increase. It illustrates why I keep referring to filibuster by way of amendment.

There comes a time when we have to face the fact that if the public's work is to be done, we need to move these bills forward. It was very clear that this bill was going nowhere the last time it was on the floor. The distinguished majority leader informed the minority if that was the case, we would have to go to the Rules Committee in order to move the people's business forward. That is exactly what we have done.

With respect to his criticism about this rule containing self-executing provisions, I would simply point out that on eight occasions when the gentleman from California was chairman, his committee reported out, and this House passed, self-executing rules.

In 2000, it occurred on the Transportation, Labor-HHS and Agriculture bills.

In 2001, it occurred on Agriculture, Treasury-Postal, Foreign Ops and Energy and Water.

In 2002, it occurred on the Interior bill. And I have them before me.

In each case, they contain the magic words ''provides that the amendment or amendments printed in the Rules Committee report accompanying the rule shall be considered as adopted.''

Let me simply point out that I think it is indeed regrettable that we have had to adopt this approach in order to finish the public's business on time. But in fact, if Members of the minority want to know why it was required, all they have to do is look in the mirror.

Now I would yield to the gentleman from California (Mr. DREIER).

Mr. DREIER. I will say in response to the assessment that the gentleman provided of my service as chairman of the Rules Committee, I never reported out a rule that shut down the entire process, which is exactly what this rule is doing. With regard to self-executing items—

Mr. OBEY. Reclaiming my time, with all due respect, this amendment makes in order 14 amendments. The majority of those amendments are Republican amendments. One of them is an amendment by the gentleman from Arizona that in fact goes after a project in the district of the majority leader. That is hardly shutting down the process.

Mr. Speaker, they were the ones who shut down the process 2 days ago when they refused to allow us to consider a single new amendment during a 4-hour period.

Mr. DREIER. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the distinguished minority leader.

Mr. BOEHNER. Mr. Speaker, I want to thank my colleague from California for yielding.

I come to the floor today to express my disappointment over where this process has led us and the fact that we are going to shut down the appropriations process and go to what we would refer to as martial law.

Now over the last several days it has become clear that our Members are concerned about what has happened to the process of due deliberation in the House. Over the last several days my name has been taken in vain over the fact that there was an agreement reached earlier this year between Mr. HOYER and myself and Mr. OBEY. And there was an agreement we would bring earmark reform to the appropriation process, and as part of that agreement that we would work towards a unanimous consent request on each of the appropriation bills.

I want to tell my friend, Mr. Speaker, tell my friend from Wisconsin that I feel as though I have kept my part of the deal. I have worked diligently with our Members to try to come to an agreement that our Members felt was fair. The gentleman outlined the number of hours that we have taken on the appropriations bills this year. There is no question that more time has been taken. And that is because we have had a change in the majority here in Congress. We have had a serious change in each of the appropriation bills in terms of the priorities of the new majority versus the priorities of the former majority. So one would expect that more time was going to be taken on these appropriations bills this year.

But what brought all of this to an end was the process by which the State Children's Health Insurance reauthorization was coming to the floor where our Members were shut out of debate, where we were presented with a 488-page bill at 11:30 one night and expected to be in committee the next day ready to have committee action on a bill that had never ever had a hearing.

Now as I mentioned to the gentleman the other night, all we seek on this side is fairness. And so the tactics employed on the Ag appropriations bill the other night was an opportunity for our Members to try to come down and talk about their concerns with the process and their concerns with that work product.

But the actions taken here today to shut the whole appropriations process down, lock it under a rule, self-execute six amendments into this process is unprecedented. I heard the gentleman over the last several years talk about process and how the minority ought to be treated. I heard it day after day.

And I might add to my friend that I had some sympathy for the concerns that he raised. But as I mentioned the other night, all we seek is to be treated the way you asked to be treated. That's all we ask. We could have had a discussion about trying to come to a unanimous consent request on the balance of this bill. We could have sat down and tried to work through the process on the Defense appropriation bill so we wouldn't have to go through this; but that opportunity wasn't presented. So I stand here today with regret that we have had to come to this point.

I am one who believes that there is a way we can disagree on our policy differences here without being disagreeable; that there is a way that the two sides can make their points without cutting the legs off the other side.

But the actions here that are being taken will do nothing more than stifle the ability of the minority to make its

case, the minority who represent nearly half of American people, to effectively make our case on this bill, and I think it is regrettable.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentleman.

Let me simply say the gentleman says we have ''shut down the appropriations process.'' That is absolute nonsense. We are making in order 12 amendments, all of them Republican amendments. Three of the six self-executing amendments are amendments that are sponsored in all or in part by Republicans.

If anyone shut down the process, it was the minority party which filibustered for 4 hours the last time this bill was on the floor and didn't allow us to complete consideration of a single item in the bill. Not one. In addition to which when we tried to pursue a unanimous consent agreement before that bill hit the floor, we were denied that opportunity by the minority party.

We had an understanding with the minority party that these bills would be finished in roughly equivalent time to that which was taken last year. The minority party was so angry about a bill that was going to extend health care to 5 million additional kids they walked away from that agreement, and that's why we are here today.

Mr. MCGOVERN. Mr. Speaker, I would like to yield 8 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman. I might just add to the count of amendments, lest it be forgotten on Tuesday night, that I accepted both the Gingrey and the McHenry amendments.

□ 1445

So that is 14 Republican amendments that have been allowed for debate and discussion.

I'm saddened by the path that we've taken to find our way here today, but I must also say that, yes, I'm glad. I'm glad that we've arrived here today because this Agriculture appropriations bill is a good bill, it's a fair bill, and it has the potential to do so much for people and for our communities who are in such need. And, yes, in fact, over the last several months it has been a product of hard work, of honest partnership, of an ongoing collaboration over a number of weeks from my colleagues on both sides of the aisle.

I'm sorry that I don't see the ranking member of this subcommittee, Mr. KINGSTON, on the floor. Mr. KINGSTON can attest to the kind of work we have done together to produce and to craft a very solid piece of legislation that, in fact, will make a difference in people's lives.

And we should not forget how much that we have put into this bill and why. At the subcommittee level, the full committee level, even, as I said, this past Tuesday, this bill has been a bipartisan process, giving every single member of the subcommittee and of the full committee the opportunity to engage, to propose amendments, to ask for a vote if they wanted to. It has been a totally open process.

As a matter of fact, in the full committee there was not even one vote called because there was such a sense of agreement on every single amendment and the process that we went through in that committee. For that, I stand here very proud as the Chair of this subcommittee, and the first time that I have served as the Chair of this committee, we produced a bill that has such support. I defy any of the other 11 subcommittees to have that same kind of bipartisanship that we had.

This bill is too important. There's critical responsibilities. And maybe people don't view this bill as that important, but speak to rural America, speak to people who care about what's happening in nutrition, speak to people who care about conservation in this country. That is what is in this bill, renewable sources of energy. To let it be filibustered, to play political games, to let that take precedent over this bill is what's happened.

The minority shut down this process. The minority's tactics, 4 hours, 4 hours, and I appreciate the minority leader's disappointment with SCHIP, but on Tuesday night SCHIP was not the legislation that we were discussing. Four hours. Those tactics, tied to other legislation, have stood in the way of this process, even as the American people, in fact, do insist that we get to work fulfilling our obligations to consumers who want safe drugs and food.

It's good to see the gentleman from Georgia on the floor because JACK KINGSTON and I have worked very well together, as I said, to produce a good bill, one of which I stand here proudly to support and to carry on with today.

Our priorities have been to have safe drugs and food, farmers who rely on fair and functioning markets, children who need healthy food to meet their potential, and rural communities who need opportunities to thrive. And our priority has been to move with swift purpose, clear direction on several key goals: strengthening rural America, protecting the public health, improving nutrition for more Americans, transforming our energy future, supporting conservation, investing in research and enhancing oversight.

The bill provides discretionary resources of $18.8 billion. It is $1 billion above 2007, $987.4 million above the budget request, and to be sure and to make it very clear, 95 percent of the increase over the budget request, $940 million, is used to restore funding that was eliminated or cut in the President's budget, to acknowledge that we have, in fact, the obligation to meet the needs of hundreds of our communities and millions of Americans.

It is about strengthening rural America. And what we do in terms of facilitating growth, softening the impact of population loss, this bill includes $728.8 million to support community facilities, water and waste disposal systems, and business grants to protect our public health. We provide $1.7 billion for the FDA, $62 million over the budget request, the first step in a fundamental food safety transformation at FDA.

We include $39.8 billion for food stamps, a program to meet increased participation and to ensure rising food prices. We fund the Women, Infants and Children program above the President's request. We step up to priorities like investing in research, which many of you have requested in earmarks in this bill, and conservation; and when it comes to transforming energy, this budget includes bioenergy, renewable energy research, $1.2 billion, including loans and grants in rural areas of this country.

I'm proud of the bill. I'm proud of its priorities and the goals that we set out to accomplish. We have obligations here, and that is to discuss and to recognize what our roles are and what we do here in order to meet the needs of the American public, not to interrupt for 4 hours for political gain or for whatever is annoying you that day, to disrupt the process, shut it down. And we're going to move forward, we're going to discuss this bill, we're going to pass the bill and achieve the goals. You choose delay. We choose to proceed to go forward in a responsible way.

I urge my colleagues to support this rule.

Mr. DREIER. Mr. Speaker, with the utmost respect for my good friend from New Haven, the distinguished Chair of the subcommittee, I will say that we could at this moment be debating this bill if we continued with this open amendment process.

The SCHIP measure is over and done. My friends on the other side of the aisle have won this debate. We are prepared to move ahead with an open amendment process that will allow for a free-flowing debate.

Ms. DELAURO. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. We have no guarantees with regard to the process.

Mr. DREIER. If I can reclaim my time, let me just tell you the guarantee of the process. I was very happy to yield to my friend, and I will be happy to yield to her again, but I will say, Mr. Speaker, the fact of the matter is we have not had any dilatory tactics put into place since passage of the SCHIP bill. All the time we spend on this rule could have been spent discussing exactly what the gentlewoman has been speaking about.

Mr. Speaker, with that, I yield 2 minutes to my very good friend from Morristown, New Jersey, a hardworking member on the Committee on Appropriations, Mr. FRELINGHUYSEN.

(Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Speaker, I respectfully change the subject.

Mr. Speaker, all Members should be aware that there's language in this bill that greatly expands existing U.S. policy on importing drugs from other countries by allowing the wholesale importation of medicines not just for personal use but now for commercial use. Implementation of this new language would legalize the practice of reimportation of even more undocumented prescription drugs of unknown origin into the United States.

Mr. Speaker, existing Federal policies allow for importation of prescription drugs for personal use, but this new provision opens the floodgates to the unknown. This is a risk we should not take, not for prescription drugs nor for any products that might do harm to our loved ones.

Mr. MCGOVERN. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Massachusetts has 9½ minutes remaining. The gentleman from California, 14 minutes remaining.

Mr. MCGOVERN. We will reserve our time at this point.

Mr. DREIER. Mr. Speaker, I'm very happy to yield 2 minutes to our colleague from Mesa, Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding.

I rise in opposition to this rule as well. I don't think it's a good precedent to set to move away from open rules on appropriations. I'm one that's often accused of dilatory tactics on these bills, having so many amendments on earmarks. These aren't dilatory at all.

I should note that on the bill that we had a couple of weeks ago, the Energy and Water bill, I believe I offered seven or eight. With that, one Member came to the floor before I offered and withdrew or asked for an amendment which he received to strike his own earmark.

We're seeing the same here, three earmarks stricken from the bill in the Rules Committee because an amendment was going to be offered to strike them on the floor.

My understanding is with the Defense bill tomorrow that there will be another amendment, self-executing rule to strike another earmark that was going to be challenged on the floor.

So this is not dilatory at all to come to the floor and say, hey, there are earmarks here that might be questionable. There are a lot of earmarks that would go to private companies. These are, in essence, sole source contracts.

I sympathize with the chairman of the Appropriations Committee, Mr. OBEY, who said many times that we simply don't have the staff to police this many earmarks. I don't think you could have policed the 15,000 we had a couple of years ago. If this Congress is successful in cutting that down by half, we can't come close to policing that number either.

We have former Members in jail because of earmarks that we approved in this body. We simply can't go on like this, and if we shut down this process in a manner where we're only allowed to question a certain number of earmarks, I wanted to question 10 on this bill. There are 410 in the bill. Ten is not an unreasonable number. I was only allowed five.

Who knows on the bill that we do tomorrow if we have a closed rule. If we aren't able to question these, where are we able to do it?

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my very good friend from Mariposa, California (Mr. RADANOVICH).

Mr. RADANOVICH. Mr. Speaker, I thank the gentleman from California.

I rise in opposition to this new structured rule for the Ag appropriations bill. I'm very disappointed that the Rules Committee decided to shut down a free and open amendment process on this bill. My constituents at home deserve the right to have their opinions for or against any provision of this bill heard.

One of those provisions would be an amendment that was offered to strike section 738 in H.R. 3161. This amendment was found out of order by the Rules Committee. Section 738's intent is to stop horse slaughter. However, the unintended consequences of this section will have a detrimental effect on the entire equine industry.

Should this amendment become law, the breeding industry will be negatively affected when foreign buyers are not able to transport their American horses to another country. International and domestic racing events will also be adversely impacted by this provision when racing horses are not able to move across borders.

The economic detriment that would occur if this bill passes without our amendment is almost as expansive as the actual language of section 738. Every industry, from television revenues gained from major horse races to the small, family equine breeder, would feel the impact. In fact, the U.S. horse industry supports 1.4 million jobs and has an annual economic impact of $102 billion.

In addition, restricting USDA funding to inspect horses will spread animal disease.

How the Rules Committee determined this amendment was out of order, when it is clearly an important and germane amendment to the Ag appropriations bill, is beyond my comprehension. In deeming this amendment out of order, they have closed out an entire industry from being able to have their views expressed through their representatives on legislation that would have huge economic impacts.

I urge my colleagues to join me in voting against the rule to the Ag appropriations bill.

□ 1500

Mr. DREIER. Mr. Speaker, I yield 30 seconds to my colleague from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. I want to thank the gentleman for yielding.

Mr. Speaker, I want to say that I support one of the self-executing amendments in this rule, and it's my understanding that in the original Ag appropriations bill, there was very broad language relating to horse slaughter intending to stop horse slaughter in the U.S. that has passed this House overwhelmingly on six different occasions.

And the gentlelady from Connecticut in responding to the concerns that that amendment was overbroad has asked that a self-executing amendment be included in this rule that is sponsored by three Democrats and myself. I would say that she addressed our concerns, and I would commend her for that.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from Iowa (Mr. BOSWELL).

Mr. BOSWELL. I thank the gentleman for yielding his time on this issue we have just mentioned here.

I would first like to thank the Agriculture appropriations committee for their hard work on this legislation. It's a thoughtful piece of legislation, and I do plan to support it.

Mr. Speaker, I do need to express my concern and disappointment on an amendment I was planning to offer along with Representatives COSTA, KING, SALAZAR, and RADANOVICH that was not made in order.

Even though Representative SPRATT's amendment, which replaced section 738 dealing with horse slaughter, was accepted by the Ag appropriations committee and addresses some of the large issues, including transportation and animal health inspection, it fails to address one major issue. With 100,000 horses abandoned each year in the United States, and animal adoption facilities overflowing, how, how are we supposed to deal with these animals?

Having spent most of my life involved in animal agriculture, I understand many of the issues firsthand. I have worked with a variety of animals, dairy cows, feeder pigs, to my current cow-calf operation, and we have always had horses on the farm, even today. In fact, I can share with you that on the 4th of July, this past 4th in my hometown of Lamoni, Iowa, I was awarded first place in the horse hitch category, a beautiful horse and buggy.

Mr. SPRATT's amendment that was accepted by the committee does not address this issue of what to do with the additional 100,000 unwanted horses with nowhere to go and no one to take care of them. The burden will fall to the American taxpayer. Just housing and fitting one horse costs around $1,900 per year. Mr. SPRATT's amendment will cost $127 million in just the first year alone for these animals.

I want to be very clear: I love horses. I have owned horses my entire life, and they have been some of the most loyal companions over the years.

But I do have major concerns to the fact that we are making it illegal for

horses to be slaughtered for human consumption, but not addressing what we are going to do with these horses and how we are going to care for them. We all should have a major concern and do something about it. This problem is not simply going to go away. I thank the gentleman for the time.

I would again like to reiterate my disappointment over not being allowed to offer my amendment, but I do support the bill.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend from Marietta, Georgia, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I appreciate the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this modified closed rule on an appropriations bill.

I had two very substantial amendments. The gentlelady from Connecticut, the distinguished chairman, said that she was going to accept my message amendment, my 1 percent cut, the $50,000 amendment that I brought on Tuesday. Of course, it was a dilatory amendment to try to get an opportunity to speak about the CHIP legislation that we knew was coming under a closed rule.

But now I have two good amendments that were not made in order. One amendment would say no money in this bill would be allowed to grant food stamps or WIC money to anybody but United States citizens, not to immigrants, not to illegal immigrants. In some cases, the current law is very vague on that issue, a very substantive amendment that was not made in order.

Finally, one other amendment, the Farm Service Agency in my district, in Gordon County, Calhoun, Georgia. In fact, that Farm Service Agency serves several counties and is doing a great job.

I am denied the opportunity to argue on behalf of the citizens of Gordon County to keep that Farm Service Agency open. I am denied that by this modified closed rule.

Regretfully, I have to stand and say that I am going to vote ''no'' on this rule, urge my colleagues to vote ''no.''

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, let me simply say that of all people, the gentleman who just spoke is way off base when he cries about being denied an opportunity to deal with an amendment.

It was his amendment for $50,000 that this House debated for 4 hours without coming to a resolution thereon because of the filibuster that was being conducted on that side of the aisle. To suggest that somehow that Member, who single-handedly held us up for 4 hours, to suggest that he was denied, is a joke.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from California has 8 minutes remaining. The gentleman from Massachusetts has 6½ minutes remaining.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to a hardworking member of the Committee on Appropriations, the gentleman from Alexander, Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from California in recognizing the huge town of 160 people of Alexander, Iowa.

Mr. Speaker, I rise in opposition to the rule because it does cut off and stifle debate on an appropriations bill. This really violates the open rule tradition on appropriation bill debate in the House and runs counter to the way we ought to be deciding to spend the taxpayers' resources.

Having said that, I want to commend the gentlelady from Connecticut for her great work, and the ranking member from Georgia really did an outstanding job.

There is one particular component of the new rule I would like to make a comment on. The reported bill contains a provision, section 746, stating that ''no funds in this act may be used to authorize qualified health claims for conventional foods.''

This provision means that none of the funds in the bill can be used to give permission to display important health information, irrespective of whether or not the information is scientifically valid.

The provision, as reported, would clearly stifle the FDA's ability to put forth information on health benefits in foods.

This new rule self-executes a provision which narrows a reported version of section 746 to stipulate that the funding prohibition applies only to the FDA. The problem is that the change doesn't really address the problem.

If this provision is intended to help FDA avoid wasted time and resources on frivolous petitions, it misses the mark. Nothing in this revised language removes or alters FDA's responsibility to review these petitions as required by law. The provision only denies final approval or authorization of the use of valid claims as to the risks and benefits of foods sold in the U.S.

This means that FDA still must carry out its mission of reviewing petitions on claims, but just cannot issue approvals, even if they are warranted. The problem is that if FDA does not do it, nobody will.

Mr. MCGOVERN. Mr. Speaker, I yield 2¼ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished chairwoman of this subcommittee and the chairman of the full committee.

Mr. Speaker, I think that we have waited long enough for energy reform and for nutrition reform, which is what this bill tackles. I rise today to support working for American farmers, but also working for those who get up every day without a meal.

To recognize that it is important to have food safety, it's important to have an improved food and lunch program and food stamps, it's important to focus on nutrition, and that is what we have done here.

I am glad to see that there is an aspect that deals with alternative fuels; and having written a bill dealing with cellulosic ethanol, I know that we have to move in a more effective direction. But I am also glad that we recognize a particular viable aspect of the importance of dealing with hunger in America.

I am concerned and hope that as we move forward, one of our vital assets, the Hunger Center, will move toward authorization, as I understand, and then increase funding so that it can be a tool to the Department of Agriculture in dealing with the question of hunger in America and around the world. This particular bill also provides more help for USAID, and I believe that it is an important asset.

In the short time that I have I would like to yield to the gentlelady from Connecticut to ask a question, and that is to comment on a point I made about the Hunger Center, and the fact that it is moving towards authorization that we will see in the years to come, an opportunity for more work on its part and more resources.

Ms. DELAURO. First of all, I want to thank the gentlelady for her comments. I think we have worked very hard in this bill, in fact, to increase the opportunity for nutrition. I would be happy to work with the gentlelady from Texas. We have $2 million in the bill for the Hunger Center and will look forward to working with you as we move forward to try to increase those funds.

Ms. JACKSON-LEE of Texas. I ask my colleagues to support the bill.

Mr. Speaker, I rise today in support of H.R. 3161, which strengthens our rural communities, while making sure that the American people have adequate, safe and nutritious food to eat. Let me commend the Chairwoman of the Subcommittee, Ms. DELAURO, for her exceptional leadership in crafting such extraordinary legislation to combat hunger, obesity and malnutrition in our nation and around the world. That is why I strongly support this bill.

Mr. Speaker, H.R. 3161 allows us to reinvest in the often forgotten but most vitally important rural areas of America. H.R. 3161 is designed to sustain the vitality of rural America, as well as protecting public health and food safety, improving nutrition and healthy eating, and promoting renewable energy and conservation in America.

Mr. Speaker, more than 3 million households in the rural America continue to have inadequate or no water or sewer service at all. H.R. 3161 is the solution to this disparity in that it provides $500 million for rural water and waste disposal grants, a 14 percent increase over 2007, and $1 billion for water and waste direct loans for the fiscal year.

Mr. Speaker, energy independence and protecting our environment are universal concerns to us all. The Energy Information Administration estimates that the United States imports nearly 60 percent of the oil it consumes.

A bill that I have proposed, the 21st Century Energy Independence Act acknowledges this issue and aims to replace oil imports with domestic alternatives such as traditional and cellulosic ethanol that can help reduce the $180 billion that oil contributes to our annual trade deficit, and end our addiction to foreign oil.

My bill alleviates our dependence on foreign oil and fossil fuels by utilizing loan guarantees to promote the development of traditional and cellulosic ethanol technology. In addition to ensuring access to more abundant sources of energy, replacing petroleum use with ethanol will help reduce U.S. carbon emissions, which are otherwise expected to increase by 80 percent by 2025. Cellulosic ethanol can also reduce greenhouse gas emissions by 87 percent. Thus, transitioning from foreign oil to ethanol will protect our environment from dangerous carbon and greenhouse gas emissions.

Mr. Speaker, H.R. 3161 supports an innovative solution to our national energy crisis as well. H.R. 3161 ensures that America achieves energy independence and improves our environment by establishing a loan guarantee program which supports projects for the harvesting, storing, and delivery of agriculture residues for use in cellulosic or traditional ethanol production plants. H.R. 3161 supports energy and conservation, nearly doubles funding for renewable energy loans and grants to businesses to grow our economy, create new jobs, lower energy prices, and reduce global warming. The bill provides resources for research, aid to farmers and ranchers, and loans to businesses, restores many vital programs such as the Grazing Lands Conservation Initiative, Resource Conservation and Development, and the watershed programs.

Mr. Speaker, recent food scares—about peanut butter and lettuce—have made Americans nervous about where their food originates. H.R. 3161 tackles these concerns and addresses the importance of food safety. This bill fully funds the Food Safety and Inspection Service at USDA, shifts funds to fill vacancies in federal meat inspector positions, invests in research, and funds a transformation of FDA food safety regulations. It also prohibits imported poultry products from China, and sets a timeline for USDA to implement critical country of origin labeling for our meat supply after six years of Republican delays.

In addition, H.R. 3161 provides a special supplemental nutritional program for women, infants, and children other known as (WIC). This provision is so essential because it affords many women, especially women of color in lower income brackets, the opportunity to care for themselves and their newborns after birth. Without programs such as WIC, many mothers would not be able to maintain a healthy lifestyle during pregnancies and after childbirth. Because of WIC, mothers can afford their nutritional foods they need to sustain their pregnancies and avoid miscarriages, stillbirths and defects caused by malnourishment during pregnancy. H.R. 3161 invests $233.4 million (4 percent) more than the President to feed more than 8 million pregnant women, mothers and children next year.

Mr. Speaker, I believe in the importance of multilateral engagement, and in the immense value of working with other concerned parties. Hunger and malnutrition are truly global problems, and, while I strongly urge the United States to be a leader in combating both, it is not the only world actor. International organizations, like the United Nations, are actively combating global hunger through a number of different organs including the World Food Programme, the Food and Agriculture Organization, and the World Health Organization. Additionally, regional organizations, such as the African Union (AU) and the New Partnership for Africa's Development (NEPAD), play a crucial role in efforts to eradicate hunger.

I have an amendment that requires coordination and integration between different foreign assistance programs, and it states that assistance shall also be coordinated and integrated in the recipient country with other donors, including international and regional organizations and other donor countries.

Nonetheless, hunger is not a problem facing not only the international community faces, but it is also a problem in our own country. Many women, children, and the elderly should not wake and go to bed hungry in our great nation, but tragically this happens all too often in the cities and villages and small towns of our great country. Too many Americans continue to suffer from food shortages, hunger, and insecurity. According to 2005 figures, 35.1 million people live in households that are ''food insecure,'' or they do not know where their next meal will come from.

The commodity supplemental food program incorporated into H.R. 3161 provides $500,000 monthly in the year 2007 to combat hunger and increases funding in this area to allow people in five additional states to participate in the program and expand those getting food in states already in the program. In addition, under the Food Stamp Benefit provision, H.R. 3161 protects the most vulnerable and helpless; families of soldiers in combat. Like the recently passed Farm bill, the measure ensures that the families of soldiers in combat are not penalized under the Food Stamp program. It also rejects the Administration's proposal to restrict eligibility for food stamps by excluding needy families who are receiving certain other services.

Mr. Speaker, let us remember that 1 in 3 American adults is overweight or obese and more than 9 million children are struggling with obesity. H.R. 3161 aims to improve the eating habits of Americans, particularly our children, through programs that teach children about healthy eating. H.R. 3161 increases funding for nutrition programs, including the Expanded Food and Nutrition Education Program, which broadens Fresh Fruit and Vegetable and Simplified Summer Food programs to all states to provide nutritious foods to children in low-income families, and specialty crop grants to encourage more fruit and vegetable consumption.

Obesity is associated with 35 major diseases including chronic and life-threatening conditions such as cancer, diabetes and heart disease. It is important to keep our Nation healthy by providing access to high consumption of vegetables and fruits to the future of our great country, our children. By supporting H.R. 3161 we assure a healthy consumption of nutritional foods for children whose only crime is that their families are poor.

Mr. Speaker, H.R. 3161 is essential because it addresses one of the most staggering causes of death in children: malnutrition. Malnutrition remains a significant problem worldwide, particularly among children. According to the United Nations World Food Programme, severe acute malnutrition affects an estimated 20 million children under the age of five worldwide and is responsible in whole or in part for more than half of all deaths of children. Malnutrition kills approximately one million children each year, or an average of one every thirty seconds.

These statistics are absolutely frightening and simply intolerable. They are also avoidable. The World Food Programme estimates that, when implemented on a large scale and combined with hospital treatment for children who suffer complications, a community-based approach to combating malnutrition could save the lives of hundreds of thousands of children each year.

Mr. Speaker, H.R. 3161 recognizes the importance of helping our neighbors in combating the hunger. H.R. 3161 provides funding for the Foreign Agricultural Service in the amount of $159,136,000 and transfers of $4,985,000, for a total salaries and expenses level of $164,121,000, an increase of $2,817,000 above the amount available for fiscal year 2007 and a decrease of $9,073,000 below the budget request.

In addition, H.R. 3161 permits the United States Agency for International Development (USAID) to use up to 25 percent of the funds appropriated for local or regional purchase of food to assist people threatened by a food security crisis.

Mr. Speaker, if it were not for grants such as the McGovern-Dole International Food for Education and Child Nutrition Program, many foreigners would have no other choice than to leave their native country in pursuit of a better life. H.R. 3161 reminds us that it is important for the United States to foster a relationship with other parts of the world, so that citizens of developing countries can also have basic rights such as sufficient amount of food. The McGovern-Dole International Food program is funded in this bill in the amount of $100,000,000, an increase of $1,000,000 above the amount available for fiscal year 2007, and the same as the budget request.

The George McGovern-Robert Dole International Food for Education and Child Nutrition Program fights child hunger and poverty by supporting school feeding operations, which provide nutritious meals to children in schools. This simple formula has been proven to be a success. Because of such programs, students are better able to concentrate and learn more quickly on a full stomach. Enrollment and attendance rates have skyrocketed as a result of school feeding programs, particularly among girls who are too often denied an education.

Mr. Speaker, there are 110 million school-aged children suffering from hunger every day, and they are counting on America's leadership and generosity to provide them with an opportunity to break the cycle of poverty. This bill provides that leadership and generosity, and it is for this reason that I urge my colleagues to join me in voting for its passage by an overwhelming margin.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my very good friend from Kiron, Iowa (Mr. KING).

Mr. KING of Iowa. I thank the ranking member from California for yielding and for his leadership on the Rules Committee. That has been an important model leadership for our conference.

Mr. Speaker, I rise in opposition to this modified closed rule for a number of things, but the issues that I may be able to raise in this amount of time is that as the chairman of the Appropriations Committee said, the amendments that are approved under this rule are Republican amendments, but I would point out that those which are adopted under the rule, the self-executing amendments, are not Republican amendments for the most part.

I have in my hand an amendment that says ''offered by Mr. MOLLOHAN of West Virginia,'' the one that was the subject of Mr. SESSIONS' remarks that strikes those three earmarks that were in there.

Now, they were stricken because, according to the chairman, they were in controversy. Now, this controversy has not been something that has been a large area of discussion here on this floor. But the gentleman from West Virginia has said he is unaware of any investigations. He may be the only one in this Congress that's unaware.

I would point out that the Speaker handed the gentleman from West Virginia the gavel to the appropriations subcommittee that he chairs. He held and still holds the purse strings of the agency that's been reported as looking into this that has brought out this controversy.

□ 1515

That is why we are here on this. These three earmarks that came from West Virginia from Mr. MOLLOHAN stricken by a self-enacting rule, now is this also going to be the policy in the case on the Department of Defense appropriations bill that comes up? Because there are at least nine earmarks in that bill as well. So these are the consequences of a closed rule. There is friction, there is controversy, there is 4½ hours of debate, which is greatly to the resentment of the gentlelady from Connecticut.

But I would say we got through Justice approps through an open rule, and we did so with legitimate debate, and we were here to perfect the legislation, and we did so to the extent and we executed the will of this body. This rule does not execute the will of this body. This rule self-enacts. Vote down the rule.

Mr. MCGOVERN. Mr. Speaker, I regret the fact that the gentleman feels he needs to personalize this debate; and I would only ask the gentleman, how many ranking Republicans are right now under investigation who continue to serve in their capacity?

I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I thank the gentleman for yielding, and I thank Chairman ROSA DELAURO for an incredible bill that I would like to get to so we can vote on it.

The debate on this rule I think just shows what is going on here, which is a reason to stall, a reason to just eat up the time so that we really don't get to the underlying issues. Because they know when we pass this bill it is going to pass with a bipartisan vote.

Mr. DREIER. Will the gentleman yield?

Mr. FARR. No, I will not yield; and I want to say why.

In law, you learn an old adage that says, in order to get equity, you have got to show equity.

The other night we were on the floor with a bunch of amendments, and the amendment was debated, and it was accepted by the chairwoman. And then we went on and debated with motions to adjourn, motions to rise for a number of hours.

The gentleman who offered the original amendment that was adopted also had 11 other amendments. This is a $100 billion operation, the U.S. Department of Agriculture, $100 billion. His amendments were to cut $50,000, another amendment for $60,000, another amendment for $7,000, another amendment for $39,000. And it went on. The list went on and on. He could have put all of those into one amendment. It still wouldn't have even matched $1 million.

So the point is that these were all dilatory amendments to just try to delay the time; and I think that equity was not shown, partnership was not shown, bipartisanship was not shown. And that is why we have a rule that is fair, allows these amendments, 12 more, to be debated, and the self-executing rule did self-execute some Republican amendments as well.

I urge the adoption of this rule.

Mr. DREIER. Mr. Speaker, at this time, I am happy to yield 1 minute to my friend from Hobbs, New Mexico (Mr. PEARCE).

Mr. PEARCE. I thank the gentleman from California for yielding.

Mr. Speaker, I rise to oppose this unduly restrictive rule. I had two amendments that I was prepared to offer to this legislation, neither of which will be considered here today. They were pretty simple, really.

My first amendment would have increased funding for the Wildlife Services by $500,000 to support the Mexican Wolf Recovery Program in New Mexico and Arizona. This program is teetering on the edge of failure. My attempt to add a modest amount of additional funding to manage dangerous problem wolves was rejected by the majority.

My second amendment was an attempt to bring protections to the endangered wolves in the Northeast United States, where many in the conservation community believe they are being killed by Wildlife Services.

My amendments were filed in a timely fashion. The committee was alerted to my intentions all along. Yet this is the result of the rule that we have before us today.

Mr. Speaker, I ask unanimous consent that the rule be amended to allow me to offer my two amendments which have been placed at the desk, which were also filed with the Rules Committee, were provided to the Appropriations Committee and are critically important to my constituents in New Mexico.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. PEARCE. Mr. Speaker, I have a unanimous consent request.

The SPEAKER pro tempore. Does the gentleman from Massachusetts yield for that purpose?

Mr. MCGOVERN. No, I do not, Mr. Speaker.

The SPEAKER pro tempore. The gentleman has not yielded for that purpose.

The gentleman's time has expired.

Mr. MCGOVERN. Mr. Speaker, I am reserving at this time because I am the last speaker on my side.

MOTION TO ADJOURN

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

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

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

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 165, nays 254, not voting 13, as follows:

[Roll No. 798]

YEAS—165

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goodlatte
Granger
Graves
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hulshof
Hunter
Inglis (SC)
Issa
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Tancredo

Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—254

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Burgess
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fossella
Frank (MA)
Giffords
Gillibrand
Gonzalez
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—13

Clarke
Crenshaw
Davis, Jo Ann
Davis, Lincoln
Ellison
Gohmert
Jackson-Lee (TX)
Johnson, Sam
Jones (OH)
Miller, George
Olver
Sullivan
Taylor

□ 1544

Mr. KLEIN of Florida, Mr. WYNN, Mrs. CAPPS, Mr. HALL of Texas and Mr. VAN HOLLEN changed their vote from ''yea'' to ''nay.''

Mr. NEUGEBAUER and Mr. TURNER changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3161, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. DREIER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I want to apologize to the House for calling for the motion to adjourn, and I do so because in 15 minutes a memorial service is going to be held for our former colleague, Guy VanderJagt, over in the Ways and Means Committee room.

And I will say that Guy VanderJagt is someone who served longer in the minority than any Member on the other side of the aisle. But no one understood about the rights of the minority better than Guy VanderJagt; and I will tell you, Mr. Speaker, those rights are outlined very clearly in the opening of Jefferson's Manual.

Now, we have been excoriated over the past hour for having used what have been called dilatory tactics 2 days ago before we passed the SCHIP bill. The fact of the matter is that is now ancient history. We have been struggling to ensure that we continue with the debate on this very important bill under an open amendment process.

I am going to urge my colleagues to defeat the previous question so that we will have the opportunity to table this measure and go back to an open amendment process. Why? Because this rule represents the trifecta of bad process. It has shut down the amendment process, it has restricted the period of time for debate, and it has rewritten the bill through self-execution in this rule. And I am going to urge my colleagues to defeat the previous question so that we can go back to what was promised on the opening day, and that is an open process.

With that, Mr. Speaker, I yield the balance of my time to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker and my colleagues, this is disappointing, disappointing that the House has had to resort to a martial law to further stifle the voices of those of us in the minority who represent nearly half the American people.

We have had a debate on this rule. I have listened to the debate. I even participated in part of the debate and listened to my colleagues in the majority complain about the fact that we spent 3 or 4 hours the other day trying to debate a measure that we were not going to have much time to debate on because we didn't have a committee process, it was going to be brought to the House under a closed rule. And my colleagues pulled the bill and have been whining now for days that we spent 3 or 4 hours doing dilatory tactics.

Now, some of you were here in 1998 when the Ag appropriations bill was on the floor of the House, and that bill was held up for 9 hours by the then minority over the fact that there was an amendment that a Member wanted to have heard on the Foreign Operations bill. It just so happened it was the distinguished gentlewoman from California (Ms. PELOSI) who wanted an abortion amendment on the Foreign Operations bill and wasn't sure she was going to be able to get her amendment; and, as a result, she and some of her colleagues held up the bill with dilatory tactics for 9 hours.

Now, who were those Members who held that bill for 9 hours on this floor?

It was the gentlewoman from Connecticut (Ms. DELAURO), it was the gentleman from Wisconsin (Mr. OBEY), it was the gentlewoman from New York (Ms. SLAUGHTER), and it was who is now the distinguished Speaker of the House, Ms. PELOSI.

Nine hours of dilatory tactics over 3 days. So what did the Republican majority do? They went to the Rules Committee, and they got a rule. And do you know what they did in the rule? They told all Members any amendment that is filed will be made in order under the rule, and we came back to the floor and we spent 9 hours debating every amendment that Members wanted to offer, and we completed the bill.

Now, if you want to bring a rule out here, at least allow us to be heard, at least allow us to participate, at least allow the 202 of us on this side of the aisle to represent the millions of American people that have sent us here to do their work.

All I have asked and all my colleagues have asked all year is for fairness. All we want is fairness. I know how you wanted to be treated when you were in the minority. I say to my colleagues on the both sides of the aisle we have both been in a minority. We both know what it is like to not have many tools at your disposal. I, when I was chairing the Education and Workforce Committee, made sure that all of our members were treated fairly and treated honestly; and I think my work with the gentleman from California (Mr. GEORGE MILLER) demonstrates that, while we had differences, we had a very fair process.

I understand that over the last 12 years some of my predecessors may have handled, may have handled, this floor in a less than delicate way. Over the last several years, my colleagues in the majority now complained that we

ought to have a more fair and open process here. I agreed with many of you, and you know it. And all I am asking for on behalf of the Republican Members, the minority Members here, is to be treated fairly and honestly.

The rule that we have before us that shuts us down is unfair, it's unwise, it's undemocratic, and it does not deserve the support of any Member in this House.

Mr. DREIER. Mr. Speaker, I urge a ''no'' vote on the previous question and on the rule.

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

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

I agree with the distinguished minority leader that this is disappointing. As a member of the Rules Committee, I regret this rule and I don't like it.

But what I like less are efforts to obstruct and stop the people's business. There is a difference between legislating and obstructionism. And I would say to the distinguished minority leader that fairness is a two-way street and what happened in this House on Tuesday, in my opinion, was pathetic.

What is at stake here is a bill to feed hungry people, is a bill to help rural America, is a bill to provide for better food security, and a bill to help our economy. This is serious business, and this is what we were sent here to deal with.

What happened on Tuesday, as I said, was pathetic. It stalled consideration of the Agriculture appropriations bill. It dismantled an agreement that worked well during consideration of the last 10 appropriations bills.

And let me say to my friends on the other side of the aisle, where I come from in Massachusetts, a deal is a deal. Your word is everything. So, please, when you break your word, don't act shocked when there is a reaction from this side of the aisle.

I will close by saying to my colleagues that it is important for us to move beyond this. It is important for us to work together. It is important for us to be more civil. I will concede to my friends on the other side of the aisle that my side of the aisle can do better, but you need to concede that your side can do better as well. And that is the way we restore the trust that, unfortunately, has been lost.

I urge a ''yes'' on the previous question and on the rule.

Mr. LEWIS of California, this is a sad day in the history of the Appropriations Committee and the House of Representatives. Meaningful, legitimate debate is being stifled and the voice of the Republican minority is being silenced. Sadly, this is the day that will be remembered as the day that the Democrat majority imposed martial law on the People's House.

My colleagues know that I have the highest level of respect for the chairman of the Appropriations Committee, Mr. OBEY. Together, we worked as partners during the 109th Congress, passing Appropriations bills through our committee and through the House. Our committee, and indeed, the House, is at its very best when we work together across patty lines and rise above purely partisan politics.

During the last Congress, I was privileged to serve as chairman of the House Appropriations Committee and Mr. OBEY was our distinguished ranking member.

During my tenure as chairman, the House considered 22 regular order appropriations bills. In each and every instance, I worked closely with my leadership and Chairman DREIER in seeking a rule that allowed for a maximum level of open debate, including amendments, on the House floor. Every one—every one—of those 22 annual spending bills was considered under an open rule.

We allowed and even encouraged dissenting voices to be heard on these bills. The result was often vigorous and lively debate on the House floor. But that's precisely why our constituents send us to Washington.

I was disappointed that Mr. OBEY's first bills as chairman—the fiscal year 2007 continuing resolution and the emergency supplemental—were both considered under a closed rule. Mr. OBEY, under direction from his leadership, is now heading down the same road yet gain.

The Democrat leadership, with absolutely no consultation with the minority, has adopted a closed rule for the consideration of the Agriculture Appropriations bill. As a result, scores of legitimate policy amendments offered by the minority have not been made in order.

This is a dangerous and perilous precedent that sets precisely the wrong tone as we attempt to complete work on our annual spending bills. A closed rule leaves the minority little choice but to walk away from the tradition of comity that has marked our longstaning work on this committee.

I find it interesting that we had only spent 3–4 hours debating this bill before the Democrat majority decided to pull the plug. I find it troubling that the decision was made by the Democrat leadership to impose a martial law, closed rule on the Ag bill in their rush to begin their month-long August vacation.

This legislation is simply too important to have it rushed through the House with no debate and no opportunity for the body to consider amendments. An open rule is the only proper way for the House to consider this legislation.

I certainly hope that this lock-down martial law rule on the Ag Appropriations bill isn't a preview of what the House can expect tomorrow as we consider the DoD Appropriations bill, legislation that comprises roughly one-half of all discretionary spending.

The Democratic leadership, which promised the most open and transparent legislative process in history, is now showing its true colors. It has failed to fulfill its commitment to the Members of this body by not affording all Members an opportunity to openly amend and debate this bill.

I urge my I colleagues to oppose this rule and adopt a rule that will allow free and open debate on this and other pending spending bills.

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

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

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

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 225, nays 197, not voting to 10, as follows:

[Roll No. 799]

YEAS—225

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—197

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker

Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Clarke
Crenshaw
Davis, Jo Ann
Davis, Lincoln
Ellison
Hoyer
Johnson, Sam
Rangel
Reyes
Schmidt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1614

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 194, not voting 14, as follows:

[Roll No. 800]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Costa
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Jindal
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Clarke
Crenshaw
Davis, Jo Ann
Davis, Lincoln
Ellison
Fortenberry
Gohmert
Inglis (SC)
Johnson, Sam
Moran (VA)
Oberstar
Rangel
Schmidt
Shuster

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

PERSONAL EXPLANATION

Mr. ELLISON. Madam Speaker, for most of August 2nd I was back in Minneapolis surveying the damage from the tragic collapse of the Interstate 35W bridge located in my district and missed Rollcall Votes 791–800. Had I been present, I would have voted "yea" on Rollcall No. 791; I would have voted "yea" on Rollcall No. 792; I would have voted "yea" on Rollcall No. 793; I would have voted "yea" on Rollcall No. 794; I would have voted "nay" on Rollcall No. 795; I would have voted "aye" on Rollcall No. 796; I would have voted "aye" on Rollcall No. 797; I would have voted "no" on Rollcall No. 798; I would have voted "aye" on Rollcall No. 799; and I would have voted "aye" on Rollcall No. 800.

□ 1622

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1172

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 1172, a bill originally introduced by Representative Millender-McDonald of California, for the purposes of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mr. PASTOR). Is there objection to the request of the gentleman from California?

There was no objection.

CONFERENCE REPORT ON H.R. 2272, AMERICA COMPETES ACT

Mr. GORDON of Tennessee. Mr. Speaker, pursuant to the rule, I call up the conference report on the bill (H.R. 2272) to invest in innovation through research and development, and to improve the competitiveness of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 602, the conference report is considered read.

(For conference report and statement, see proceedings of the House of August 1, 2007, at page H9414.)

The SPEAKER pro tempore. The gentleman from Tennessee (Mr. GORDON) and the gentleman from Texas (Mr. HALL) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. GORDON of Tennessee. Mr. Speaker, I yield to the gentleman from California (Mr. GEORGE MILLER) for the purpose of making a unanimous consent request, and also to thank him for his help on this bill we are going to be taking up.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I thank the chairman.

Mr. Speaker, I rise in support of the conference report. I want to applaud the work of Chairman GORDON, the conferees and the staff for getting us to this historic place in time on behalf of this COMPETES Act, which will make a great difference in America's economy in the future.

The issue of competitiveness has been at the top of our agenda since November 2005 when the House Democrats under the leadership of Speaker PELOSI, unveiled the Innovation Agenda.

The Innovation Agenda, which was developed in consultation with the business community, is aimed at keeping America competitive in our ever growing global economy.

In addition to the work by the Speaker, the Committee on Education and Labor focused the first hearings of this Congress on how to address the challenges posed by the middle class squeeze.

Through the Innovation Agenda and through our hearings, a common denominator was the desire by the business community to engage in ways to create a more innovative workforce that is better prepared to enter the growing high tech industry.

This conference bill meets this objective through partnerships that will engage the business community with higher education to create programs that will educate and train individuals to meet the industry's needs.

Additionally, I am particularly pleased that the conference bill addresses another key goal of the Innovation Agenda, which is to ensure a highly qualified teacher is in every classroom.

The new programs in the National Science Foundation and the Department of Education, modeled after the successful UTEACH and CalTEACH programs, will go a long way to better preparing teachers for the classroom.

I am also pleased to see a true vision for education in this bill with programs that encourage math education, ensuring access to advanced placement/IB courses, and the creation of P–16 councils which will help states better understand where students start and where they need to go.

Again, I applaud the work of the conferees. I look forward to continue working on securing funding for these valuable programs.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I recognize that we have had differences of opinion, differences of policy and differences concerning procedure for the last couple of days. You have that at the end of a session before you go into a work period, and I am afraid we are going to have some more, and that is unfortunate. But we have an opportunity, at least for the next hour, to have a little window of civility, a little window to work together on a bill, a conference report that is bipartisan and bicameral. It is a competitiveness bill. It is a bill that is going to make America a better place for all of our kids and grandkids. I want to take just a little time to tell you about it.

This bill is a compilation of five bills that we passed out of the Science Committee on a bipartisan basis that came to the House floor, none of which received more than 23 votes against them. Then we piled them all together as a suspension and it passed unanimously.

LAMAR ALEXANDER in the Senate did yeoman's work by going to the Senators and getting 70 cosponsors. It passed in the Senate 88–8. Truly this is a bipartisan, bicameral bill.

The reason is, it is a good bill that is going to help manufacturers and businesses, it is going to help workers, it is going to help teachers, it is going to help students, to be able to help America to be in the lead in the world in terms of manufacturing, research, technology and innovation.

Again, I want to tell you how this bill came about. Three years ago, Sherry Boehlert, then the chairman of the Science Committee; LAMAR ALEXANDER, who was chairman of the Science Committee in the Senate; myself and JEFF BINGAMAN, we all asked the National Academies to do a report on the competitiveness of America in the 21st Century. It was a sobering report.

Norm Augustine, the former chairman of Lockheed, Craig Barrett, the chairman of Intel, and several noted scholars and other business individuals came together and said America was on a losing track, which meant that my 6-year-old daughter, many of your children and grandchildren, these two children right here, could be the first generation of Americans to inherit a national standard of living less than their parents, a complete reversal of the American dream. That is why so many of us came together to try to do something.

This is not a Democratic bill. It is not a Republican bill. This simply is a compilation of the recommendations of the report ''Rising Above the Gathering Storm.''

Let me tell you a little bit about this bill. It really composes three general areas.

The first is they said we have got to lead the world in terms of our science and our research, our innovation. So this bill is an authorization that is going to double over the next 7 years the National Science Foundation, the Office of Science and the Department of Energy, as well as the National Institute of Standards and Technology.

Let me remind you, because I know there are some folks who are going to say this is going to be too much money. This is an authorization. My friend from Tennessee and the other appropriators will determine whether it is going to be too much. We will work together to make that determination. This is a responsible, I think, 7-year increase.

Then they came back to us and they said that American manufacturers and American workers have to work at a higher skill level. There are 7 billion people in the world right now, and half of them make less than $2 a day. We don't want to compete like that. We can't compete like that. So that means if they are making one widget in India or China, we have got to make 50 widgets here in America. And we need to be not only making the widgets, we need to be inventing the widget maker and manufacturing that widget maker here in this country.

If we are going to do that, then whether you are a high school graduate, a junior college graduate, a college graduate, you have got to work at a higher level, which means you are going to have to have science and math skills.

But the report tells us we are not doing very well in that area. As a matter of fact, right now, only Cyprus and

South Africa have lower scores than we do in the science and math areas.

□ 1630

So what do we do about this? Well, they looked around and tried to figure out what the problem is. Are Americans just not as smart? No, that is not the problem. Do we need maybe smaller classrooms or more equipment? Those things would help. But the real problem is this, and listen to this: The fact is 67 percent of the teachers that teach in middle school in this country have neither a major nor a certification to teach math. And 87 percent of the physical science teachers in this country have neither a certification nor a major to teach those subjects. So it is very difficult to teach or inspire if you haven't had an opportunity to really understand those courses. This is not a slur to those good teachers. I want to give you a personal story.

My father was a farmer. World War II comes along. He enlists, comes back, and he wants to be even a better farmer. So he takes advantage of the GI bill and goes to college at Middle Tennessee State University. He gets a degree in agriculture. Well, a few years later I come along and my mother had to give up her job. She was working at a high school cafeteria. So my father applied to be a teacher in addition to being a farmer. He was the last person hired to teach at Smyrna High School in my home county. So since he was the last person hired, you might imagine, he was assigned to teach high school science and to coach girls basketball. I am not sure which he knew the least about, which really wasn't fair to him or his students.

And so we want to take care of those good smart people, those good smart teachers, and help them do a better job. So we are going to bring those kinds of teachers during the summer and, with stipends, allow them to get their certifications, hopefully AP, IB. Hopefully they will get a master's.

We are also going to have a whole new corps of teachers. We want to provide competitive scholarships for 10,000 students a year that will go into math, science and education and agree to teach for 5 years. And 5 years is important, because we find that half the teachers quit teaching in the first 5 years. We have to get them over that hump.

Next they said, and this may sound familiar, they said that America needs to be energy independent. This was before we started talking about the price of oil going up. This was before that. They gave us a way to do that. They suggested we look at the Department of Defense, DARPA, for a model. There is something in the Department of Defense called DARPA. It is an advanced research operation that takes high risk, high rewards. It is where the Internet was discovered and developed, and it is where stealth technology was developed.

They said this is a proven model. Take it over to the Department of Energy and set up a high-risk, high-reward agency there, but have very narrow management. Have a few employees and let them manage programs. Take the seven or eight most cutting-edge types of technologies, those that can really jump us ahead, and let's crash on them. Let's bring in the national labs, the private sector, the public sector and our universities, and let's make some real breakthroughs. Now, if one doesn't work, fine; pull the plug. But let's not be afraid to fail because we have to make these types of jumps in technology so we can have not only energy independence, but we will also have new jobs and new exports for America.

That is what we did. We brought all of these things together, and that is why we have a bipartisan, bicameral bill. I encourage my colleagues to support this bill.

I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on the conference report on H.R. 2272, the COMPETES Act. This legislation is based on President Bush's American Competitiveness Initiative and is aimed at improving our competitive edge throughout science, technology and engineering, math education, research and innovation. I supported this legislation when passed by a voice vote in the House 3 months ago because we needed to take the steps to ensure our future competitiveness.

There are several good things in the conference agreement. I am pleased that H.R. 1868, the Technology Innovation and Manufacturing Stimulation Act of 2007, which I am an original cosponsor of, formed the basis of the NIST provisions in the House bill. In addition, the House bill includes language for manufacturing grant programs that have passed the House three times. Finally, our bill authorized the Technology Innovation Program.

I wish to thank Chairman GORDON and thank Dr. EHLERS and Dr. GINGREY, who contributed their expertise to the NIST provisions.

I would also like to mention the High Performance Computing Act language of Mrs. BIGGERT that is included in the House bill. I also thank Mr. SENSENBRENNER for his protection of the bill legally throughout the course. These excellent provisions have been retained in this conference report.

In regard to NASA, the House bill contains important provisions to address the National Aeronautics and Space Administration, directing NASA to be a full participant in any interagency effort to promote innovation and competitiveness through basic scientific research and development and promotion of science, technology and engineering and mathematics education.

While these and other programs move us in the right direction, I have serious concerns about other provisions in the conference report, and tried in committee and in conference to address these concerns. I had the honor of serving as a conferee and met informally with the two Senators and Chairman BART GORDON in an effort to work out our differences.

When we met with the entire conference committee on the Senate side, we were given only 1 hour to meet with the entire conference and come with the final agreement.

Our concerns, unfortunately, were not addressed, and I, along with most of the House Republican conferees, did not sign the conference agreement.

First and foremost was the cost. The House passed a $24 billion bill that roughly mirrored the President's ACI initiative and even increased the budget in many areas. However, the conference report goes way beyond that amount to authorize $43.3 billion in spending. That is close to $20 billion over the House-passed bill.

Finally, I think the report includes the creation of an Advanced Research Projects Agency—Energy, called ARPA–E. I remain opposed to establishing an unnecessary bureaucracy at DOE that the agency itself does not want and does not support. I share concerns with some of the Department of Energy education provisions. I believe new programs in this bill go way beyond where DOE and our national laboratories should be involved.

At the end of the day, however, it is difficult for me on final passage to refuse to support a bill that contains many provisions good for my district, good for my State, and I think good for the Nation and that advances some of the President's American Competitiveness Initiative.

I will support a motion to recommit, however, that contains the same provisions that I offered in a motion to instruct that passed the House just 2 days ago. I will reluctantly vote ''aye'' to pass this bill on to the President for his signature.

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

Mr. GORDON of Tennessee. Mr. Speaker, first I want to thank my friend and ranking member for the work that he did in bringing this bill before us today. I also want to thank him on all of the good things that he said about this bill. It sounds like we almost got him.

We did have a conference, and when you have a conference, you have to make compromises. This is probably not a perfect bill, but as Dr. EHLERS said earlier, he has never seen that perfect bill. But I will remind everyone that every Senator, Democrat and Republican, signed the conference report, and it was bipartisanly signed in the House.

Mr. Speaker, I yield 3½ minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I rise in support of the conference report on H.R. 2272, the 21st Century Competitiveness

Act of 2007. I was pleased to have served on the conference committee that produced this conference report, and it is the result of a 6 months or more longer process that began on the House side with a series of bills in the Science and Technology Committee.

I especially want to recognize the leadership of Chairman GORDON and Ranking Member HALL, and on the subcommittee which I chair, Dr. GINGREY, for their leadership and cooperation in producing this bill, and also the very hardworking staff who helped produce this bill. I frequently said that you don't have to be a rocket scientist to be on the Science Committee, but you need to be a rocket scientist to be on the Science Committee staff.

These many bills were ultimately packaged into H.R. 2272, which reflect a bipartisan consensus in the House on the immediate actions and funding we need to keep American innovation strong.

The conference agreement before us today preserves the key provisions of H.R. 2272 and lays the foundation for benefits that will be reaped by our children: good jobs, strong economic competitiveness, and a better quality of life.

I want to talk specifically about title III of the conference agreement, which reauthorizes the activities of the National Institute of Standards and Technology, or NIST. NIST's mission is to promote innovation and industrial competitiveness by advancing measurement science, standards and technology. The new technologies that are producing global winners in the 21st century, including nanotechnology, advanced manufacturing and information systems, rely on tools developed by NIST to measure, evaluate and standardize. These tools are enabling U.S. companies to innovate and remain competitive, which is why NIST's mission has never been more urgent than it is today.

This conference agreement puts NIST's budget on a 10-year path to doubling as an investment in the future of American innovation. It substantially increases the NIST lab budget to enable it to expand its work in new technical areas, and it funds the completion of current laboratory construction projects in both Boulder and Gaithersburg.

Title III also places the Manufacturing Extension Partnership, MEP, on a 10-year path to doubling. The MEP is a proven and highly successful public-private partnership that provides technical assistance to small and medium-sized manufacturers to improve their productivity and competitiveness. A fully funded MEP will go far to reinvigorate our manufacturing sector, which has lost almost 3 million jobs since 2001.

Title III also responds to changes in global competition by establishing the new Technology Innovation Program, TIP, to replace the old Advanced Technology Program. TIP will help small, high-tech firms with big ideas cross the technologic valley of death by providing them with limited cost-shared funding to develop technologies that address critical national needs either alone or in joint ventures.

If you support American jobs, maintaining our economic competitiveness and a high standard of living, you should support the conference report on H.R. 2272.

Mr. HALL of Texas. Mr. Speaker, I yield 3½ minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), a conferee.

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to this conference report. While I applaud the overall goal of this legislation to ensure that America remains competitive in a global economy, particularly in the areas of math and science, research and education, several provisions included in the report remain of concern to me and should be of concern to the entire House.

The conference report authorizes $43.3 billion over 3 years. I appreciate that the conferees were willing to compromise by bringing the overall funding closer to the House version, but this agreement remains $20 billion above the House-passed level.

Members of this Chamber spoke in favor of the lower level of $24 billion when the House overwhelmingly passed the motion to instruct earlier this week. How soon we forget.

It is not fiscally responsible to pass a conference report that nearly doubles the House-passed authorization. We need to foster American science and mathematics innovation, but we shouldn't be breaking the bank to do so. I am afraid this bill will be another example of congressional over-promising and heightening expectations because the appropriators will never come close to funding these amounts.

Roughly half of the spending authorization included in the 21st Century Competitiveness Act conference report is designated for the National Science Foundation.

□ 1645

When I was chairman of this committee, I fought to increase funding for the NSF because I recognized that this agency is the foundation for new advances in medicine and technology. When the House passed H.R. 2272, we included language to double the NSF's budget over a 10-year period, a goal I support, thereby meeting the President's American Competitiveness Initiative's goal.

But the conference report goes well above and beyond this initiative, adding billions of dollars to the bill's final price tag. Finding ways to save is never a fun task, but given that our Federal deficit is expanding by the minute, increasing the NSF budget well above double over 10 years is not in our Nation's best financial interests.

If the economy is wrecked due to deficit spending and inability to manage the national debt, all of the good things that the sponsors of this legislation hope will come about will end up being ruined because the economy is not able to sustain what we propose here.

I'm also disappointed to see that the grants promoting coal-to-liquids technology and advanced nuclear reprocessing research were not included in the conference report. Language passed by the House would have given priority to grants to expand domestic energy production through coal-to-liquids and nuclear reprocessing research. With energy prices in constant flux, now more than ever we must find ways to reduce our dependence on foreign energy and encourage energy production here at home, also a keystone to continued economic prosperity.

A comprehensive, balanced energy policy is necessary to improve and sustain America's energy infrastructure. It's regrettable that the conference report does not reflect this objective.

For these reasons, I am opposed to this report. I will support the motion to recommit offered by the gentleman from Illinois (Mr. SHIMKUS).

Mr. GORDON of Tennessee. Mr. Speaker, I certainly understand my friend from Wisconsin's concerns. In the House, we did pass a 10-year doubling of the National Science Foundation. In the Senate, they passed an authorization for 5 years. Seven was a compromise, I think a reasonable compromise, and I remind everyone that we're in a pay-as-you-go budget, and the appropriators know they have to pay for what they appropriate. So I think that was a good and fair compromise.

Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY), a very valued member of the Science Committee.

Ms. HOOLEY. Mr. Speaker, I thank Chairman GORDON for giving me a chance to speak on this important legislation. I applaud your leadership and that of your subcommittee Chairs on these issues and for the expediency by which this conference report was put together.

America's greatest resource for innovation resides within our classrooms in Oregon and across this country. We must give our students more opportunities to be highly trained in math and science and technology so they can turn ideas into innovation.

Too many of our family wage jobs go overseas and too many of our children are falling behind their international counterparts in math and science achievement. With this legislation, we've taken bold steps to increase America's global competitiveness and to ensure that we have a robust, world-class science and technology workforce here in America.

The key to the United States maintaining its position at the forefront of global innovation and technology is to get more students interested in the science and math fields. This legislation does just that.

I urge the passage of this conference report.

Mr. HALL of Texas. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I thank the ranking member for yielding.

We've heard a lot of discussion, pro and con, on this bill. It is a good bill. Now, it spends more money than I would like. It actually lists more money than we will ever spend. This is an authorization bill; it is not an appropriations bill. And I know from 14 years of trying to get the appropriators to spend more money on science research that they will not appropriate anywhere near the money that we are authorizing in this bill. So, please don't think because it's a bigger bill than we expected that it's actually going to result in those expenditures.

Let me also comment about the investment aspect. I get tired of the word ''investment'' here. Everyone says we're going to invest money in this, we're going to invest in that, when actually we are just spending money. But this is a bill where we're clearly investing money, and there is a return on the investment in this money, because we are investing in research with a return on it.

When I first came to the Congress I was commissioned by Chairman Sensenbrenner and by Speaker Gingrich to write a report on where we should be going in science in this country. I did so and I examined this investment issue. I tried to pin it down.

There are lots of expert estimates on the return on investment on scientific research. The lowest figure I found was 25 percent annual return. The biggest number I found was 4,000 percent annual return. Take your pick between, but it's better than any other investment you can do. There is substantial return on science investment.

Let me give you one example. Years ago, when I was a graduate student, a friend of mine, Charles Townes, now a Nobel Prize winner, developed a laser. We all knew the principles of it. We knew he would likely succeed at some point. He operated with government funding, through a research contract. I don't know the exact amount, but I doubt if it was a great deal more than $10 million in the dollars of that day. He did develop the laser.

Today, the laser has created a multi-, multi-, multibillion dollar industry. The clothes you are wearing were cut out with lasers. Many of you have had laser surgery in hospitals or in doctors' offices. Every pipeline laid in this country is laid with directional laser beams. Every ceiling hung in this country and throughout the world is hung with the use of lasers.

The first laser I had cost about $1,000. I used it for research in the lab. Today, for $15.00 I can buy an equivalent laser in the gift shop in the Longworth building to use as a pointer. All of that, this multibillions of dollars simply from a $10 million Federal grant. That is the type of return we're talking about here.

This bill is a blueprint for the direction we want to go. We will by no means do all the projects in here. We will by no means invest all the money that is authorized here. Science is a progressive field. We will do the research. We'll find what pays off, and what doesn't pay off. This progressive process of science will allow us to efficiently allocate our resources as we determine the results.

Now, there are some things in this bill I don't think are that good. ARPA-E receives a lot of mention. I don't know if it will work. It worked fantastically in the Defense Department when we did it there. Will it work here? We don't know. We'll find out. If not, we kill the project.

We spent a lot of money here in the first years the Republicans took over this majority in doubling the investment in the National Institutes of Health. The amount of money we put into the National Institutes of Health alone during that period is greater than the total sum of money authorized in this bill. We put it in. It has paid off. Better health products, better analytical techniques to determine illness, to find cures. Very rarely, if you do the science carefully and it's peer-reviewed, very rarely do you find out that it is a bad investment.

Another aspect, we are losing out to other nations in international competition. We are losing out in science and math education. We're losing out in innovation. We're losing out, obviously, in manufacturing because of outsourcing.

If you look at the proof of that, simply examine the scores of our students in 12th grade classes in math and science in international tests across the entire world. Where do we come out? You've heard Chairman GORDON mention some of that a little while ago, but we are not proud of the results.

In physics, we are last of the developed countries in our student scores in 12th grade physics. We are second from the last to all developed nations in the scores for mathematics in 12th grade. We are about fifth from the bottom in general science, just a composite of science subject. In the PITA studies which were completed recently in mathematics comparing students in developed nations, the United States was last out of 21 nations.

We cannot compete in this world if we don't improve. We have to teach our students better. We have to train our teachers better. We have to train the teachers coming out of college so that they can teach in the high schools. We have to train the teachers who are already teaching, who from my experience I know want to teach better, but they have never been properly taught science and math or how to teach it. That again is part of this bill.

America is based on competition. We are a competitive Nation. We survive on competition. We thrive on it. Give us a chance. Give our kids a chance by properly training them to be able to do the scientific research and the technical work that this world needs.

We have to conquer this manufacturing problem we have now. We talk about jobs going overseas because there are cheaper wages. I have talked to manufacturers. I have a manufacturing district. That's not it. They're going overseas to get the talent, not to get the cheap salaries.

With our cutback on H–1B visas, many of my manufacturers are being forced to go abroad to get the work done. I don't like it. They don't like it. And if we do the job right, we will once again bring those jobs back to this country.

Finally, I just want to mention the huge number of endorsements this bill has received. The Chamber of Commerce has endorsed it and is scoring it. The National Association of Manufacturers has endorsed and is scoring it. And I've a list here and Chairman GORDON has also handed out a list of some 30 different scientific organizations supporting this bill.

This is not a fly-by-night bill. It may be more expensive than we want, but we won't spend all the money, I can guarantee that, because the research will be thriftily done and through a progressive scientific method of handing the money out and doing the research step by step.

This conference report represents the culmination of years of work by many people. Expert reports from the National Academies, Business Roundtable, National Association of Manufacturers and Business Higher Education Forum—just to name a few—kept telling Congress that the federal government must increase its investment in basic research and in science and math education, and must ensure that the funds it invests are spent on programs that will keep the U.S. competitive in the global economy. These reports had an enormous impact on the White House's thinking about competitiveness, and resulted in the President's introduction of the ''American Competitiveness Initiative''. Congress has responded to the recommendations about precisely what steps the government should take in the 21st Century Competitiveness Act of 2007 before us.

Beginning in 2006, the President's American Competitiveness Initiative (ACI), launched a three-pronged approach to competitiveness by strengthening research at the National Science Foundation, the Office of Science at the Department of Energy, and the laboratories and construction of the National Institute of Standards and Technology (NIST). This bill fully supports the ACI-requested improvements as well as strengthens programs focused on teacher training and education in science, technology, engineering and math.

The 21st Century Competitiveness Act of 2007 also includes some new ideas, such as the establishment of a DARPA-like agency at the Department of Energy. While I have been skeptical of this idea, it did originate with the experts at the National Academies, and, if it is able to achieve its goals of overcoming some of the great technology hurdles needed to

solve our energy problems, it would be revolutionary. The conference committee recommended $300 million to get this idea off the ground, a much lower amount than was originally proposed.

Last but not least, the bill also addresses the long-term problems facing our nation's manufacturers by broadening and strengthening manufacturing extension services and reviving manufacturing innovation through collaborative research and development. Although manufacturing has experienced tremendous technological gains over the last few years, international competition has exacted a toll on our nation's manufacturers. There is no evidence that these pressures are likely to go away, but this bill takes steps to help our manufacturing workforce grow and innovate.

It is clear that our nation is at a crossroads. The U.S. will either invest in innovation or witness the gradual erosion of our economic position and, quite possibly, the quality of life to which Americans have become accustomed. I recognize that many of my colleagues are concerned that this bill spends more than $40 billion dollars over the next three years. If there is ever an investment that will guarantee an economic return, this is it. To quote from the executive summary of the National Academy of Science (NAS) report, Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future:

> Having reviewed trends in the United States and abroad, the committee is deeply concerned that the scientific and technical building blocks of our economic leadership are eroding at a time when many other nations are gathering strength . . . [W]e are worried about the future prosperity of the United States . . . We fear the abruptness with which a lead in science and technology can be lost—and the difficulty of recovering a lead once lost.

Science and technology are the fundamental movers of our economy, and if we want to remain globally competitive, this bill is the sure fire way to guarantee results. The dividends paid by training scientists, engineers, and teachers will multiply throughout all sectors of our economy.

I want to thank Chairman GORDON and Ranking Member HALL for working on all of the bills that have become a part of the 21st Century Competitiveness Act. I hope my colleagues will support this investment in our nation's future.

Mr. GORDON of Tennessee. Mr. Speaker, I want to concur with the eloquent remarks of Mr. EHLERS. He's a great addition to our committee.

Mr. Speaker, would you report on the time remaining?

The SPEAKER pro tempore. The gentleman from Tennessee has 16 minutes remaining. The gentleman from Texas has 15 minutes remaining.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 2 minutes to the vice chairman of the Science Committee, Mr. LIPINSKI.

Mr. LIPINSKI. Mr. Speaker, I'd first like to thank Chairman GORDON for all his work on this bill and also Ranking Member HALL.

As vice chairman of the Science and Technology Committee, as an engineer, as a former professor, and just as an American who's concerned about our future, I stand today in strong support of H.R. 2272.

Today, America faces an enormous challenge. Two years ago, the National Academies warned us of a gathering storm that threatened our Nation in the 21st century. Their report told us that without immediate action the U.S. could lose its competitive technological edge in the world, meaning a dimmed future for our Nation. This bill will give us the jolt that we need to keep America in the lead, increasing our support for American researchers, scientists, engineers, educators and, most importantly, students, all of whom will turn their ideas into innovative new technologies which will advance our economy and ensure a brighter future for our Nation.

Dr. EHLERS very eloquently talked about how important investment is and what a great investment this bill is. As a former educator and researcher, I understand the immense value of investing in our future but especially in our children's education.

This bill provides $150 million for K–12 science, technology, engineering and math education, ensuring that American children won't be left behind as the world moves forward with new technology. These critical investments will create and equip thousands of new teachers and give current teachers the skills they need in order to be effective teachers of science and math.

The Competitiveness Act also creates an Advanced Research Projects Agency for Energy, which will invest in high-risk, high-reward R&D to help us overcome the technological barriers in the development of new energy technologies. These revolutionary new technologies will play a major role in securing our national energy security and protecting our environment.

And, finally, increasing NSF funding is a great advance and investment, and I urge my colleagues to support this conference report.

□ 1700

Mr. HALL of Texas. Mr. Speaker, I yield 4 minutes to Dr. GINGREY, the gentleman from Georgia and a conferee.

Mr. GINGREY. I thank the gentleman from Texas for yielding.

Mr. Speaker, I was on the floor earlier today railing against the rule on this conference report, and I voted against the rule. The reason I did that is because I thought the rule and the bill, in fact, were rushed to the floor and didn't follow regular order. I thought it was appropriate that I voted against the rule.

But I am here today to tell you that I am going to vote for this conference report.

As a member of the Science Committee, and as a conferee, I am very proud of the work that has come through the Science Committee. I commend Chairman GORDON. I have been enjoyed being on the Science Committee. This is my second term serving on the Science Committee, first with Chairman Boehlert and now with BART GORDON and serving with DAVID WU on the Technology and Innovation Subcommittee. I think we do great work on the Science Committee.

Now, I typically associate myself with the more conservative, fiscally conservative members of the Republican conference. I know that some of my colleagues are going to vote against this conference report because they are concerned with the level of authorized spending, and they are maybe going to be a little surprised that I am voting in favor of it.

My good friend back in Georgia, Joe McCutchen from Ellijay, Joe from Ellijay, I bet you Joe is watching right now cringing that I am going to vote for this bill that increases spending. It does authorize more spending than I am comfortable with, but I am very, very hopeful that when we get to the point of appropriating, I will be standing here asking, probably, for 1 or 2 percent cut in the amount of money that's appropriated, as I have done on most every spending bill that has been brought before the 110th Congress.

But I think this is one of those situations where it's better that we spend a little too much than not quite enough, because we are at war in this country on an economic level. We are in an economic war.

We are also in a shooting war, and we all know that. Every Member on both sides of aisle is committed to funding and supporting our troops, give them the equipment and what they need to win.

Well, this is the same situation, the analogy is we need to give our soldiers, in this economic war, the equipment that they need to win. These soldiers are our students, particularly at the K–12 level. That's why it is important that we support this conference report.

I hope my colleagues on this side of the aisle will understand that. I hope that I will not lose my brand as being a strong fiscal conservative.

Now, it was mentioned earlier that there are some score cards going around, and I will do pretty well on some of them, and I will do rather poorly on others. But we can't always worry about score cards. Like I say, in this situation, you got both sides kind of tugging at you one way or another. You have to, in the final analysis, do the right thing.

We have members on this committee, on both sides of the aisle, I think there are five Ph.D.s, Dr. BAIRD, Dr. EHLERS, Dr. BARTLETT, Dr. MCNERNEY, Professor LIPINSKI, Dr. GINGREY. I am not a Ph.D. I am as much a doctor of art as I am a scientist. This is some serious business, as has already been stated. It's important for us to understand that.

We can remain to our fiscal conservative principles, but in a situation like this, let's give our kids a chance to compete so we can win this global war, this economic war we are in. I am going to support this conference report. I encourage all my colleagues to do the same.

Mr. GORDON of Tennessee. I thank my friend from Georgia, Dr. GINGREY, for not only his support for this bill but his very active, passionate work on the Science Committee. He is a valued member.

Also let me point out that I think the endorsements of this bill, by the National Chamber of Commerce, by the National Association of Manufacturers, by Business Roundtable indicate very well that this bill very much is in the economic scope.

Mr. Speaker, I yield 2 minutes to a valued member of the Science Committee, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me express my appreciation to Mr. GORDON and Mr. HALL, Dr. GINGREY, Dr. EHLERS and others who have been active on the other side and shown interest, not just recently, but over the years.

Mr. Speaker, my colleagues and I in the Science and Technology Committee have held numerous hearings and markups to prepare the legislation that is before us today in the form of a conference report. Today this bill authorizes $33 billion over fiscal years 2008–2010.

You know, I grew up with my father saying nothing is free, and you get what you pay for. If you invest, you will get a return, and that's just where we are. We are in need of stimulating our teachers and our students to specialize in these areas so that we can be competitive in the world.

We have allowed ourselves to get behind, we are investing less than almost any other developed country, and we must step up to the plate now, the time has come. It will help to prepare thousands of new teachers and provide teachers with better materials and skills through our expanded Noyce Teacher Scholarship Program and through the Math and Science Partnerships Program.

In my district are the number one and number two public schools in the Nation, as Newsweek says. Texas Instruments has invested numerous dollars, thousands, in that school, and it is very good. We put out some of the best students in the Nation from our schools, but it only has about 20 to 25 percent of the students that need all of this. It is needed across the Nation. We are not going to get it until we provide for it. We will not get competitive until we do this.

So I would say please support the conference committee for H.R. 2272. It only provides what we need, and we cannot get it for free.

I know that we have spent a lot of money on this war, a lot more than they are asking for in here; but we have got to take care of this Nation.

Mr. HALL of Texas. Mr. Speaker, may I ask how much time we have left.

The SPEAKER pro tempore. The gentleman from Texas has 11 minutes.

Mr. HALL of Texas. Mr. Speaker, I recognize the gentleman from Illinois (Mr. SHIMKUS) for 3 minutes.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, upon conclusion of this debate, I will be offering the motion to recommit.

The motion to recommit will require the House conferees to adopt the House position, which was supported in a motion to instruct conferees on this floor only 2 days ago by a vote of 258–167, 69 of them being Democrats, including nine Science Committee Democrats.

For fiscal conservatives, this would require the conferees to insist on the overall House authorization level, which is $20 billion less. For the second part of this motion, it would require the House conferees to again support the previously adopted House position with regard to giving priority grants to expand domestic energy production through the use of coal-to-liquid technology and advanced nuclear reprocessing.

Again, this was the exact motion to recommit of 2 days ago.

I have heard the debate of my friends: if we want to have a blueprint to where we want to go, we want to go for energy security. We are going to take up a bill on the House floor in a day or two that has no energy production. So how are we going to go advance science research, the next generation, if we don't have priority grants in nuclear reprocessing and coal-to-liquid technology?

We heard the debate. We know that people want to go to coal-to-liquid technologies, but we don't know if it's going to work. We don't know if we can sequester. We don't know if we can refine it less than the barrel of crude oil. That's what this energy is for. Energy security.

Let's get our best minds on this, but the conference report pulled it out. That's why I will offer the motion to recommit.

Two things on coal-to-liquid, I could talk about nuclear reprocessing all day. It should be in this bill. But I want to focus on coal-to-liquid technology, economic security, national security.

Look what coal-to-liquid does, are 80,000 barrels, 1,000 new jobs, 2,500 to 5,000 construction jobs, 15 million tons of coal per year, up to 500 coal mining jobs in one coal-to-liquid refinery.

Talk about national security? Here's national security for you. Are you tired of our reliance on imported crude oil from the Middle East? If you are tired of it, then you go to coal-to-liquid technologies. You take our coal that's under our ground. You move it up to a refinery that's not on the gulf coast, that's in the Midwest, or wherever there are coal fields in this country, you refine it, you put it in our pipelines, and as this shows, you know where it goes? To our jet fighter planes, to our jet cargo planes.

The Department of Defense is crying for us to provide jet fuel for them through this technology. But, no, we can't do it.

Here you got a science bill, you want to give grants to help us move in the next generation, you pull out nuclear reprocessing, and you pull out coal-to-liquid technology. You are going to bring to the bill an energy bill with no energy. That's why I am moving this motion to recommit.

Mr. GORDON of Tennessee. Mr. Speaker, I will remind my friend from Illinois that there is nothing, nothing in this bill that says that the Department of Energy, the Office of Science, or RPE cannot do research on coal-to-liquid. Nothing in this bill stops that.

Mr. Speaker, I yield 2 minutes to the chairman of the Subcommittee on Energy and Science, Mr. LAMPSON from Texas.

Mr. LAMPSON. Thank you, Chairman GORDON, for your time and also for your great leadership on the Science Committee. All of us on the committee are doing great work.

Mr. Speaker, I am honored to support the America COMPETES Act and to be a conferee on this important legislation. We are now showing that we are dedicated to investing in America's future.

More specifically, we are investing in students and teachers and businesses and hardworking Americans to keep our great Nation the leader in the sciences. This bill, the product of hard work and bipartisan efforts, is inspired, some might say, by the National Academies' report, ''Rising Above the Gathering Storm,'' which raised the alarm that America could lose its competitive edge in sciences and academics unless we, the Congress, acted quickly.

Well, we have acted, and this package of key bills addresses numerous areas, including stronger support for National Science Foundation and the National Institute for Standards and Technology, funding for more teachers in undergraduate education in science and engineering. Academics, industry and our economy all depend on strong Federal support.

By authorizing billions for our research and education programs, technology, career and academic development programs, we ensure that America sets the gold standard in these various fields.

I, of course, know the importance of this funding firsthand, having been a former teacher. My colleagues know how much of an advocate I am for NASA with the Johnson Space Center being in my district.

I am proud to represent many of the Nation's best and brightest minds who continue to turn our dreams of further scientific knowledge and technological advancement into reality.

It's not just talking about space travel. The energy industry plays a significant presence in my district, and the future of alternative fuels and higher fuel efficiency and stronger and more reliable infrastructure depends on training the energy experts of tomorrow.

Well, the Texas Medical Center, also located in southeast Texas, is a leader

in cutting-edge health care and technology and needs future health care providers who have a strong science background. Therefore, I know that the America COMPETES Act, by supporting both academics and science, will be a boon to southeast Texas for our Nation.

□ 1715

Mr. HALL of Texas. Mr. Speaker, I recognize the minority leader, Mr. BOEHNER, for 1 minute.

Mr. BOEHNER. Let me thank my colleague from Texas for yielding, and say to my colleagues, the issue of competitiveness is an important issue in America. We are competing with countries all over the world and, as a result, real competition brings out the best in all of us.

When I look at the bill that we have before us, it really shows me everything that is wrong with Washington. This bill left the House with a $23 billion authorization. It comes back with a $43 billion authorization, creating 40 new programs.

Now, these are well-intentioned programs. I am sure there are some very good things in this bill. But when you begin to think about 40 new programs that are being authorized, there is no spending available for these. We authorize all kinds of bills, but then we have to go find the money to pay for them.

We know what the appropriations process is like, and I will just point out one tiny example. There are 208 math and science programs that are operated by 13 Federal agencies; 208 math and science programs, 13 different agencies. And guess what we do in this bill. We create five or six new ones.

Now, I have been trying to get my arms around this for about the last 5 years. Why can't we find a way to take these programs and the money that we are spending on them and try to do some coordinated approach that really will produce more math and science majors? That is not what we do. We just keep adding new programs. It happened last year. It is going to happen again this year.

It just reminds me of the old adage: If you throw enough mud against the wall, some of it is sure to stick. In Washington, that adage has been turned around: If you throw enough money at the wall, some of it is bound to stick. But at the end of the day I don't think that is what the American taxpayers want us to do. I think they want us to do things that pass the straight-face test. And adding five more or six more math and science programs to the 208 that we have makes no sense to me at this time.

If we are serious about competitiveness and serious about allowing our manufacturers and our companies, our software companies and others in our country to be able to compete, let's look at the regulatory burden that we put on our companies that doesn't exist around the world. We regulate things until it can't hardly breathe, and we wonder why our companies can't compete as well around the world.

Why don't we talk about extending and making permanent the tax cuts, giving companies in America certainty about the reasons to invest in the American economy, reasons to invest in their own future? And if we were to make those tax cuts permanent, people would have some feeling and some certainty about what the tax regime is going to be in our country so that we can in fact allow them to put greater investment here.

What about tort reform? Nowhere in the world do our companies get beat up by the courts and the trial lawyers and no place any more than here in America. If we want to be able to compete around the world, if we want to bring the cost of doing business down, why don't we do something about tort reform?

Let's talk about expanding free trade and markets around the world. We have got three or four trade bills that are laying around here languishing for countries in Central and South America. Again, we want to be competitive, but why don't we help work with countries around the world to reduce those barriers so that we have more markets for our companies to go out and compete in?

And, at the end of the day, if we are serious about being able to compete in a worldwide market, we have got to do something about educating our children. I think most of us that are here today know that we educate about half of America's kids. Maybe a little more than half get a high school diploma. Some of them can't read it. But the fact is that we have never been serious in this country about providing all of America's children a chance for a decent education.

And that doesn't mean that Washington has to drive all of it. But we as a country, as a Nation, need to get serious about finding ways to give every person in this country a chance at a good education. Because if we educate more of America's kids, we will have more math teachers, we will have more scientists, we will have more engineers, we will have more teachers. But we can't do that if we don't get serious about improving our schools and making sure that all kids have a chance.

This bill creates a lot of Washington bureaucracies and a lot of Washington bureaucrats, and the only thing competitive about this bill will be the competition for office space created by all the new bureaucrats that will be employed as a result of this bill.

I know there are some good things in this bill, and I know my colleagues worked hard at it. But at the end of the day, this looks too much to me like Washington as usual and, as a result, I am unable to support this bill.

Mr. GORDON of Tennessee. Mr. Speaker, I know the minority leader is very sincere about his concerns here. I wish I had the time to address them one by one.

Let me just quickly remind everyone that we look at this bill, the American Chamber of Commerce thinks it is a good investment, the National Association of Manufacturers thinks it is a good investment, the Business Roundtable thinks it is a good business. Virtually every business major in America thinks this is a good investment. All the universities and research agencies thinks it is a good investment. But there can be sincere differences of opinion.

Mr. Speaker, could you report to me the time I have left?

The SPEAKER pro tempore. The gentleman has 8½ minutes remaining.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 1¾ minutes of those to my friend and colleague from the Energy and Commerce Committee, Ms. ESHOO.

Ms. ESHOO. Mr. Speaker, I thank the distinguished Member, the chairman of the House Science and Space Committee.

Mr. Speaker, Americans of my generation and my parents' generation as well have always accepted it as an article of faith that the United States of America would lead the world in innovation, in ingenuity, and in invention. And, no matter what the challenge would be, that we as a Nation would rise to that test, we would meet the competition, and we would come out on top.

It was true in the 1930s, when President Roosevelt responded to the concerns of scientists in our country about the Nazi government and what they might develop with the Manhattan Project. It was true in 1961, when America awoke to the fact that a Soviet cosmonaut had been launched into space, and President Kennedy responded by saying as a Nation we have to commit ourselves to achieving the goal that, before the decade was out, that we would land a man on the moon and return him safely to Earth. And we did when Neil Armstrong landed on the moon in 1969 and took a giant leap for mankind.

We know that there is a gathering storm when it comes to innovation and competition for our country, and that is what this legislation directs itself to.

We have to perform. We have to produce more scientists, more mathematicians, educate our children, invest in science, and research. That is what this bill is about.

I have an optimistic view of America. I don't share the somewhat depressed view that the distinguished minority leader offered. We can, we have in the past, we will in the future. This legislation today helps to lay the groundwork for our sure economic footing so that the 21st century is an American century.

Mr. HALL of Texas. Mr. Speaker, I recognize the gentleman from Texas (Mr. HENSARLING) for 2 minutes.

Mr. HENSARLING. I thank the gentleman for yielding, and I thank him for his leadership. I know of no other Member who is kinder or wiser than the gentleman from Texas (Mr. HALL), and I appreciate that.

I also appreciate the earlier comments of the gentleman from Georgia who sits beside me. I want to assure, Mr. Speaker, all the people of Georgia that he is one of the great leaders of fiscal conservativism in this body, and his fellow fiscal conservatives understand if he is wrong once a year.

I somewhat reluctantly rise in opposition to this conference report. The goals contained within this conference report are very lofty goals. I know that many good things could be done with this money and that there are many good programs contained within it. But I have to ask a most inconvenient question, which I frequently find myself asking on this House floor: How are you going to pay for it?

Mr. Speaker, we continue to run deficit, which means now, by definition, when you are running a deficit, the first money is coming from raiding the Social Security Trust Fund. Is this program worth that?

I have Members coming to the floor to decry, well, we are borrowing money from China. Well, if you are floating T-bills and they are buying that debt, yes, then you are borrowing money from China. Is this worth borrowing money from China?

We know within the budget resolution passed by the Democrat majority, it contains the single largest tax increase in American history, which, over the course of 5 years, can amount to a $3,000 per American family tax burden. Is that where we are going to take the money from?

Mr. Speaker, there are already 10,000 Federal programs spread across 600 agencies; and since I have been here for almost 5 years, we are adding them at an alarming rate, and I see very few go away. How are we going to pay for it?

We are on the road right now to leave the next generation with a lower standard of living if we don't correct our spending ways. Let's get rid of some of the old programs before we add some new programs, no matter how worthy they may be.

Mr. GORDON of Tennessee. Mr. Speaker, I yield 1 minute to my friend from North Carolina (Mr. ETHERIDGE).

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of the conference report for the America COMPETES Act. I am pleased that the new Democratic majority in Congress is providing this new direction for our country.

As an active member of the New Democratic Coalition, I support this bill that will help ensure our Nation's global economic competitiveness through investment in math, science, engineering, and technological education and a renewed commitment to basic research.

As a former member of the House Committee on Science, I have worked for years working with the committee to get here. I want to thank them for this piece of legislation. I want to congratulate Chairman BART GORDON and Ranking Member RALPH HALL and the staff of the Science Committee for their hard work in producing this outstanding product.

As a former State school chief now serving in Congress, I am pleased that this bill will invest in 25,000 new teachers through professional development, Summer Institute training, graduate education assistance, and NSF scholarships. The bill also broadens the participation of minorities and women in science and engineering fields at all levels from kindergarten to advanced researchers. I urge my colleagues to support this legislation.

Mr. Speaker, I rise in strong support of the conference report on H.R. 2272, the America COMPETES Act.

I am pleased that the new Democratic Majority in Congress is providing a new direction for our country. As an active Member of the New Democrats' Coalition, I support this bill that will help ensure our nation's global economic competitiveness through investment in math, science, engineering, and technology education and a renewed commitment to basic research.

As a former Member of the House Committee on Science, I have worked for many years to pass legislation to encourage innovators and develop the most valuable workforce in the world. I want to congratulate Chairman BART GORDON and Ranking Member RALPH HALL and the staff of the Science Committee for their hard work in producing this outstanding product.

As the only former state schools chief serving in Congress, I am pleased that this bill will invest in 25,000 new teachers through professional development, summer training institutes, graduate education assistance, and NSF scholarships. The bill also broadens the participation of minorities and women in science and engineering fields at all levels from kindergarten students to advanced researchers.

Mr. Speaker, I congratulate the authors of this legislation for their success on this fine product, and I urge my colleagues to join me in voting to pass it.

Mr. HALL of Texas. I yield ZACH WAMP, the gentleman from Tennessee, 2 minutes.

Mr. WAMP. Mr. Speaker, I rise in support of the conference report, and I thank the leadership from Tennessee for the role they played in formulating this bill. The chairman of the Science Committee, Mr. GORDON, and Senator LAMAR ALEXANDER listened.

If being fiscally conservative means turning a deaf ear to the leaders of our extraordinary free enterprise system, like the Augustine participants who recommended these solutions, then we are being penny wise and pound foolish as fiscal conservatives. If we do not invest, you will not balance the budget again.

I was here in 1995 when the budget wasn't balanced, and then it became balanced. Not by cutting spending but by rightly slowing the growth of spending and restraining government spending. But we balanced the budget with a dynamic growth economy.

The chairman of the Science Committee pointed out that the Internet itself came out of a DARPA investment through programs like this, and it was telecommunications that gave the United States this dynamic global economy where revenues soared. If we want to lead the world in energy technologies, you had better invest now.

This is not a social program transferring wealth from one to the other. This is an investment in the next generation. This reaps the highest return of investments we make in the Federal Government, and this is an authorization. I am an appropriator. We might not be able to appropriate all this money, but the authorization allows us to try every year as the priorities come to the committee.

What is important? Is it important to invest in the next generation? You bet it is. Are we falling behind? You bet we are. Are we going to do something about it? We had better. And you can't vote ''no'' all the time. All year, I have come down here at the committee and on the floor and voted to restrain spending or even cut spending. Not now. Not on this. It is too important. This is a generational legacy.

I am proud of what we are doing in our national laboratories, and we need to stoke that fire and allow this country to be all that it can be.

Vote ''yes'' on this conference report in a bipartisan way and say to the next generation we are going to lead the world.

Mr. GORDON of Tennessee. I say to my friend from Tennessee, ''Well said.''

And now I am pleased to yield 30 seconds to the great Speaker of the House of Representatives (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

What an exciting day for the Congress. Some of you are too young to know this, but you have read about it in the history books. Mr. HALL and I remember when President Kennedy came forward and said that he was going to inaugurate a program that would send a man to the moon and back, safely, within 10 years.

Now, for those of you who weren't born yet, you have read about it in history, you have to know that sending a man to the moon as an idea was such an impossibility. It would be almost like a magician cutting somebody in half and then putting them together again.

□ 1730

How could this possibly happen, that somebody would go into the sky, to the moon and come back?

At the time that he did that, it was a remarkable lift to the American people because it had followed upon Sputnik, as many of you know or have read in the history books and some of us remember. When he did that, President

Kennedy made the following statement. He said, ''The vows of this Nation can only be fulfilled if we are first, and therefore, we intend to be first. Our leadership in science and in industry, our hopes for peace and security, our obligations to ourselves as well as others all require us to make this effort,'' hearkening back to our Founders, those magnificent, courageous, optimistic, confident people, and President Kennedy referenced our vows to their great work.

This is our innovation agenda which is reflected in the legislation before us today. In answering President Kennedy's call, at that time, to put a man on the Moon, America unleashed unprecedented technological advances that built the world's most vibrant economy. The talent, intellect and entrepreneurial spirit of the American people that made this country the leader is being seriously challenged today by other countries. Americans must continue to innovate in order to create new, thriving industries that will produce millions of good jobs here at home and a better future for the next generation.

The distinguished chairman of the Science and Technology Committee and the distinguished ranking member, in bringing this bill to the floor today, are giving us our opportunity at our time to meet the challenge for the future. Today Congress has the opportunity to make a decision for the future.

Nearly 2 years ago, House Democrats created our innovation agenda in a very bipartisan way, which guarantees our national security and our economic prosperity, expands markets for American products, and asserts our leadership throughout the world in the decades to come. Already this year the New Direction Congress has led the way in promoting innovation and investments in education, science, research and development.

Today, with the COMPETES Act, we have bipartisan, bicameral legislation that implements much of the innovation agenda. Again, I want to recognize the extraordinary leadership of Chairman BART GORDON and the Science and Technology Committee and the ranking member for their leadership on this conference report. Chairman GORDON has energized this committee, ensuring that our Nation will continue to be the world leader in education, innovation and economic growth.

The COMPETES Act focuses on four key areas, as has been referenced: education, research and development, energy independence, and small business.

In education, the COMPETES Act recognized that America's greatest resources for innovation are in the classrooms across this country. This legislation invests in creating the most highly qualified teachers and training the next generations of scientists, mathematicians and engineers through public-private partnerships. This bill also takes steps to ensure that future innovators reflect the diversity of our country.

What I love about this bill and this legislation is that it's market-oriented, public-private entrepreneurial partnerships to keep us number one.

We know that innovation begins in the classroom and that scientific research provides the foundation for innovation and future technologies. The COMPETES Act makes a sustained commitment to research and development by putting us on a path to doubling funding for the National Science Foundation and the National Institutes of Standards and Technology and the Department of Energy's Office of Science.

I heard Congressman WAMP with great enthusiasm talk about the ARPA—Energy. I'm excited about it as well. To help achieve energy independence, the COMPETES Act focuses on energy research and innovation by creating a new Advanced Research Projects Agency for Energy, ARPA-E.

Mr. Chairman, I know your enthusiasm for that issue for a long time, and congratulations on bringing it to fulfillment here. This initiative will provide talent and resources for high-risk, high-reward energy research and technology development and attract investment for the next generation of revolutionary technologies.

And finally, the COMPETES Act recognizes that small businesses are often the catalyst for technological innovation and the backbone of the strong economy. It puts us on a path to doubling the funding for the Manufacturing Extension Partnership and creates a new initiative, the Technology Innovation Program, to support high-risk, high-reward, pre-competitive technology for small and medium-sized companies.

Because this bill is a decision in favor of future jobs and future economic strength, it's earned the endorsement of the Chamber of Commerce, many university presidents, ITI, TechNet, and the National Association of Manufacturers, among others.

I urge all of my colleagues on both sides of the aisle to support it. And before I close, I want to acknowledge the great leadership of Congresswoman ANNA ESHOO, Congresswoman ZOE LOFGREN and Congressman GEORGE MILLER, who is the Chair of our Policy Committee, for the work they did bringing people together, Democrats and Republicans, entrepreneurs, high tech, biotech, academics, people in the work force, students, venture capitalists, entrepreneurs, all to come to bear, all over the country. Meetings were held all over the country to put together the innovation agenda which is reflected in this legislation. Mr. BAIRD had an event in Washington State. As I look around, I could name so many Members who had events in their States. In doing so today, in passing this bill, we will assert our global economic leadership, create new business ventures and jobs, and give future generations the opportunity to achieve the American Dream.

I began my remarks, Mr. Speaker, by quoting President Kennedy, who was an inspiration to so many of us of a certain generation who are active in public service today.

He hearkened back to our Founders and our vows to our Nation, and I want to hearken back to that place too, because our Founders were among the earliest American entrepreneurs. They were magnificent disrupters. They thought new and fresh and different ways. They came together. Imagine the confidence. They came together, declared their independence from the greatest naval power in existence at the time, did so in a declaration that asserted the equality of all people, and then went forward to win the Revolutionary War, write a Constitution that made us the freest people in the world. Thank heavens they made it amendable so that we could even become freer. And when they did so, they designed the Great Seal of the United States. And on it, it's in your pocket. You're carrying it around if you don't know it. It's on the dollar bill. And on that great seal it says, ''Novus Ordo Seclorum.''

These people, with all that revolutionary spirit, with all that disruption of the status quo, had so much confidence in what they were doing, so much faith in themselves, faith in this country to be and faith in God that they said that what they were establishing was for the centuries, for the ages, ''seclorum.'' Those of you who know Latin know that that means ''forever.'' And it was that optimism, that confidence that built America. And it is in that spirit of disruption, of change, of doing something different, of having a big goal of aspiring to greatness, that we, as President Kennedy said, do honor the vows of our Nation. And this legislation is very much in their pioneer and entrepreneurial spirit.

I thank you again, Chairman GORDON, for your tremendous leadership.

Mr. HALL of Texas. Mr. Speaker, before I close, I want to thank the Speaker. I thank BART GORDON, the very capable Dr. BAIRD, who has given good advice and good leadership.

I want to especially, though, point out the work of a highly talented and dedicated staffer who will be leaving the committee next week to join the ranks in the Senate. Amy Carroll, we thank you for your hard work and dedication as a public servant for our Nation.

Also want to thank Dr. Lesslee Gilbert; our counsel, Margaret Caravelli; Attorney Katy Crooks; Mele Williams for her good work; Ed Feddeman; Elizabeth Stack, our energy advisor. And as has been pointed out by Dr. GINGREY and by Dr. EHLERS, this is an authorization, and this culminates a work of a program that started 3 years ago, and it's a good program.

I thank Representative HENSARLING for his warning and his admonition, his pointing out the cost, and of course, the minority leader's position, I respect that.

But I would say this, that we fought the soaring cost at every hedgerow. We fought the new agency created within DOD against their wishes as best we could. We took a position, as we all met together for the conference committee. And at the end of the day, I have to say that this is a good program for a deserving generation.

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

Mr. GORDON of Tennessee. Mr. Speaker, I yield 1 minute to a new but valued member of our committee, Mr. MCNERNEY from California.

Mr. MCNERNEY. Mr. Speaker, I want to thank the distinguished chairman for his diligent work in passing the conference report on the America COMPETES Act. This is an important day for the Congress, it's important for the educators, and it's important for the students across this great land.

When the National Academies report, ''Rising Above the Gathering Storm,'' was presented to Congress, it painted a sobering picture of how dependent America's economy is on an educated public and how easily we could fall behind the rest of the world. Thankfully, the report also provides specific recommendations on how to increase educational achievement, which is the backbone of our economy.

As a mathematician and an engineer, I understand clearly the advantage of having a STEM education. This COMPETES Act will spur the creation of high-quality jobs and ensure that American companies won't have to look overseas for talented employees.

Again, I thank the chairman. I thank the ranking member.

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

Mr. GORDON of Tennessee. Mr. Speaker, I yield 3 minutes to one of our very able subcommittee chairmen, Mr. BAIRD.

Mr. BAIRD. Mr. Speaker, as Chair of the Subcommittee on Research and Education, as a scientist, as an educator, and perhaps most importantly of all, as a parent, I commend this legislation. I'm very proud to support it fervently.

I want to focus in particular on some of the sections of the bill that we authored along with my dear friend, Dr. EHLERS, on the Science Committee. I especially want to commend Ranking Member HALL and Mr. GORDON for his great leadership.

Title VII of this bill reauthorizes the National Science Foundation and is based on legislation authored by Mr. EHLERS and myself. This title includes some very exciting provisions. It helps ensure the strength and vitality of basic research at U.S. colleges. It strengthens and expands K–12 science, technology and math education. It provides additional support for new investigators to help keep the best and brightest in the STEM pipeline. It strengthens STEM programs for 2-year institutions. It focuses attention on interdisciplinary research, and to stretch our Federal dollars, it encourages university and industry partnerships to make every dollar go further. It expands the range of state-of-the-art research tools supported by the foundations. It requires NSF grantees to train their students in responsible and ethical conduct. It specifically recognizes the importance of social science to our Nation's security and competitiveness. And it acknowledges the increasing importance of service science to our Nation's competitiveness.

Finally, it includes needed improvements to planning and coordination for the major Federal interagency research program in information technology.

□ 1745

I am grateful to all the committee members and to our staff: Chuck Atkins, Jim Wilson; Dahlia Sokolov; Alisa Ferguson; Lewis Finkel; Hilary Cain on my own staff; and soon to depart but with much gratitude, Marc Korman on my staff.

Mr. Speaker, our Nation was founded by scientists. We don't talk about that often enough. But Franklin, Jefferson, and Washington were passionate about science. They would be proud of what we are doing today.

In the Dome of this magnificent Capitol, if you look up and see the great picture of the Apotheosis of Washington, he is surrounded by images in many cases representing the science and engineering achievements of this great Nation.

For the sake of our future, for the sake of our children, for the sake of our economy and our security, pass this good bill.

I commend all those who participated in making it a success.

Mr. HALL of Texas. Mr. Speaker, I thank Chairman GORDON, Chairman BAIRD, and all of my staff.

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

Mr. GORDON of Tennessee. Mr. Speaker, Mr. HALL earlier in the presentation said that he was going to have a motion to recommit on coal to liquid. Let me just remind all of my colleagues there is not one word, not one single word, in this bill that would stop any investment, any research in coal to liquid.

Finally, Mr. Speaker, I want to say thank you to the Democratic and Republican Members that attended all those meetings where we could develop this good bill. I want to say thank you to subcommittee Chairmen BAIRD, LAMPSON, UDALL, and WU; Ranking Members EHLERS, INGLIS, FEENEY, and GINGREY for their effort in putting this bill together.

Let me also say we have 70 Democratic and Republican staff members that have worked on this bill, and that is basically what we have been doing for the last few months. I would like to thank every one of them personally, but there is not going to be the time. So let me just say thanks to Chuck Atkins, our chief of Staff; Leslie Gilbert; and Mr. HALL's chief of staff for all the work they have put together. I hope that the staff's thank you is seeing this bill enacted, seeing the good work that is going to come from this, knowing that their kids and grandkids are going to live in a better America. I don't know a better thank you.

Mr. MANZULLO. Mr. Speaker I reluctantly rise today in opposition to the America COMPETES Act of 2007, H.R. 2272. I am a firm supporter of education and innovation in the fields of science, technology, engineering and math. Unfortunately, I cannot endorse a bill that creates 40 new programs and spends tens of billions of dollars.

I devote a great amount of my time working on manufacturing issues. The congressional district I represent has over 2,500 industries. Manufacturing has several components, one of which is getting workers with adequate skills to be machinists, plus having an adequate supply of engineers and others involved in that aspect of manufacturing. At present I am involved in trying to solve workforce problems, which in turn, in many cases, depend upon people who have a good understanding of science, tech, engineering and math. I am a member of the Council on Competitiveness, a co-chair of the Manufacturing Caucus, and Chairman of the Republican Policy Committee Task Force on Manufacturing. As previous Chairman of the House Committee on Small Business, I held countless hearings on competitiveness. I travel this country and overseas studying machine tools, manufacturing efficiencies, global supply chains, manufacturing financing, IP protection, export controls, etc. I've also lectured extensively on America's need to be globally competitive.

In a good faith effort by both parties to make America more competitive, I believe we may be sliding a slope very few realize even exists. For example, this bill forgives student loans for individuals who teach math and science. While this is a noble idea, this sets the precedent for other vocations to receive loan forgiveness. When will we draw the line? Will we forgive loans for firefighters, policemen, federal government employees, doctors, and lawyers? Who decides which profession deserves preferential treatment? Extending the years of loan payment or perhaps reducing interest rates on critical professions in underserved areas may be a consideration, but loan forgiveness can put us on the road to ''free'' federal education for everybody. The price tag is unimaginable.

Furthermore, today's bill is a composite of five different bills which have already passed the House. Attaching these bills together is not prudent legislation because it forces a Member of Congress to vote for or against the entire package even though he may have been in favor of a more modest approach. For example, I voted in favor of the authorizations for the National Science Foundation (H.R. 1867) and the National Institute for Standards and Technology (H.R. 1868)—two agencies whose missions are vital to America's competitiveness. In addition, a third bill, H.R. 1068, updating research goals of the National High-Performance Computing Program, is also worthy

and actually passed on a voice vote. However, these three bills were combined with: H.R. 362, 10,000 Teachers, 10 Million Minds Science and Math Scholarship Act and H.R. 363, Sowing the Seeds through Science and Engineering Research Act. These two latter bills forced me to reluctantly vote against the whole package—especially since this combined bill contains $20.3 billion more than the five original bills and creates forty new science, tech, engineering and math (STEM) programs. I find this to be particularly wasteful when considering the fact that scores of current programs have not been found to be effective as evidenced in three separate studies by the Government Accountability Office (GAO), the US Department of Education (DOE), and the Office of Management and Budget (OMB).

The GAO in October, 2005, issued a report stating that in fiscal year 2004 there were over 207 different science, technology, engineering, and mathematics (STEM) programs spending approximately $2.8 billion annually spread throughout 13 agencies. Only half of the programs have been internally evaluated, with the reporting agencies stating the programs were effective and met established goals of attracting more students to study STEM courses, but, GAO added, ''some programs that have not been evaluated have operated for many years.'' These agencies made suggestions to GAO, but GAO concluded that before adopting any suggestions ''it is important to know the extent to which existing STEM education programs are appropriately targeted'' so as to make the best use of available federal resources. The purpose of GAO is to determine whether taxpayers' money is being spent wisely. GAO's language indicates there is no basis to make that conclusion because too many programs simply have never been evaluated for efficiency.

The second study—a Report of the Academic Competitiveness Council conducted by the U.S. Department of Education in May of 2007—showed 115 evaluations were submitted for 105 STEM programs and only ten evaluations were found to be ''scientifically rigorous.'' The report went on to say that, ''[b]ased on the 115 evaluations, the ACC's review that despite decades of significant federal investment in science and math education, there is a general dearth of evidence of effective practices and activities in STEM education (emphasis original).''

The third study was conducted by the OMB through a Program Assessment Rating Tool (PART) Analysis of 88 programs within the Department of Education and only four were proven to be effective. Among those programs whose results were not demonstrated was the Department of Education Mathematics and Science Partnership program. This program provides grants to state and local education agencies to improve student's academic achievement in math and sciences. The program was not found to be well managed, and it did not establish performance measures.

On the basis of the information provided by GAO, DOE, and OMB, I am surprised that we are considering the creation of 40 additional STEM programs. We should be evaluating and consolidating all existing STEM programs, and save money at the same time. Instead, the House of Representatives is adding more programs and spending tens of billions more.

While I continue to remain a firm supporter of U.S. industry and competitiveness, I believe that there are better ways to accomplish this than spending billions of dollars on new and unproven programs while hundreds of programs continue with little or no accountability. That is why I encourage my colleagues to vote for the Motion to Recommit, which still spends too much money, but as opposed to the combined bill reduces the overall spending of the combined bill by $20.3 billion.

Mr. WELDON of Florida. Mr. Speaker, I rise to express my concerns about the final conference report on H.R. 2272.

There are many good provision in the bill, and as a medical doctor, I share the goal of increasing participation in math and science education and in fostering research in these critical areas. In particular, I applaud funding for the National Science Foundation.

However, I am concerned about the level of increase that is in this bill for the National Science Foundation—amounting to a 12 percent increase in each of the next four years. The NSF bill that the House approved earlier this year, and which I voted for, provided about an 8 percent annual increase for NSF. I was concerned over the fact that because NSF and the National Aeronautics and Space Administration (NASA) compete for the same pot of money, increasing NSF by more than this amount might cause problems for our national space program. Now that the bill has come back from the Senate and the House-Senate Conference Committee with a 13 percent annual increase for NSF each year through 2011, I am very concerned about the threat this poses to our human space flight program.

While this bill says that it is the sense of the Congress that NASA should be funded at the 2005 authorization level in FY08, the Democrat Majority could not even accomplish this goal for FY07 when the new Democrat leadership cut over a half a billion dollars for the space exploration account and funded NASA at only $16.2 billion—$1.7 billion below the authorized level. In addition, the House-passed Commerce State Justice Appropriations Bill for FY 2008 actually funded NASA at $17.6 billion—$1.2 billion below the authorized level. So, while H.R. 2272 includes nice rhetoric about fully funding NASA, the authors of H.R. 2272 know that such rhetoric is empty.

Additionally, I am concerned that the bill creates 40 new federal programs, 20 more than were in the House-passed version. Many of these new programs are duplicative of over 200 existing federal science, technology, engineering and math (STEM) programs and will siphon money away from research in order to fund bloated bureaucracies.

My belief is that there is no program that inspires interest and study in math and the sciences like our nation's space program. So recognition of this fact should follow with adequate and fair funding levels. This bill jeopardizes that and, unfortunately, I cannot support it.

Mrs. DRAKE. Mr. Speaker, I rise today in strong support of the conference report on the ''Water Resources Development Act of 2007,'' and in particular Section 1001, which authorizes approximately $712 million for the Craney Island Eastward Expansion in Norfolk Harbor at a Federal cost share of 50 percent, or approximately $356 million. The Virginia Port Authority's Eastward Expansion is a project of national significance and is vital to the efficient movement of goods for our country.

At the outset, I would like to acknowledge the contributions of those individuals whose strong commitment and tireless efforts made Section 1001 possible. First and foremost, I would like to recognize my distinguished leader of the Committee on Transportation and Infrastructure, Ranking Member JOHN MICA for once again delivering on his promise to support the needs of his Committee members on issues of importance to them and their districts; also, Congressman RICHARD BAKER, Ranking Republican on the Subcommittee on Water Resources and Environment, for his leadership and legislative expertise without which WRDA would have once again gone unauthorized; and Senator JOHN WARNER, Craney Island's champion and the Commonwealth of Virginia's leader in the Senate; for his steadfast dedication to seeing this vision to fruition.

Also, Mr. Speaker, I would like to pay special tribute to two other individuals, not Members of Congress, but without whom we would not be here today. As Governor of Virginia and then Senator, George Allen always supported the expansion of Craney Island, recognizing its impact not only on the Commonwealth but the Nation. Robert ''Bobby'' Bray, who retired this year after 29 years as Executive Director of the Virginia Port Authority, always saw the Craney Island Eastward Expansion not only as a major port development project but also as an opportunity to enhance the quality of life for all Americans. To these and countless others, on behalf of the 2nd District of Virginia, the Commonwealth of Virginia, and our Nation, I extend my sincere gratitude.

The Eastward Expansion of Craney Island is truly a matter of national significance. When complete, this landmark project will provide capacity for additional material dredged to maintain navigability of the region's shipping channels in addition to providing land on which to build a much-needed fourth marine terminal in Hampton Roads.

In 1997, the U.S. House of Representatives passed a resolution that directed the U.S. Army Corps of Engineers to conduct a study of Craney Island. The study has been completed and the Eastward Expansion of Craney Island was recommended as the best alternative. Initially, the project costs considered for Federal participation comprised only the design and construction of the dredged material placement site, known as the Eastward Expansion. At that time, the Federal cost share for the project was identified as approximately 4 percent, and the Virginia Port Authority share as approximately 96 percent. It is important to note that the cost of the marine terminal construction (approximately $1.6 billion) will be solely the responsibility of the Virginia Port Authority.

Because the Corps had been constrained by policies that did not take into account the unique dual nature of the Craney Island Project, the initial plan formulation and cost share were determined based only on the Federal interest in the least cost for dredge material placement only part of the authorization to conduct the study. This method of determining the cost share did not take into account the substantial National transportation savings benefits associated with the port construction on the Eastward Expansion of Craney Island, which is the second part of the study authorization.

This Craney Island Marine Terminal will provide national economic development benefits of nearly $6 billion in transportation savings. The Port of Virginia is a major international gateway to the Midwest. In fact, more than 55 percent of the cargo handled by the Port originates in or is destined for locations outside the Commonwealth. More than 3,000 companies outside Virginia use the Port because of the cost-effective and reliable movement of freight to and from the Port of Virginia.

Container traffic in Hampton Roads is projected to triple by 2030 and will exceed the Port's capacity by 2011. Without the additional capacity created by a new marine terminal at Craney Island, cargo that would otherwise use the Port of Virginia will be rerouted to other ports, resulting in freight moving over longer distances at a higher cost. This increase will generate a total of $6 billion in additional transportation costs when applied to the amount of cargo that would be rerouted to other ports over a 50-year period.

However, with a new marine terminal at Craney Island, this additional $6 billion cost is avoided and becomes an origin-to-destination cost savings to the Nation in terms of maintaining the efficient, low-cost transportation afforded through the Port of Virginia.

The Eastward Expansion of Craney Island also meets National Defense needs. The ability of the United States to respond to military contingencies requires the availability of adequate U.S. commercial port facilities. The Port of Virginia is one of 14 port facilities designated by the Department of Defense as a strategic port through which military deployments are conducted. The Port of Virginia is expected to be able to make its facilities available to the military within 48 hours of written notification. When complete, the Craney Island project will provide additional capacity to meet military logistical needs and ensure the safe, secure, and smooth flow of military cargo through the Port of Virginia while minimizing commercial cargo disruptions.

Mr. Speaker, the Virginia Port Authority has been working for many years in partnership with the U.S. Army Corps of Engineers to develop a plan for the Eastward Expansion of Craney Island. By authorizing the Federal cost share at 50 percent, the WRDA Conference Report acknowledges the importance of expanding Craney Island to both Hampton Roads and to the entire Nation. I am grateful the Congress has supported this endeavor. And, I look forward to seeing the same support from the President.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of the conference report on H.R. 2272, the Americn Competes Act. I urge my colleagues to join me in voting for it.

I am pleased that the new Democratic Majority in Congress is providing a new direction for our country through common sense legislation. As an active Member of the New Democrats' Coalition, I support this bill that will help ensure our nation's global economic competitiveness through investment in math, science, engineering, and technology education and a renewed commitment to basic research.

The conference report on H.R. 2272 is a bipartisan measure to implement an Innovation Agenda boldly responds to the global economic challenges identified in the 2005 National Academy of Science report, ''Rising Above the Gathering Storm.'' As a former member of the House Committee on Science, I have worked for many years to pass legislation to encourage innovators and develop the most valuable workforce in the world. I want to congratulate Chairman BART GORDON and Ranking Member RALPH HALL and the staff of the Science Committee for their hard work in producing this outstanding product.

As the only former state schools chief serving in Congress, I am pleased that this bill will invest in 25,000 new teachers through professional development, summer training institutes, graduate education assistance, and National Science Foundation scholarships. It ensures more highly qualified teachers in the classroom, in the fields of mathematics, science, engineering, technology and critical foreign languages.

H.R. 2272 establishes a public-private partnership with the business community and institutions of higher education to develop efforts to educate and train mathematicians, scientists and engineers to meet the workforce demands of the business community. The bill expands access to Advanced Placement and International Baccalaureate classes and increases the number of qualified AP/IB teachers. The conference report enhances the ability of states to build more competitive workforces to meet the challenges of recruiting and retaining students in innovative fields.

The bill also broadens the participation of minorities and women in science and engineering fields at all levels from kindergarten students to advanced researchers. The bill focuses on small business innovation by doubling funding for the Manufacturing Extension Partnership and creates a new Technology Innovation Program for small and medium-sized companies. Finally, this legislation creates a ground-breaking initiative, the Advanced Research Projects for Energy (ARPA–E), modeled after DARPA that has brought us such innovations as the Internet, to provide talent and resources for high-risk, high-reward energy and research and technology development, and to help attract investment for the next generation of revolutionary technologies.

Mr. Speaker, I congratulate the authors of this legislation for their success on this fine product, and I urge my colleagues to join me in voting to pass it.

Mr. VAN HOLLEN. Mr. Speaker, in 2005, the National Academies released a report, Rising Above the Gathering Storm. Its authors, a team of scientists, academic leaders, and business executives, gave Congress a strong warning—unless we take comprehensive action, America will lose its competitive edge in the world economy.

Today, I am proud to join my colleagues in a bipartisan effort to respond to that call to action with the 21st Century Competitiveness Act. This bill addresses this century's challenges with new investments in education, research, and small businesses. It is a comprehensive way to ensure that America remains at the forefront of discovery and innovation.

We recognize the need to foster student potential and encourage them to enter the fields of science, math, technology and engineering. This bill invests in 25,000 new teachers, helping them pay for school and training them to enter our nation's classrooms and engage students in math and science. It increases the number of teachers who can teach Advanced Placement and International Baccalaureate classes and push our students to work with more challenging curricula. It puts new science and math teachers in high-needs schools so we can reach more students. And it establishes public-private partnerships so business and community leaders can identify high-needs fields and help students pursue innovative careers.

We recognize the need to push the boundaries of current research, explore new ideas, and foster innovation. This bill puts us on a path to double funding for our research institutions—the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy's Office of Science. Our scientists at these institutions are engaged in remarkable, ground-breaking work, and we must redouble our support to ensure that America continues to be a leader in scientific advances. This bill will also provide grants to young researchers at the early stages of their careers to allow them to pursue their ideas and encourage them to continue their study in U.S. institutions. And, recognizing the importance of research into new energy technology as we work to combat global warming and reduce our dependence on foreign oil, this bill creates a new Advanced Research Projects Agency for Energy.

Finally, we recognize the importance of small businesses and entrepreneurial success in the development of our economy. This bill will double funding for the Manufacturing Extension Partnership over 10 years and will create a Technology Innovation Program to support revolutionary technology development at small and medium sized companies.

Mr. Speaker, we must take proactive steps to secure America's place in an era of global economic and scientific competition. This bill, by increasing the number of students entering STEM fields and stimulating exciting research at our national scientific institutions and in our business community, will do just that. I urge my colleagues to support this bill.

Mr. HOLT. Mr. Speaker, I rise today in support of the 21st Century Competitiveness Act of 2007. Taking most of its content from the National Academies Report ''Rising Above the Gathering Storm,'' H.R. 2272 is the compilation of an ambitious legislative portfolio that will fulfill the Innovation Agenda. I was proud to help craft the Innovation Agenda, on which our nation is dependent for its future prosperity, and to serve on the conference committee of H.R. 2272.

As a scientist and educator, I have had the opportunity to work at several stages of our nation's science research pipeline. This bill contains sound strategies for addressing our lagging competitiveness at every stage of this pipeline, from K–12 education to research and development. Such a comprehensive approach is badly needed. H.R. 2272 creates programs for training teachers and for encouraging students to enter into fields where there is national need. It sets us on a necessary path to doubling our investment in the National Science Foundation, the Department of Energy Office of Science, and the National Institute of Standards and Technology. To ensure we are harnessing all available talent, this bill encourages underrepresented students to enter science and technology. It ensures that we do not lose talent at the early career bottleneck that follows completion of a terminal research-based degree.

I am also pleased that the two initiatives that I have championed in the House of Representatives have made it into the conference

report. The first is the Foreign Language Partnership, which is a competitive grant program to enable institutions of higher education and local educational agencies working in partnership to establish articulated programs of study in critical foreign languages so that students from the elementary through postsecondary level can advance their knowledge successfully and achieve higher levels of proficiency in a critical foreign language.

The second is State P–16 Councils—that is, primary school through college. The bill authorizes the Secretary of Education to award competitive grants to states to promote better alignment of elementary and secondary education with the knowledge and skills needed to succeed in academic credit-bearing coursework in institutions of higher education, in the 21st century workforce.

This bill will make us not only successful, but also a nation more worthy of success. It gives students with financial need better access to science and technology careers, empowering them to improve their lives and contribute to society. It makes necessary investments in energy research that will give our children a world we are proud for them to inherit.

I encourage my colleagues to support this resolution. Without its reforms, we will continue to lose our global lead in science, technology, and quality of life.

Mr. HINOJOSA. I rise in strong support of the Conference Report on H.R. 2272, the America COMPETES Act.

There has been a steady drumbeat across the country to call the nation to action to renew its leadership in the Science, Technology, Engineering, and Mathematics (STEM) fields. The National Academies of Science Report, ''Rising above the Gathering Storm'' has become the rallying cry that Sputnik was a generation ago.

Today, with the passage of this conference report, the 110th Congress answers the call.

The America COMPETES Act ensures that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future. It takes a comprehensive approach with investments in education, research and development. It moves us towards energy independence and harnesses the potential of small businesses to drive innovation.

The American COMPETES Act recognizes that America needs to draw on all of its talent—especially a growing population of minority students who continue to be under-represented in the STEM fields.

According to the U.S. Census, 39 percent of the population under the age of 18 is a racial or ethnic minority. That percentage is on a path to pass 50 percent by the year 2050, Yet, in 2000, only 4.4 percent of the science and engineering jobs were held by African Americans and only 3.4 percent by Hispanics. Women constitute over half of the postsecondary students in the nation, but represent a little more than one-quarter of our science and engineering workforce.

The America COMPETES Act tackles these disparities head on. Throughout the legislation, there is an emphasis on increasing the numbers of minorities and women in the STEM fields and on expanding the minority-serving institutions' participation in education, research and development.

The America COMPETES Act makes strategic investments in improving the STEM pipeline through education.

This legislation invests in 25,000 new teachers through professional development, summer training institutes, graduate education assistance, and scholarships through NSF's Noyce Teacher Scholarship Program and Math and Science Partnerships Program. In exchange for their scholarship, these teachers go to our highest need schools.

The America COMPETES Act includes provisions modeled after the successful U-Teach program at the University of Texas where students earn degrees in the STEM fields and teaching certificates at the same time. These newly minted teachers are placed, mentored, and supported in the schools where they are needed the most.

This legislation expands access to Advanced Placement and International Baccalaureate programs. It also establishes P–16 councils to coordinate education and workforce goals with industry and community leaders, and to identify the challenges of recruiting and retaining students in innovative fields.

I am especially pleased that this legislation addresses a quiet crisis in our high need high schools—the lack of quality laboratory science opportunities.

The National Research Council's report on America's High School Labs found that experience in high school labs was poor for most students and practically non-existent for students in low-income or minority communities. We will never produce enough STEM professionals if we do not address this issue.

I am very pleased that the legislation before us today includes the provisions of my bill, H.R. 524 Partnerships for Access to Laboratory Science Act. This legislation will establish a pilot program that will partner high need school districts with colleges and universities, and the private sector to improve high school laboratories. Through these pilots, we will be able to develop models and test effective practices for improving laboratory science in high need schools. We will leverage resources from the local community and the private sector, and build on our base of knowledge of what works in teaching science.

The America COMPETES Act is about our vision for the future of this country. It is about our belief in this nation's unlimited potential and our willingness to invest in it.

I would like to commend Chairman GORDON, Chairman MILLER and all of the members of the conference committee for their excellent work.

I urge my colleague to unanimously pass this legislation.

Mr. GORDON of Tennessee. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. SHIMKUS

Mr. SHIMKUS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. SHIMKUS. I am, Mr. Speaker, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Shimkus moves to recommit the conference report on the bill, H.R. 2272, with instructions to the managers on the part of the House to:

(1) insist on the lower overall authorization level as set forth by the House in H.R. 2272; and

(2) insist on the language of subsection (a) of section 203 of the House bill, relating to prioritization of early career grants to science and engineering researchers for the expansion of domestic energy production and use through coal-to-liquids technology and advanced nuclear reprocessing.

Mr. SHIMKUS (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

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

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

Mr. SHIMKUS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the conference report.

The vote was taken by electronic device, and there were—yeas 199, nays 227, not voting 6, as follows:

[Roll No. 801]

YEAS—199

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Costello
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)

Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NAYS—227

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Ramstad
Rangel
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—6

Clarke
Crenshaw
Davis, Jo Ann
Dicks
Johnson, Sam
Schakowsky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. There are 2 minutes remaining on this vote.

□ 1812

Mr. HALL of New York, Mrs. BOYDA of Kansas and Mr. LANGEVIN changed their vote from ''yea'' to ''nay.''

Mr. MCKEON and Mr. SPACE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

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

RECORDED VOTE

Mr. HALL of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 367, noes 57, not voting 9, as follows:

[Roll No. 802]

AYES—367

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Donnelly
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—57

Bachmann
Bachus
Barrett (SC)
Blunt
Boehner
Brady (TX)
Broun (GA)
Buyer
Campbell (CA)
Cantor
Carter
Chabot
Conaway
Cubin
Deal (GA)
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Granger
Hensarling
Herger
Issa
Jordan
King (IA)
Kingston
Kline (MN)
Kucinich
Lamborn
Linder
Mack
Manzullo
McHenry
Miller (FL)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pence
Poe
Putnam
Radanovich
Rohrabacher
Royce
Ryan (WI)
Sali
Sensenbrenner
Shadegg
Shimkus
Sullivan
Tancredo
Weldon (FL)
Westmoreland
Wilson (SC)

NOT VOTING—9

Boyd (FL)	Davis, Jo Ann	Johnson, Sam
Clarke	Dicks	Reyes
Crenshaw	Doggett	Slaughter

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER (during the vote). Members are advised 1 minute remains in the vote.

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

□ 1818

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER. Pursuant to House Resolution 581 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. 3161.

□ 1821

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. 3161), as amended, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, with Mr. SNYDER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

Ms. DELAURO. 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. CLEAVER) having assumed the chair, Mr. SNYDER, Acting 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. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING FURTHER CONSIDERATION OF H.R. 3161

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 3161 pursuant to House Resolution 581 and House Resolution 599, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 581 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. 3161.

□ 1823

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. 3161), as amended, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, with Mr. SNYDER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Tuesday, July 31, 2007, the bill had been read through page 2, line 12, and pending was the amendment by the gentleman from North Carolina (Mr. MCHENRY) to amendment No. 3 printed in the CONGRESSIONAL RECORD by the gentleman from Georgia (Mr. GINGREY).

Pursuant to House Resolution 599, the amendments printed in part A of House Report 110–290 are adopted and the bill is considered read for amendment under the 5-minute rule.

The text of the remainder of the bill is as follows:

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $10,847,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $15,056,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $8,622,000.

HOMELAND SECURITY STAFF

For necessary expenses of the Homeland Security Staff, $2,252,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $16,723,000.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,076,000: *Provided,* That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary salaries and expenses of the Office of the Assistant Secretary for Civil Rights, $897,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $23,147,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration, $709,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $196,616,000, to remain available until expended, of which $156,590,000 shall be for payments to the General Services Administration for rent and the Department of Homeland Security for building security: *Provided,* That amounts which are made available for space rental and related costs for the Department of Agriculture in this Act may be transferred between such appropriations to cover the costs of additional, new, or replacement space 15 days after notice thereof is transmitted to the Appropriations Committees of both Houses of Congress.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $12,200,000, to remain available until expended: *Provided,* That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $23,913,000, to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided,* That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs

and liaison within the executive branch, $3,936,000: *Provided*, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available by this appropriation may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $9,720,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the Inspector General Act of 1978, $85,998,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $40,964,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $626,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, $79,282,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, $166,099,000, of which up to $52,725,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,076,340,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further*, That none of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $64,000,000, to remain available until expended.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $671,419,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $195,817,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $23,318,000; for payments to eligible institutions (7 U.S.C. 3222), $42,000,000, of which $944,737 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $94,242,000; for competitive grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $15,973,000; for competitive research grants (7 U.S.C. 450i(b)), $190,229,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,006,000; for the 1994 research grants program for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $1,544,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,701,000, to remain available until expended (7 U.S.C. 2209b); for a veterinary medicine loan repayment program pursuant to section 1415A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.), $1,000,000; for higher education challenge grants (7 U.S.C. 3152(b)(1)), $5,423,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $988,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $6,237,000; for competitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106–78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $3,218,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $990,000; for aquaculture grants (7 U.S.C. 3322), $3,956,000; for sustainable agriculture research and education (7 U.S.C. 5811), $14,000,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, $15,000,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $3,342,000; for resident instruction grants for insular areas under section 1491 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363), $1,000,000; and for necessary expenses of Research and Education Activities, $44,435,000, of which $2,723,000 for the Research, Education, and Economics Information System and $2,151,000 for the Electronic Grants Information System, are to remain available until expended: *Provided*, That none of the funds appropriated under this heading shall be available to carry out research related to the production, processing, or marketing of tobacco or tobacco products: *Provided further*, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $463,886,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents, $281,429,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,321,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $68,500,000; payments for the pest management program under section 3(d) of the Act, $9,860,000; payments for the farm safety program under section 3(d) of the Act, $5,000,000; payments for New Technologies for Ag Extension under Section 3(d) of the Act, $1,485,000; payments to upgrade research, extension, and teaching facilities at institutions eligible to receive funds under 7 U.S.C. 3221 and 3222, $18,000,000, to remain available until expended; payments for youth-at-risk programs under section 3(d) of the Smith-Lever Act, $8,396,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $494,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,052,000; payments for the federally-recognized Tribes Extension Program under section 3(d) of the Smith-Lever Act, $3,000,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,200,000; payments for cooperative extension work by eligible institutions (7 U.S.C. 3221), $37,000,000, of which $1,113,333

shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for grants to youth organizations pursuant to section 7630 of title 7, United States Code, $1,980,000; and for necessary expenses of Extension Activities, $17,169,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $57,244,000, as follows: for competitive grants programs authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $42,286,000, including $12,738,000 for the water quality program, $14,699,000 for the food safety program, $4,125,000 for the regional pest management centers program, $4,419,000 for the Food Quality Protection Act risk mitigation program for major food crop systems, $1,375,000 for the crops affected by Food Quality Protection Act implementation, $3,075,000 for the methyl bromide transition program, and $1,855,000 for the organic transition program; for a competitive international science and education grants program authorized under section 1459A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b), to remain available until expended, $3,000,000; for grants programs authorized under section 2(c)(1)(B) of Public Law 89–106, as amended, $737,000, to remain available until September 30, 2009, for the critical issues program; $1,321,000 for the regional rural development centers program; and $9,900,000 for the Food and Agriculture Defense Initiative authorized under section 1484 of the National Agricultural Research, Extension, and Teaching Act of 1977, to remain available until September 30, 2009.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $6,930,000, to remain available until expended.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $759,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $874,643,000, of which $4,113,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $36,269,000 shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $57,044,000 shall be used to conduct a surveillance and preparedness program for highly pathogenic avian influenza: *Provided,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further,* That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further,* That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further,* That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2008, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $4,946,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, $79,945,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $61,233,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided,* That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, including not less than $20,000,000 for replacement of a system to support commodity purchases, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $16,798,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,334,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, $41,115,000: *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,463,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided,* That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $632,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $930,120,000, of which no less than $830,057,000 shall be available for Federal food safety inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided,* That of the total amount made available under this heading, no less than $20,653,000 shall be obligated for regulatory and scientific training: *Provided further,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration

and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

FARM ASSISTANCE PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $666,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $1,127,409,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That none of the funds made available by this Act may be used to pay the salary or expenses of any officer or employee of the Department of Agriculture to close or relocate any county or field office of the Farm Service Agency (other than a county or field office that had zero employees as of February 7, 2007), or to develop, submit, consider, or approve any plan for any such closure or relocation before the expiration of the six month period following the date of the enactment of an omnibus authorization law to provide for the continuation of agricultural programs for fiscal years after 2007: *Provided further*, That after the expiration of the six month period following the date of the enactment of an omnibus authorization law to provide for the continuation of agricultural programs for fiscal years after 2007 none of the funds made available by this Act may be used to pay the salaries or expenses of any officer or employee of the Department of Agriculture to close any local or county office of the Farm Service Agency unless the Secretary of Agriculture, not later than 30 days after the date on which the Secretary proposed the closure, holds a public meeting about the proposed closure in the county in which the local or county office is located, and, after the public meeting but not later than 120 days before the date on which the Secretary approves the closure, notifies the Committee on Agriculture and the Committee on Appropriations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate, and the members of Congress from the State in which the local or county office is located of the proposed closure.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $4,000,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $3,713,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, $100,000, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,423,857,000, of which $1,200,000,000 shall be for unsubsidized guaranteed loans and $223,857,000 shall be for direct loans; operating loans, $1,879,595,000, of which $1,000,000,000 shall be for unsubsidized guaranteed loans, $250,000,000 shall be for subsidized guaranteed loans and $629,595,000 shall be for direct loans; Indian tribe land acquisition loans, $3,960,000; and for boll weevil eradication program loans, $100,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $14,762,000, of which $4,800,000 shall be for unsubsidized guaranteed loans, and $9,962,000 shall be for direct loans; operating loans, $137,446,000, of which $24,200,000 shall be for unsubsidized guaranteed loans, $33,350,000 shall be for subsidized guaranteed loans, and $79,896,000 shall be for direct loans; and Indian tribe land acquisition loans, $125,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $318,150,000, of which $310,230,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $78,833,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $781,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $851,910,000, to remain available until June 30, 2009, of which not less than $10,840,000 is for snow survey and water forecasting, and not less than $10,779,000 is for operation and establishment of the plant materials centers, and of which not less than $27,225,000 shall be for the grazing lands conservation initiative: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That this appropriation shall

be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further,* That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1009), $6,556,000.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $37,000,000, to remain available until expended; of which up to $10,000,000 may be available for the watersheds authorized under the Flood Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a): *Provided,* That not to exceed $18,500,000 of this appropriation shall be available for technical assistance.

WATERSHED REHABILITATION PROGRAM

For necessary expenses to carry out rehabilitation of structural measures, in accordance with section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $31,586,000, to remain available until expended.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $52,370,000, to remain available until expended: Provided, That not to exceed $3,073,000 shall be available for national headquarters activities.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service, $666,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $728,807,000, to remain available until expended, of which $55,742,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $573,065,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act, of which not to exceed $500,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306E of such Act; and of which $100,000,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided,* That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking water and waste disposal systems pursuant to section 306C of such Act, of which $4,000,000 shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further,* That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.) for any purpose under this heading: *Provided further,* That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; $18,250,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which $5,600,000 shall be for Rural Community Assistance Programs; and not to exceed $14,000,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That of the total amount appropriated, not to exceed $22,800,000 shall be available through June 30, 2008, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $1,100,000 shall be for the rural community programs described in section 381E(d)(1) of such Act, of which $13,400,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act, and of which $8,300,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further,* That any prior year balances for high cost energy grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 901(19)) shall be transferred to and merged with the ''Rural Utilities Service, High Energy Costs Grants Account''.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $175,382,000: *Provided,* That notwithstanding any other provision of law, funds appropriated under this section may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further,* That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: *Provided further,* That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,845,816,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,129,391,000 shall be for direct loans, and of which $3,716,425,000 shall be for unsubsidized guaranteed loans; $34,652,000 for section 504 housing repair loans; $99,000,000 for section 515 rental housing; $99,000,000 for section 538 guaranteed multi-family housing loans; $5,046,000 for section 524 site loans; $11,486,000 for credit sales of acquired property, of which up to $1,486,000 may be for multi-family credit sales; and $5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $150,183,000, of which $105,824,000 shall be for direct loans, and of which $44,359,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $9,796,000; repair, rehabilitation, and new construction of section 515 rental housing, $42,184,000; section 538 multi-family housing guaranteed loans, $9,306,000; credit sales of acquired property, $552,000; and section 523 self-help housing and development loans, $142,000: *Provided,* That of the total amount appropriated in this paragraph, $2,500,000 shall be available through June 30, 2008, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further,* That any balances for a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties as authorized in Public Law 109–97 shall be transferred to and merged with the ''Rural Housing Service, Multifamily Housing Revitalization Program Account''.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $462,521,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $533,020,000, to remain available through September 30, 2009; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided,* That of this amount, up to $7,920,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $50,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further,* That agreements entered into or renewed during the current fiscal year shall be

funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance that is recovered from projects that are subject to prepayment shall be deobligated and reallocated for vouchers and debt forgiveness or payments consistent with the requirements of this Act for purposes authorized under section 542 and section 502(c)(5)(D) of the Housing Act of 1949, as amended: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2008 for a section 514/516 project may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another section 514/516 project.

MULTIFAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949 (without regard to section 542(b)), for the cost to conduct a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects, and for additional costs to conduct a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties, $27,800,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $10,000,000 shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers, shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable for section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development (including the ability to pay administrative costs related to delivery of the voucher funds): *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration programs for the preservation and revitalization of the section 515 multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $3,000,000 shall be available for loans to private non-profit organizations, or such non-profit organizations' affiliate loan funds and State and local housing finance agencies, to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects: *Provided further*, That loans under such demonstration program shall have an interest rate of not more than 1 percent direct loan to the recipient: *Provided further*, That the Secretary may defer the interest and principal payment to the Rural Housing Service for up to 3 years and the term of such loans shall not exceed 30 years: *Provided further*, That of the funds made available under this heading, $14,800,000 shall be available for a demonstration program for the preservation and revitalization of the section 515 multi-family rental housing properties to restructure existing section 515 loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances and incentives required by the Secretary: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a section 515 multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $40,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2008, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $39,000,000, to remain available until expended: *Provided*, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2008, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further*, That any balances to carry out a housing demonstration program to provide revolving loans for the preservation of low-income multi-family housing projects authorized in Public Law 108–447 and Public Law 109–97 shall be transferred to and merged with ''Rural Housing Service, Multifamily Housing Revitalization Program Account''.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $46,630,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $33,772,000.

For the cost of direct loans, $14,485,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2008, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2008, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That of the total amount appropriated, $880,000 shall be available through June 30, 2008, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,861,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $29,193,000, of which $495,000 shall be for a cooperative research agreement with a qualified academic institution to conduct research on the national economic impact of all types of cooperatives; and of which $2,475,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $1,473,000 shall be for cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose governing board and/or membership is comprised of at least 75 percent minority; and of which $20,295,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 6401 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1621 note).

RURAL EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES GRANTS

For grants in connection with second and third rounds of empowerment zones and enterprise communities, $11,088,000, to remain available until expended, for designated rural empowerment zones and rural enterprise communities, as authorized by the Taxpayer Relief Act of 1997 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277).

RENEWABLE ENERGY PROGRAM

For the cost of a program of direct loans, loan guarantees, and grants, under the same terms and conditions as authorized by section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106), $46,000,000 for direct and guaranteed renewable energy loans and grants: *Provided*, That the cost of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $4,500,000,000; 5 percent rural telecommunications loans, $145,000,000; cost of money rural telecommunications loans, $250,000,000; and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $295,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $120,000, and the cost of telecommunications loans, $3,620,000: *Provided,* That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $39,405,000 which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $300,000,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $35,000,000, to remain available until expended.

For the cost of broadband loans, as authorized by 7 U.S.C. 901 et seq., $6,450,000, to remain available until September 30, 2009: *Provided,* That the interest rate for such loans shall be the cost of borrowing to the Department of the Treasury for obligations of comparable maturity: *Provided further,* That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $17,820,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $628,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $13,903,213,000, to remain available through September 30, 2009, of which $7,668,156,000 is hereby appropriated and $6,235,057,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That up to $5,505,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $5,620,000,000, to remain available through September 30, 2009, of which such sums as are necessary to restore the contingency reserve to $125,000,000 shall be placed in reserve, to remain available until expended, to be allocated as the Secretary deems necessary, notwithstanding section 17(i) of such Act, to support participation should cost or participation exceed budget estimates: *Provided,* That of the total amount available, the Secretary shall obligate not less than $15,000,000 for a breastfeeding support initiative in addition to the activities specified in section 17(h)(3)(A): *Provided further,* That only the provisions of section 17(h)(10)(B)(i) and section 17(h)(10)(B)(ii) shall be effective in 2008; including $14,000,000 for the purposes specified in section 17(h)(10)(B)(i) and $30,000,000 for the purposes specified in section 17(h)(10)(B)(ii): *Provided further,* That funds made available for the purposes specified in section 17(h)(10)(B)(ii) shall only be made available upon a determination by the Secretary that funds are available to meet caseload requirements without the use of the contingency reserve funds: *Provided further,* That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further,* That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further,* That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $39,816,223,000, of which $3,000,000,000 to remain available through September 30, 2009, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided,* That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further,* That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further,* That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act: *Provided further,* That notwithstanding section 5(d) of the Food Stamp Act of 1977, any additional payment received under chapter 5 of title 37, United States Code, by a member of the United States Armed Forces deployed to a designated combat zone shall be excluded from household income for the duration of the member's deployment if the additional pay is the result of deployment to or while serving in a combat zone, and it was not received immediately prior to serving in the combat zone.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $221,070,000, to remain available through September 30, 2009: *Provided,* That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further,* That notwithstanding any other provision of law, effective with funds made available in fiscal year 2008 to support the Seniors Farmers' Market Nutrition Program (SFMNP), such funds shall remain available through September 30, 2009: *Provided further,* That of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the domestic nutrition assistance programs funded under this Act, $146,926,000.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $159,136,000: *Provided,* That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

PUBLIC LAW 480 TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, $2,749,000, to be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

In addition, the funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $1,219,400,000, to remain available until expended.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $5,338,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $4,985,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $353,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

MC GOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7

U.S.C. 1736o–1), $100,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $1,683,405,000: *Provided*, That of the amount provided under this heading, $13,696,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from animal drug assessments received during fiscal year 2008, including any such fees assessed prior to the current fiscal year but credited during the current year, shall be subject to the fiscal year 2008 limitation: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $475,726,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $348,438,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $155,073,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $94,809,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $240,122,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $36,455,000 shall be for the National Center for Toxicological Research; (7) $97,976,000 shall be for Rent and Related activities, of which $38,808,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (8) $131,533,000 shall be for payments to the General Services Administration for rent; and (9) $89,577,000 shall be for other activities, including the Office of the Commissioner; the Office of Management; the Office of External Relations; the Office of Policy and Planning; and central services for these offices: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

In addition, $28,000,000 shall be for the Center for Food Safety and Applied Nutrition, to remain available from July 1, 2008, through September 30, 2009.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $4,950,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $102,550,000, including not to exceed $3,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $46,000,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 182 passenger motor vehicles, of which 142 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, cotton pests program, avian influenza programs, up to $4,505,000 in the pest and disease management program to control grasshoppers and Mormon cricket, up to $1,500,000 in the scrapie program for indemnities, up to $3,000,000 in the emergency management systems program for the vaccine bank, up to $1,000,000 for wildlife services methods development, up to $1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, Public Health Data Communication Infrastructure System; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education, and Economics Information System, and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 703. The Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or other available unobligated discretionary balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, financial management modernization initiative, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 704. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 705. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 706. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 20 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 707. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to cover obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 708. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 709. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 710. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 711. None of the funds appropriated or otherwise made available to the Department of Agriculture or the Food and Drug Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture or non-Department of Health and Human Services employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 712. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided,* That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further,* That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 713. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, which ever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 714. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2009 appropriations Act.

SEC. 715. None of the funds made available by this or any other Act may be used to close or relocate a Rural Development office unless or until the Secretary of Agriculture determines the cost effectiveness and enhancement of program delivery: *Provided,* That not later than 120 days before the date of the proposed closure or relocation, the Secretary notifies the Committees on Appropriation of the House and Senate, and the members of Congress from the State in which the office is located of the proposed closure or relocation and provides a report that describes in detail the justifications for such closures and relocations.

SEC. 716. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 22 percent of the amount provided to carry out a competitive grants program under the same terms and conditions as those provided in section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 717. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $1,017,000,000.

SEC. 718. None of the funds made available in fiscal year 2008 or preceding fiscal years for programs authorized under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided,* That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 719. No funds shall be used to pay salaries and expenses of the Department of Agriculture to carry out or administer the program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 720. Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $34,000,000 shall not be obligated and $34,000,000 are rescinded.

SEC. 721. None of the funds made available by this Act may be used to issue a final rule in furtherance of, or otherwise implement, the proposed rule on cost-sharing for animal and plant health emergency programs of the Animal and Plant Health Inspection Service published on July 8, 2003 (Docket No. 02–062–1; 68 Fed. Reg. 40541).

SEC. 722. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year, and are not available for new obligations. Funds made available under section 524(b) of the Federal Crop Insurance Act, 7 U.S.C. 1524(b), in fiscal years 2004, 2005, 2006, 2007, and 2008 shall remain available until expended to disburse obligations made in fiscal years 2004, 2005, 2006, 2007, and 2008 respectively, and except for fiscal year 2008 funds, are not available for new obligations.

SEC. 723. None of the funds provided in this Act may be used for salaries and expenses to draft or implement any regulation or rule insofar as it would require recertification of rural status for each electric and telecommunications borrower for the Rural Electrification and Telecommunication Loans program.

SEC. 724. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 725. In addition to other amounts appropriated or otherwise made available by this Act, there is hereby appropriated to the Secretary of Agriculture $10,000,000, of which not to exceed 5 percent may be available for administrative expenses, to remain available until expended, to make specialty crop block grants under section 101 of the Specialty Crops Competitiveness Act of 2004 (Public Law 108–465; 7 U.S.C. 1621 note).

SEC. 726. None of the funds appropriated or otherwise made available by this Act for the Food and Drug Administration may be used under section 801 of the Federal Food, Drug, and Cosmetic Act to prevent an individual not in the business of importing a prescription drug within the meaning of section 801(g) of such Act, wholesalers, or pharmacists from importing a prescription drug (as defined in section 804(a)(3) of such Act) which complies with sections 501, 502, and 505 of such Act.

SEC. 727. None of the funds made available in this Act may be used to study, complete a study of, or enter into a contract with a private party to carry out, without specific authorization in a subsequent Act of Congress, a competitive sourcing activity of the Secretary of Agriculture, including support personnel of the Department of Agriculture, relating to rural development or farm loan programs.

SEC. 728. Of the amount available for Estimated Future Needs under section 32 of the Act of August 24, 1935, $63,361,000 are hereby rescinded: *Provided,* That in addition, of the unobligated balances under section 32 of the Act of August 24, 1935, $147,000,000 are hereby rescinded.

SEC. 729. None of the funds made available in this Act may be used to—

(1) grant a waiver of a financial conflict of interest requirement pursuant to section 505(n)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(n)(4)) for any voting member of an advisory committee or panel of the Food and Drug Administration; or

(2) make a certification under section 208(b)(3) of title 18, United States Code, for any such voting member.

SEC. 730. Of the appropriations available for payments for the nutrition and family education program for low-income areas

under section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)), if the payment allocation pursuant to section 1425(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(c)) would be less than $100,000 for any institution eligible under section 3(d)(2) of the Smith-Lever Act, the Secretary shall adjust payment allocations under section 1425(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to ensure that each institution receives a payment of not less than $100,000.

SEC. 731. None of the funds made available in this Act may be used to establish or implement a rule allowing poultry products to be imported into the United States from the People's Republic of China.

SEC. 732. Of the unobligated balances available in the High Energy Cost Grants account, $25,740,000 is hereby rescinded.

SEC. 733. None of the funds made available to the Department of Agriculture in this Act may be used to implement the risk-based inspection program in the 30 prototype locations announced on February 22, 2007, by the Under Secretary for Food Safety, or at any other locations, until the USDA Office of Inspector General has provided its findings to the Food Safety and Inspection Service and the Committees on Appropriations of the House of Representatives and the Senate on the data used in support of the development and design of the risk-based inspection program and FSIS has addressed and resolved issues identified by OIG.

SEC. 734. Not more than $11,166,000 of the funds made available under section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) may be used for program compliance and integrity purposes, including the data mining project, and for the Common Information Management System.

SEC. 735. The Secretary of Agriculture shall continue the Water and Waste Systems Direct Loan Program under the authority and conditions (including the fees, borrower interest rate, and the President's economic assumptions for the 2008 Fiscal Year, as of June 1, 2007) provided by the ''Continuing Appropriations Resolution, 2007''.

SEC. 736. (a) Section 13(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(b)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A);

(B) by redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively;

(C) in subparagraph (A) (as redesignated by subparagraph (B)), striking ''(B)'' and all that follows through ''shall not exceed'' and inserting the following:

''(A) IN GENERAL.—Subject to subparagraph (B) and in addition to amounts made available under paragraph (3), payments to service institutions shall be'';

(D) in subparagraph (B) (as redesignated by subparagraph (B)), by striking ''subparagraph (B)'' and inserting ''subparagraph (A)''; and

(E) in subparagraph (C) (as redesignated by subparagraph (B)), by striking ''(A), (B), and (C)'' and inserting ''(A) and (B)''; and

(2) in the second sentence of paragraph (3), by striking ''full amount of State approved'' and all that follows through ''maximum allowable''.

(b) CONFORMING AMENDMENT.—Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) through (k) as subsections (f) through (j), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on January 1 of the first full calendar year following the date of enactment of this Act.

SEC. 737. There is hereby appropriated $21,000,000, to remain available until September 30, 2009, of which not to exceed 5 percent may be available for Federal and/or State administrative expenses, as determined by the Secretary of Agriculture, to carry out a program similar to section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)) in each State not currently served by the authorized program.

SEC. 738. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to—

(1) inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) implement or enforce section 352.19 of title 9, Code of Federal Regulations.

SEC. 739. Of the unobligated balances available in the Special Supplemental Nutrition Program for Women, Infants, and Children reserve account, $16,069,000 is hereby rescinded.

SEC. 740. In addition to amounts otherwise appropriated or made available by this Act, $2,475,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, through the Congressional Hunger Center.

SEC. 741. From the unobligated balances of funds transferred to the Department of Homeland Security when the Department was established pursuant to the Homeland Security Act of 2002 (Public Law 107–296), excluding mandatory appropriations, $8,000,000 is rescinded.

SEC. 742. Effective as of May 25, 2007, section 9012 of Public Law 110–28 (121 Stat. 218) is repealed.

SEC. 743. Section 17(r)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)(5)) is amended—

(1) by striking ''seven'' and inserting ''eight'';

(2) by striking ''five'' and inserting ''six''; and

(3) by inserting ''West Virginia,'' after the first instance of ''States shall be''.

SEC. 744. Hereafter, notwithstanding any other provision of law, of the funds made available for the Commodity Assistance Program under division B of Public Law 109–148, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006, all unexpended funds shall be made available to support normal program operations of the Commodity Supplemental Food Program under the Agriculture and Consumer Protection Act of 1973 and of the Emergency Food Assistance Program under the Emergency Food Assistance Act of 1983: *Provided*, That any commodities purchased with funds made available under Public Law 109–148 and remaining undistributed shall be used to support normal program operations under the authorities cited in this section.

SEC. 745. Notwithstanding any other provision of law, and until receipt of the decennial Census in the year 2010, the Secretary of Agriculture shall consider—

(1) the City of Alamo, Texas; the City of Mercedes, Texas; the City of Weslaco, Texas; the City of Donna, Texas; and the City of La Feria, Texas, (including individuals and entities with projects within the cities) eligible for loans and grants funded through the rural business and cooperative development programs in the Rural Community Advancement Program account;

(2) the City of Bainbridge Island, Washington; and the City of Havelock, North Carolina, (including individuals and entities with projects within the cities) eligible for loans and grants funded through the rural community programs in the Rural Community Advancement Program account;

(3) the City of Freeport, Illinois; Kitsap County (except the City of Bremerton), Washington; the City of Atascadero, California; and the City of Paso Robles, California, (including individuals and entities with projects within the cities) eligible for loans and grants funded through the Rural Housing Insurance Fund Program account and the Rural Housing Assistance Grants account; and

(4) the City of Canton, Mississippi, (including individuals and entities with projects within the cities) eligible for loans and grants funded through the rural utilities programs in the Rural Community Advancement Program account.

SEC. 746. No funds in this Act for the Food and Drug Administration may be used to authorize qualified health claims for conventional foods.

SEC. 747. None of the funds made available in this Act may be used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. ____. None of the funds in this Act shall be available for the Canaan Valley Institute (CVI) in Thomas, West Virginia.

SEC. ____. None of the funds made available in this Act may be used—

(1) to terminate any of the 13 field laboratories that are operated by the Food and Drug Administration as of January 1, 2007, or 20 District Offices, or any of the inspection or compliance functions of any of the 20 District Offices, of the Food and Drug Administration functioning as of January 1, 2007; or

(2) to consolidate any such laboratory with any other laboratory, or any such District Office, or any of the inspection or compliance functions of any District Office, with any other District Office.

SEC. ____. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' or ''Federal Energy Management Program'' designation.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008''.

The Acting CHAIRMAN. No further debate on any pending amendment being in order, the question is on the amendment offered by the gentleman from North Carolina (Mr. MCHENRY) to the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment to the amendment was agreed to.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY), as amended.

The amendment, as amended, was agreed to.

The Acting CHAIRMAN. Pursuant to House Resolution 599, a further period of general debate is in order.

The gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Georgia (Mr. KINGSTON) each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I rise to engage in a colloquy with my colleagues, Mr. FOSSELLA and Mr. CROWLEY of New York, and commend the committee for increasing the APHIS budget to more vigorously attack the national challenge of the invasive species that are ravaging our plants and trees.

As you know, New York City is waging a war to stop the Asian Longhorned Beetle. Yes, Madam Chair, a tree grows in Brooklyn, thousands of them in fact, just as they do in Staten Island, the Bronx, Queens and Manhattan. Sadly, the Asian Longhorned Beetle has been advancing steadily.

Given that the USDA's work to defeat the ALB elsewhere has been successful and thus will require less funding going forward, can I ask for the commitment of the committee to endeavor in conference to grant the metropolitan area a larger portion of the Asian Longhorned Beetle account than it has received in the past?

Ms. DELAURO. I pledge to work with the gentlemen from New York on this issue.

Mr. WEINER. Thank you.

I yield now, if it is appropriate, to the gentleman from Staten Island, Mr. FOSSELLA.

The Acting CHAIRMAN. The time of the gentleman has expired.

Ms. DELAURO. Mr. Chairman, I would just ask the gentlemen from New York to place their material into the RECORD.

Mr. NADLER. Mr. Chairman, I ask unanimous consent that the time of the gentlewoman be extended by 1 minute.

The Acting CHAIRMAN. The Chair may not entertain that kind of request.

Mr. KINGSTON. Mr. Chairman, I reserve the right to object.

Mr. Chairman, I am sure that Mr. NADLER is concerned equally with Mr. FOSSELLA, but I wanted to make sure that Mr. FOSSELLA wasn't being cut out of the colloquy. So the reason why I reserved the right to object is I just wanted a better explanation from the gentleman.

Mr. NADLER. Mr. Chairman, I was asking for unanimous consent so the gentlewoman would have 1 additional minute, which I would hope she would yield to Mr. CROWLEY, Mr. WEINER, Mr. FOSSELLA and myself.

The Acting CHAIRMAN. Under the structured rule in the Committee of the Whole, this kind of unanimous consent agreement cannot be entertained.

PARLIAMENTARY INQUIRIES

Mr. KINGSTON. Mr. Chairman, I have a parliamentary inquiry. Is the unanimous consent request in order under the closed rule?

The Acting CHAIRMAN. A request to extend general debate ordered by the House is not in order in the Committee of the Whole.

Mr. KINGSTON. Mr. Chairman, further parliamentary inquiry. In other words, out of the 15 minutes of general debate, that is where the time would come from?

The Acting CHAIRMAN. From the remaining 29 minutes of general debate ordered by the House.

Ms. DELAURO. I yield an additional 1 minute for both, not each, but for both Mr. CROWLEY and Mr. FOSSELLA to address this issue.

The Acting CHAIRMAN. Does the gentlewoman from Connecticut yield time to the gentleman from New York (Mr. CROWLEY)?

Ms. DELAURO. I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

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Mr. KINGSTON. Further parliamentary inquiry, Mr. Chairman.

The Acting CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. KINGSTON. I don't have a way to say this directly to my friend from Connecticut, but I will be glad to yield 1 minute of our time to Mr. FOSSELLA and that way we can bring this to 2 minutes, but I don't know how to get there unless I ask a question like this.

The Acting CHAIRMAN. After Mr. CROWLEY is recognized for 1 minute, then the gentleman from Georgia may yield to the gentleman from New York (Mr. FOSSELLA).

Ms. DELAURO. Mr. Chairman, I yield 1 minute to Mr. CROWLEY and Mr. NADLER, 1 minute between the two.

Mr. CROWLEY. Mr. Chairman, I thank the gentlewoman for yielding me this time.

The Asian Longhorned Beetle is a continuing and growing problem in Queens County in New York. We appreciate your working for additional resources. I have heard from my constituents, like Jimmy Lanza of Woodside Queens, who are begging us for more resources to beat the beetle and protect the trees and green space of Queens County and New York City. I thank the Chair for her great work on this issue, and this overall excellent bill.

The Acting CHAIRMAN. The gentleman from New York (Mr. NADLER) is recognized for the remainder of the time.

Mr. NADLER. I just want to say that I associate myself with the sentiments expressed by Mr. WEINER and Mr. CROWLEY. The Asian Longhorned Beetle is a serious problem, and we have to devote as much resources as possible to deal with it. I hope the committee will take that into consideration.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I would like to thank Mr. KINGSTON and Ms. DELAURO. And of course my colleagues, Mr. CROWLEY, Mr. WEINER, and Mr. NADLER, because despite this being a national problem, as you can imagine, are very specific to New York, and in my case, Staten Island has been under attack by the Asian Longhorned Beetle. The beetles have already killed 8,400 trees. Officials are expected to destroy 10,000 trees to keep the beetle from spreading throughout the U.S.

We know that 35 percent of all urban trees are at risk. Replacement value is $669 billion. The first evidence was found on a silver maple tree on March 22 by USDA tree climbers. This early detection gives hope the threat can be contained before it spreads to the nearby Greenbelt, which is an urban forest comparable to Rock Creek.

The bill before us today provides a little over $20 million to help eradicate the beetle, a far cry from the $48 million the USDA says is needed annually.

This a serious problem for Staten Island and the rest of New York City. I look forward to working with you, Madam Chair, and Mr. KINGSTON in an effort to provide additional funding in conference. Will you be willing to work with me on this issue?

Ms. DELAURO. I would be happy to work with the gentleman.

Mr. FOSSELLA. I thank the gentlewoman.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I want to take this opportunity to express my appreciation to you, Chairman DELAURO, Ranking Member KINGSTON, and both of your respective staffs for all of the hard work that has been put in this bill, a bill I expect to support.

I would like to address an issue of great importance not only to my constituents, but to the Nation's agricultural industry.

In 2006, the potato cyst nematode was discovered in our country for the first time on approximately 1,000 acres in eastern Idaho. PCN is one of the most destructive potato pests, and if left uncontrolled, can result in devastating crop losses of up to 80 percent.

This spring, the USDA, the Idaho Department of Agriculture began an aggressive eradication program. Due to the confined area and early detection of the infestation, we are optimistic that the eradication program will prove successful. However, the funding level designated for the potato cyst nematode in this bill falls short of the necessary funding levels to continue this eradication effort.

The Senate Appropriations Committee on Agriculture recently recommended that this program be fully funded at $12.8 million. While I appreciate the constraints the House Agriculture Subcommittee has worked under, I hope that the chairwoman would work with me to try to find the necessary funds to fully fund this program.

Ms. DELAURO. I understand the importance of the issue and will work with you in conference to address the funding needs of this eradication effort.

Mr. SIMPSON. I thank Chairman DELAURO.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the chairwoman for yielding. I have an amendment that

I will not offer today per our earlier conversation.

My amendment would allow residents of neighborhoods to purchase properties that are vacant and, for the most part, are not suitable for renovation. These properties would be razed, the grounds cleared, covered with topsoil and planted with the seeds of produce to create urban gardens.

The produce would be harvested and distributed to the residents of the neighborhoods who would be able to purchase them at less than the market rates. I would love to have the gentlewoman's support in the future for this concept.

Ms. DELAURO. I appreciate the concept and recognize its importance and will work with the gentleman on this important issue.

Mr. CLAY. I thank the gentlewoman.

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

Mr. KINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, I thank the gentleman for yielding me this time. I regret that it is necessary for me to come down and talk during the time for general debate because this is an amendment that should have been made in order by the Rules Committee, and I frankly do not understand when it so significantly affects food safety and would have been a perfecting amendment on the underlying bill, I frankly do not understand the inattention of the Rules Committee to this important issue.

We hear time and again the United States being besieged with dangerous food from certain countries. According to testimony before the Energy and Commerce Subcommittee on Oversight and Investigations on July 17, 2007, former FDA Associate Commissioner William Hubbard testified that in 1999 the FDA drafted a legislative proposal that would have given the Food and Drug Administration authority to require certain foreign countries to take more responsibility for the foods that they send into this country.

The agency proposal would have allowed the FDA to embargo a given food from a given country if there were repeated instances of that food being found contaminated when it arrived in the United States. Countries that send safe food, they have no reason to be concerned. They would be unaffected. But countries that demonstrated a pattern of disregard of United States safety standards would have to increase their oversight of foods exported from their country. Have we heard of any examples of that in the past 6 months?

Unfortunately, Congress did not accept the recommendation, and the situation with some imported foods from some countries has only gotten worse. On page 96 of the committee report for H.R. 3161, it states that ''the Committee believes that the Food and Drug Administration is failing to do what is needed to ensure the safety of our food supply.'' Furthermore, ''the Committee directs the Food and Drug Administration to develop a performance plan that establishes measurable benchmarks for concrete improvements in the performance of food safety missions.''

In formulating the plan, the FDA is to look at the process for reviewing food safety systems in countries that export to the United States, and that these proposals are not dissimilar to measures the Food and Drug Administration has proposed in the past or may be considering currently.

On page 97, the committee report states that ''the Committee provides for an additional $7 million for increased activities to protect the safety of imported foods.''

My amendment would not have allocated any new funds to the FDA. But instead, it seeks to direct a portion of these funds already allocated towards increased activities to protect the safety of imported foods and on formulating an embargo plan. This plan would allow the FDA to prohibit a specified food from a specified country from entering into the United States if there were repeated instances that that food was found contaminated when it arrived in the United States.

Again I submit, we have heard several news report over the last 6 months where exactly this scenario has played out. We have to stop them from sending harmful food into our country. This would have been a good amendment, and I don't understand why it was not taken up by the Rules Committee.

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

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Chairman, I rise this evening to address two important issues that USDA provides in serving my farmers and ranchers in Kansas and across the country, the desire to see that those services are provided at the local level.

The first issue, although not very glamorous, is very important. It is the funding of nondiscretionary FSA technology expenses. This winter, many of my producers went to their local FSA office only to discover the computers were not working. In many instances they had to set aside all of the other computers so they could try to allow the farmers to access the computer system and sign up for the programs. The delays were for months.

In the President's budget, $23.8 million was requested for fixed IT operating expenses. Those operating expenses are required to operate and maintain FSA's existing computer system. In this bill the committee only appropriates $10 million. FSA does not have a choice in paying its fixed IT operating expenses. If sufficient funding is not appropriated, FSA will be forced to reduce its staff to keep its IT system operating, and I believe that would adversely affect the services provided by our local offices.

The second issue is our NRCS county offices. The bill we are considering today has two provisions halting county office closures for NRCS's sister agencies, FSA and Rural Development, RD. The primary reason for delaying county office closures is we are currently in the midst of writing a new farm bill. And while I am glad to see that this bill addresses the FSA and RD office closures, I would also like to see the same approach taken with NRCS.

I look forward to working with the chairwoman and the ranking member and I would ask for the chairwoman to enter into a colloquy with me to indicate her interest in this topic.

Ms. DELAURO. I am very interested in working with you, as we have talked about in the past, and will continue to do that as we move forward.

Mr. MORAN of Kansas. I thank the chairwoman and look forward to a successful conclusion.

Mr. KINGSTON. And I want to say, we will certainly work with the gentleman from Kansas. I know you are an advocate on this.

Ms. DELAURO. I yield 1 minute to the gentleman from Alabama (Mr. CRAMER).

Mr. CRAMER. First, I want to congratulate you for your work on this bill. Sincerely, you have balanced a number of issues. Particularly, I am concerned about the plight of my farmers in the Deep South and north Alabama as well. ROBERT ADERHOLT might be able to be on the floor here tonight. We share all of north Alabama.

Mr. Chairman, in the South we have experienced in many areas an unprecedented drought. On the drought monitor, our target area in the Deep South has been designated as a D4 drought area. That is not a situation we have seen in many, many decades.

Consequently, the farmers are exhausting all of their resources. They are sacrificing generations of resources that have been built up. They need help. It is not just a matter of low-interest loans; it is a matter of a plan.

We know we have certain areas to look to, but the safety net is not entirely there. So as we struggle to find relief, I would like to discuss with the gentlewoman her commitment to working with me and my colleague on this very important issue.

Ms. DELAURO. I want to assure the gentleman that we appreciate the gentleman's hard work on this issue and understand and will be willing to work with you as we proceed.

Mr. KINGSTON. Mr. Chairman, I yield myself 1 minute.

On this subject, the gentleman from Alabama and the gentlewoman from Connecticut and I have spoken about the fires we have had in south Georgia and the fires we have had in north Florida and Mr. BOYD's district to the tune of 580,000 acres. We have talked during the committee discussions about the possibility of obtaining some emergency conservation reserve program money for the private landowners

who lost approximately $45 million, and then also the State fire departments and the municipalities that spent about $45 million fighting these fires. And I wanted to ask the gentlewoman if we were still on one accord working on our drought/fire situation as we have discussed with Mr. CRAMER earlier.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. As we talked about in the full committee with both Mr. CRAMER and yourself, Mr. KINGSTON, and Mr. ADERHOLT, I talked about working with you on this issue. I commend you for bringing it to our attention.

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

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, first let me just say to the gentlelady from Connecticut, thank you so much for your hard work and dedication to moving our Nation forward in the area of agriculture, nutrition, health safety and all of the other issues that you tackle each and every day.

I come today to enter into a colloquy to raise the important issue regarding the lifetime ban on food stamp eligibility for formerly incarcerated persons who were convicted of drug offenses. This is a serious moral issue of concern to me. Quite frankly, this ought to be for each and every Member of Congress.

After they have served their time, Mr. Chairman, the formerly incarcerated reenter society looking to improve themselves and their lives. In these instances, however, the current policy prevents them access to food stamps. This just makes no sense. This absurd policy is the result of an overzealous congressional effort to appear tough on crime in 1996.

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Once someone has paid their debt to society they should be able to have the resources that will help them put their lives together. I hope that we can work together to ensure that this inequity is addressed.

Ms. DELAURO. If the gentlewoman would yield, I assure the gentlewoman that we will work together on correcting the inequity.

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. JACKSON of Illinois) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the amendment of the House of Representatives to the bill (S. 1) ''An Act to provide greater transparency in the legislative process.''.

The SPEAKER pro tempore. The Committee will resume its sitting.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

The Acting CHAIRMAN. Who seeks time?

Ms. DELAURO. Mr. Chairman, how much time is left?

The Acting CHAIRMAN. The gentlewoman from Connecticut has 9 minutes. The gentleman from Georgia has 8 minutes.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I commend the subcommittee and its chair for a good bill, and I wish to enter into a colloquy with the gentlewoman from Connecticut regarding funding for Community Food Projects and organic transitions research.

The 2007 farm bill that passed this House on Friday substantially increased the authorized funding for Community Food Projects, but it changed it from mandatory to discretionary. The CFP supports hundreds of innovative projects selected competitively, such as community kitchens, farmers markets, farm-to-school programs, in Connecticut among other States. I'm hoping that we can work toward finding discretionary funds for CFP.

Similarly, while the 2007 farm bill authorized a substantial increase in funding for various organic programs, funding for the organic transitions research program remained flat for the fiscal year. The market for organic food has reached $15 billion and is growing. Yet farmers need help making the transition from traditional to organic methods of farming, and without that help we will increasingly be dependent on overseas sources for organic products.

I ask the Chair to consider an increased level of funding for these programs.

Mr. Speaker, I rise today to express my support for the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill for Fiscal Year 2008, and to commend the Committee and Subcommittee leadership for their efforts on the bill, but also to express my concern about the lack of funding for community food projects and the lack of an increase in funding for the organic transitions research program for Fiscal Year 2008.

The 2007 Farm Bill that passed the House on Friday substantially increased the authorization for Community Food Projects (CFP) funding, from $5 million to $30 million annually. However, it also changed the funding from mandatory to discretionary, and funding for CFP was not included in the FY 2008 Agriculture Appropriations bill that is before us today.

Hundreds of civic groups and associations throughout the country, as well as low-income consumers and farmers who produce for local and regional markets, benefit from this program. The program facilitates and builds the capacity of non-profit, community-based organizations so they can establish projects that meet the food needs of low-income populations; identify and address weakness in urban food systems, such as insufficient retail food stores in densely populations neighborhoods and poor access to healthy and fresh foods for schools; and promote comprehensive responses to food, farm, and nutrition issues by combining the resources of multiple sectors of the food system. From its inception in 1996 through 2007, CFP received mandatory funding under the Food Stamp Program and it has funded more than 240 innovative projects such as certified community kitchens, community supported agricultural operations, farmer's markets, agri-business incubators, farm-to-school programs and other projects.

I regret that the 2007 Farm Bill made CFP funding discretionary, if it remains so in the enacted bill, I hope that the Senate and House conferees will work to ensure that the prevailing level of funding for CFP will be provided in the enacted Fiscal Year 2008 Agriculture Appropriations bill.

In addition, I wish to stress the urgency of increasing funding for organic transitions research in Fiscal Year 2008. While the 2007 Farm bill will substantially increase funding for various organic programs, funding for the organic transitions research program has again remained flat for Fiscal Year 2008. The market for organic food has reached $15 billion and, according to the Organic Trade Association, growth in sales of organic food has been 15 percent to 21 percent each year since 1998, compared with 2 percent to 4 percent for total food sales. Although there are now 10,000 organic farms in the United States, that is not enough to keep pace with demand. As a result, organic food suppliers must increasingly look for organic produce and other agricultural products from overseas locations.

The Organic Transitions Program is a highly competitive grants program established as part of the Department of Agriculture's Cooperative State Research, Education, and Extension Service. This national program has been extremely important to the organic farming community in funding research to assist farmers in overcoming the barriers to transitioning their farm operations into organic production. Through grants awarded under the program, for example, a university in the West has been funded to research ecological soil community management for enhanced nutrient cycling; a Northeastern university has been funded to research reducing off-farm grain inputs on northeast organic dairy farms; and another—a university in a Great Plains state—to fund research into the transition to sustainability.

The demand for research on a wide variety of topics related to organic agriculture has been increasing in proportion to the surging growth in the demand for organic agricultural products, and the benefits of this research accrue not simply to organic and other farmers, but to the entire health-conscious population. Notwithstanding this surge in demand, funding for organic research to facilitate the transition into organic farming methods has been holding steady at just under $2 million for the last few fiscal years, which represents only one-hundredth of one percent of the size of the industry the research is intended to support.

The organic transitions program has been extremely important to the organic farming community in funding research to assist farmers in overcoming the barriers to transitioning

their farm operations into organic production. My amendment to increase funding for this program to $5 million passed in the House last year, and I hope to see this level of funding included in the enacted Agriculture Appropriations bill for Fiscal Year 2008.

Ms. DELAURO. If the gentleman would yield, these are both very, very worthy efforts, and I look forward to working with the gentleman on these programs.

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

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

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. HARE).

Mr. HARE. Mr. Chairman, I rise to engage our respected chairwoman of the House Agriculture appropriations subcommittee in a colloquy to raise an issue of importance to a group of struggling workers in the almond industry. At issue is whether a company or cooperative should continue to be funded through the Market Access Program in light of being found guilty of labor violations here at home.

During a recent organizing drive, Blue Diamond Growers, a past recipient of these MAP funds, was found guilty by the National Labor Relations Board of more than 20 labor law violations, including firings. These were serious offenses.

Would the gentlewoman agree with me that the Secretary of Agriculture has the authority to deny serious labor lawbreakers taxpayer funds which are distributed from the Market Access Program?

Ms. DELAURO. If the gentleman would yield, I, too, am concerned about treatment of workers at Blue Diamond Growers. I'm aware that the Secretary of Agriculture has the discretion to deny funding to a coop if it is in the best interest of the program. I further note that USDA regulations require that MAP participants adhere to the laws and customs abroad when they hire foreign workers to market their product. We'll work with you on this critical issue of real importance to our workers.

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

Mr. KINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, I thank the gentleman for yielding, and I rise to oppose this particular bill.

But before I do, I do want to say I think there are a number of good things, a number of good provisions in the bill. As one who has come to the floor on numerous occasions to attempt to champion fiscal responsibility and earmark reform, I do take note that under the chairwoman's leadership, the gentlewoman from Connecticut, that the number of earmarks are actually reduced in this bill. I consider that progress, and she should be commended for that.

Having said that, Mr. Chairman, I also note that the bill increases spending over last year by 5.9 percent, 5.9 percent. Now the people who are ultimately going to be called to pay for this bill, my guess is their salaries didn't go up 5.9 percent. And I know throughout this debate we always point out all the good things that are in the bill, and occasionally we have to point out this very inconvenient question, and that is, who's going to pay for it all? Who's going to pay for it all?

Right now, the Federal Government is still spending roughly $23,000 per family. It's one of the largest levels in our Nation's history and the largest since World War II. Although it's down, the deficit is still very high, and Member after Member comes to the floor to decry raiding the Social Security Trust Fund, but we know if we're going to grow the Federal budget, including this bill, way beyond the growth of the family budget, that you continue to raid the Social Security Trust Fund.

Members come to this floor to decry borrowing money from China to pay for the national debt, but, again, if we increase this spending 5.9 percent, it's exactly what this body is going to do.

Now, we've already had a robust debate over the farm bill last week, and I know that many provisions in this bill will help rural America, and as one who represents six rural east Texas counties, I'm glad for that. As somebody who comes from three generations of people who made their living from agriculture, I appreciate the challenges in agriculture.

But I might observe that if we were really, really serious about trying to help all the different people involved in agriculture, maybe what we'd do is end the death tax, something our friends from the other side of the aisle have fought every step of the way. Somebody works their entire life to put together a ranch or a farm, Uncle Sam can come in and take 55 percent. Maybe we would stand up for private property rights and let these people dispose of their livestock as they wish. Maybe we would actually work to open up more markets for all of our food and fiber. But, no, instead, we're going to increase spending 5.9 percent.

That's the wrong approach, Mr. Chairman. We should defeat this bill.

Ms. DELAURO. Mr. Chairman, I yield to Congresswoman KAPTUR for a unanimous consent request.

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

Ms. KAPTUR. Mr. Chairman, I rise in support of this excellent bill to support food, fiber, fuel and forest production across this Nation.

Mr. Chairman, I would like to thank the Chairwoman Ms. DELAURO, a longstanding colleague, for the excellent bill she has assembled. As the former ranking member of the Agriculture Appropriations subcommittee, it has been a pleasure to see my colleague bring together our subcommittee through a form of collegiality unrivaled in this day of partisanship. This year's agriculture appropriations bill has been many years in coming, investing in the critical resources necessary to move agriculture and much of rural America fully into the 21st Century.

Ms. DELAURO has been a true leader and has produced a bill that should make all members of the Subcommittee proud. This bill invests in energy independence, secures our Nation's food supply, provides nutritional assistance for those living on the edge and link production from local small farmers with our urban consumers. The bill helps to grow America's economy through investing in rural America's potential for food, fiber, fuel and forest production.

Along with breakthrough investments in energy that will result from the recent farm bill, this measure moves America forward with a plan to use agriculture to solve our energy crisis. This legislation provides $350 million for biomass and renewable energy projects and $500 million to electrify America with wind power. This bill also provides $46 million for an innovative USDA grant program to help America transition to renewable energy sources, a program that has a long record of investing in the technologies of tomorrow. Agriculture holds the key if we are going to wean our Country from our dangerous dependence on foreign oil. This bill provides important incentive to transition us into the economy of tomorrow.

The Department of Agriculture dedicates almost ⅔ of its budget to nutrition, yet, there have been scarce few attempts to link local producers with urban consumers. This bill confronts those challenges and directs the Department of Agriculture to connect local farmers with procurement from USDA major nutrition programs. In addition, this bill also provides $20 million for the senior farmers market nutrition program, an approach so wildly successful with the elderly and with farmers that it regularly has more requests than funds available. For our Nation's farmers markets, this bill also provides $1,000,000 for the Farmers' Market Promotion Program to establish, expand, and promote farmers' markets to connect local production to the local marketplace.

I am also pleased to rise in support of the $150 million for the Commodity Supplemental Food Program that this legislation provides. This bill provides enough money to expand CSFP in 5 new states, providing a food supplement for those who cannot make ends meet.

These agriculture nutrition programs bridge the gap between urban and rural, linking consumers with local producers—helping to provide fresh produce, vegetables and commodities to those with little access to nutritious foods.

On food safety, this bill confronts critical challenges to the integrity of our food system. This bill blocks implementation of a rule which

would allow poultry importation from China and provides funds to implement the long awaited process of labeling the country of origin for food in our marketplace. It has taken many years to bring this issue to the forefront. But now it appears that Congress is finally giving consumers the tools for making effective decisions on what they choose to eat.

Before I close, I would like to advise the administration of language which clearly expresses the intent of Congress on the failed policy of Farm Service Agency closures. In both the Agriculture Appropriations bill and in the recently passed Farm Bill, the House of Representatives expressed its discontent with efforts to move forward with these closures. As there seems to be significant confusion on the intent of Congress on Farm Service Agency office closures, I respectfully refer the FSA Administration to two sections in recent legislation passed in the House of Representatives which clearly provide the intent of Congress on this issue.

In H.R. 2419 Section 11306 and Page 56 of the House Appropriations Report from H.R. 3161 clearly express the intent of Congress. As FSA moves forward with office closures in Ohio and across the Country, I strongly urge the administration to recognize the clear intent of the House Appropriations Committee, the House Agriculture Committee and the full House of Representatives.

In sum, this bill takes a major step forward for our Nation in opening new markets for farmers, makes major strides in conservation of our natural resources, attends to the food needs of all of America's needy families and children, moves rural America into renewable energy production, addresses challenges posed by serious environmental invasive species, and expands our food safety efforts. America must dedicate itself to food self sufficiency here at home and displace the rising levels of food imports. This bill invests in our Nation and our producers and consumers. I urge my colleagues to support it.

Ms. DELAURO. Does the gentleman from Georgia have any additional speakers?

Mr. KINGSTON. I do, but they're not here quite yet.

Ms. DELAURO. We have no other speakers.

Mr. KINGSTON. Mr. Chairman, let me yield myself 1 minute, and maybe somebody will percolate and maybe they won't.

I wanted to make a comment. Mr. HENSARLING had noticed that the earmarks were down. I think this is a good thing. I think that our job is going to have to be to make sure the earmarks stay down as this thing goes through the process, but I also think we need to be concerned about what can happen that will add costs to this bill.

It's interesting we just had a bill that had about 50 people vote against it. It was a popular bill that created a number of new programs, and I was thinking that so often on appropriation bill there's always a standard 100 to 150 people who vote ''no,'' and yet here was an authorizing bill, suddenly it's okay to spend money on an authorizing bill because it doesn't count. But on an appropriation bill, those same people who voted ''yes'' an hour ago will be voting ''no'' on the appropriation bill, except for Mr. HENSARLING, who's pretty consistent on everything.

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

Ms. DELAURO. Mr. Chairman, we have no additional speakers on our side except for myself in terms of closing. So, if the gentleman from Georgia would close, I reserve the balance of my time.

Mr. KINGSTON. Mr. Chairman, I think I have one more in the wing. So let me again enlighten you with some of my wisdom, if I may yield myself 1 minute.

One of the amendments that we have been working on in this bill is the insistence that those who sell or contract to the Federal Government use Social Security verification. There's a program called the Basic Pilot Program, and we have that amendment in the bill.

I think it's important people realize that the idea is that if you're doing business with the Federal Government you should be in compliance with the law of the land, which is to have legal employees; and what this does is requires those vendors and sales corporations and contractors and subcontractors to show that they are in compliance by having Social Security verification.

I'm excited about this amendment. I think it's very important. President Clinton actually did the same thing February 13, 1996, by executive order; and I am hoping that if there's some problems with this amendment that as this bill moves through the process we may need to tinker with it a little bit but that we can keep the gist of it.

Mr. Chairman, we have no more speakers around, and I yield back my time.

Ms. DELAURO. Mr. Chairman, in closing, I just want to say I think we need to be very excited about this bill. We set out to accomplish several goals, including strengthening rural America, having the opportunity to protect our public health, improving nutrition for more Americans, and we tried to be concerned particularly about rural areas. But we're looking at 40 percent of the children in rural areas who are dependent on food stamps. We look to transforming our energy future to $1.2 billion in loans and grants, particularly in rural areas, supporting conservation, investing in research, which keeps our agriculture on the cutting edge and, finally, enhancing oversight.

Most importantly, what I believe about this bill is it brings our Nation back to its most fundamental principles and that is the strength of our communities. We have an obligation to keep these things and to get them right, and I'm assuming we will take that responsibility today.

Ms. WOOLSEY. Mr. Chairman, thank you for giving me this opportunity to talk about the importance of purchasing domestically grown and processed foods for school meals.

We all heard the recent reports about toxic products coming from China—everything from food to toothpaste. The last thing we want is to have any of that making its way into our children's school lunches.

Already, Congress has approved legislation encouraging schools to ''Buy American.'' This not only supports our farm communities, but also puts locally-grown products on our students' lunch trays.

It serves our farmers and producers as much as it serves schoolchildren throughout this country.

I am concerned, however, that the Department of Agriculture has failed to follow directives given to them by Congress.

This serious problem surfaced again recently. Earlier this year, at a convention hosted by the School Nutrition Association, one prominent school food display marketed products that were not only produced overseas but also processed overseas.

Nancy Montanez Johner, the Under Secretary for Food, Nutrition and Consumer Services, and several other Government officials were there.

I hope now that they have seen this problem for themselves, the Department will move quickly to take immediate action to correct it, and stop purchasing foreign agricultural products for use in the School Lunch Program.

The Department should be promoting products from our U.S. farmers and producers. The Buy American provision should not be some secret Government provision buried low in the small type.

Chairwoman DELAURO assured me she would work with me on this important issue.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I rise to speak on H.R. 3161, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008, and discuss the great need for cattle research in this bill.

The Southeast, particularly the gulf coast, is home to almost 40 percent of the Nation's beef cow herd.

Cattle production in this region has unique problems that come from heat, humidity, disease, and the environment.

The USDA is currently conducting research on major issues affecting beef cattle at the Subtropical Agricultural Research Station in Florida.

However, to keep our cattle supply abundant and healthy, there is a growing need to increase the scope of the research and find creative solutions to the unique subtropical environment stressors that are affecting herd production.

I recognize that there are many important programs like this one throughout the Nation, but I urge the Appropriations Committee to work with me to ensure adequate funding for this vital program in the future.

Mr. WAXMAN. Mr. Chairman, funding for the Food and Drug Administration is incredibly important—FDA oversees products that make up one quarter of all consumer spending in the U.S. and it is vital to protecting the public health.

But for all that we ask of this agency, I am concerned that we do not give FDA what it needs to do its job. For years, FDA has been underfunded—its costs have risen dramatically while its appropriations have barely increased. In fact, the number of staff at FDA has actually dropped since 2003, despite rapidly expanding burdens.

I know that the chairwoman is a staunch defender of food safety, and I share her concerns. I have my own doubts about whether

this administration is doing all that it can to protect our food supply. But I also know that FDA cannot keep our food safe if it doesn't have the people to make decisions or conduct inspections. Because FDA's food programs do not involve user fees, unlike the drug and device programs, food safety is one of the most neglected functions at the agency. Partly as a result of this shortage, FDA's ability to ensure a safe food supply is severely limited. The effect of this is simple: Less money for food safety means fewer staff working to protect the food supply; fewer inspections; a diminished ability to respond to outbreaks, and—most important—a limited ability to develop policies that can prevent future catastrophes.

FDA is facing a shortfall of crisis proportions, and I believe that greater funding is imperative. We ask a great deal of FDA, and we need to support it with the funds necessary to do its job. I know that the chairwoman has taken the first step in this bill to reverse the trend of shortchanging FDA. But I think we can do more to begin restoring FDA to its proper role. That will require a multi-year commitment to greater funding.

I recognize that Chairwoman DELAURO is concerned about existing problems at FDA and I share her concerns. My committee's investigations of FDA have identified significant problems at FDA, some of which have nothing to do with funding. For example, we've seen political interference in scientific decision-making and a failure to conduct vigorous enforcement of the law. Both of these interfere with FDA's ability to protect the public health, and they cannot be fixed with money alone. But these issues are matched with problems that are purely a matter of resources.

I think we need to provide greater resources for FDA at the same time that we provide greater oversight.

Currently, the Senate bill appropriates $1.75 billion to FDA, with $522 million for food safety. The House bill appropriates roughly $57 million less than that overall, and $48 million less for foods. I think the Senate level of funding is a good start to restoring FDA to its proper level of funding. I urge the chairwoman to seek the highest level of funding that is feasible in conference.

As I said, I think this will be a multi-year effort, and I would like to work with the chairwoman on restoring FDA in the years ahead with even greater funding.

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

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to House Resolution 599, no further amendment shall be in order except the amendments printed in part B of House Report 110–290. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 110–290.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SESSIONS:

Page 3, line 9, strike "*: Provided*" and all that follows through "budgets for contracting out".

The Acting CHAIRMAN. Pursuant to House Resolution 599, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, my amendment would strike language included on page 3 of this legislation, which would have the same anti-competitive effect as language already included in almost every other one of the Democrat majority's appropriations bills, by preventing funds from being spent to conduct public-private competitions.

In this case, it would prevent funds from being used to allow the private sector to compete against the government for jobs by limiting the Agriculture Department's Chief Financial Officer's ability to spend money on this taxpayer-friendly activity until he provides a redundant report back to Congress on the Department's contracting policies.

While this policy may be good for increasing dues payments to public sector union bosses, it is unquestionably bad for taxpayers and for Federal agencies because agencies are left with less money to spend on their core missions when Congress takes the opportunity to use competition and takes that ability away from them.

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In 2006, Federal agencies competed only 1.7 percent of their commercial workforce, which makes up less than one-half of 1 percent of the entire civilian workforce. This very small use of competition for services is expected to generate savings of over $1.3 billion over the next 10 years by closing performance gaps and improving efficiencies.

Competitions, completed since 2003, are expected to produce almost $7 billion in savings for taxpayers over the next 10 years. This means that taxpayers will receive a return of about $31 for every $1 spent on the competition with an annualized savings of more than $1 billion.

This provision is obviously needed to stall public, private competitions for an entire fiscal year, rather than allowing a proven process to work, as it was intended, and it would harm taxpayers by denying the Department of Agriculture the ability to focus its scarce resources and expertise on core missions.

This concerted effort to prevent competition sourcing from taking place at the Department of Agriculture comes just a week after the House passed an agriculture bill that goes way beyond the Federal scope and strips States of their ability to use competitive sourcing to improve their own food stamp programs, demonstrating that the Democrat leadership is hearing clearly from labor bosses that the Agriculture appropriations bill represents yet another good opportunity to increase their power at the expense of taxpayers and good government.

In this time of stretched budgets and bloated Federal spending, Congress should be looking to use all the tools it can to find taxpayer savings and reduce the cost of savings that are already being provided by thousands of hard-working companies nationwide.

Mr. Chairman, I include in the RECORD letters of support for this amendment from the Fair Competition Coalition.

THE FAIR COMPETITION COALITION,
August 2, 2007.

Hon. PETE SESSIONS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SESSIONS: The Fair Competition Coalition supports your efforts to remove from Title I the anti-A–76 language from the Fiscal Year 2008 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act (H.R. 3161).

We are writing to express our strong opposition to the language in Title I under the Chief Financial Officer section, which would stop all funding of the Department's FAIR Act Inventories and all A–76 competitive studies. On behalf of the thousands of companies and hundreds of thousands of employees represented by the associations listed below, we urge adoption of this amendment.

The Federal Activities Inventory Reform (FAIR) Act was enacted during the Clinton Administration, and received strong bi-partisan support in the Congress as well as union and industry support. The law simply requires each Federal agency to publish an inventory of all its commercial activities.

This prohibition will hinder the agency's ability to identify and access the best and most efficient sources for the performance of its commercial activities. All relevant studies have shown that the competition process itself, regardless of outcome, results in savings exceeding 20%. The prohibition on identifying and studying these positions is thus highly inappropriate and unfortunate for the taxpayer, as well as a restriction on the ability of any President to manage the Federal government.

FCC supports adoption of your amendment to remove this harmful language from HR. 3161.

Sincerely,

Aerospace Industries Association, American Congress on Surveying and Mapping, Airport Consultants Council, American Council of Independent Laboratories, American Council of Engineering Companies, American Electronics Association, American Institute of Architects, Associated General Contractors of America, Business Executives for National Security, Construction Management Association of America, Contract Services Association of America, Design Professionals Coalition, Electronic Industries Alliance, Information Technology Association of America, Management Association for Private Photogrammetric Surveyors, National Association of RV

Parks and Campgrounds, National Defense Industrial Association, National Federation of Independent Business, Professional Services Council, Small Business Legislative Council, Textile Rental Services Association of America, The National Auctioneers Association, United States Chamber of Commerce.

I urge all of my colleagues to support this commonsense taxpayer first amendment to oppose the underlying provision to benefit public union sector bosses by keeping cost savings competition alive to the government.

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

Ms. DELAURO. Mr. Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I rise in opposition to the Sessions amendment, and I am astounded that the gentleman is taking the time of the House with this amendment.

The only requirement in the language that the amendment seeks to strike is for the USDA, the U.S. Department of Agriculture to provide a report on contracting out policies and expenditures, to the appropriations and the Oversight and Government Reform committees.

This is a bipartisan provision, included when the gentleman's party was in the majority and a long-standing provision that was first part of the Agriculture bill for fiscal year 2004.

If the gentleman's aim is to allow USDA to continue contracting out, this amendment is not the way to accomplish that. The language that we have included in the bill does not prevent USDA from carrying out the outsourcing of Federal work. What it simply aims to do is to establish a much-needed oversight on the related costs to contracting out.

Regardless of how one feels about the role of the Federal workforce and the outsourcing of Federal jobs to private contractors, why would we object to transparency in this area? We are talking about a report.

Now, after the comment about the report being burdensome, this is the report, it is hardly burdensome, four paragraphs and a chart. It really defies the imagination.

The fact is that we need to exercise our responsibility. We need to increase oversight in this area. We all know that the administration's guidelines for public-private competitions, OMB circular 876, has long favored contractors and stacked the deck against Federal employees.

The Bush White House has pushed privatization so much that the Los Angeles Times reported earlier this month that there are more private contractors in Iraq than U.S. troops. More than 180,000 civilians, including Americans, foreigners and Iraqis, are working in Iraq under U.S. contracts, according to State and Defense Department figures obtained by the newspaper.

I believe we should know the costs associated with contracting-out policies. That is all, again, that is all the language in the report is about, and I cannot understand why the gentleman objects to a report.

I urge a ''no'' vote on the amendment.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Chairman, may I ask what time remains.

The Acting CHAIRMAN. The gentleman from Texas has 90 seconds.

Mr. SESSIONS. Mr. Chairman, I yield 90 seconds to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I thank the gentleman for yielding.

Mr. Chairman, I had an amendment that was not made in order that would have allowed us to have a conversation about States' rights.

There is a provision in the bill that severely rejects States' abilities to run their food stamp programs in ways they see fit in ways that are economical, provide benefits to beneficiaries in a respectful way; and it was not made in order.

I think States' rights and a conversation about that is a worthy topic this evening to have this discussion. It's unfortunate that a select few on the Rules Committee, on the majority, are afraid of that conversation.

I don't know if I would have won it or lost it. I think every time we trample on a State's rights to do things, the 10th amendment to the Constitution, that that's worthy of a conversation for this floor.

I am flabbergasted that the majority on the Rules Committee were afraid of having that conversation tonight. So let me add my voice to the long line of Members on this side who whined about being cut out of this process.

This is a legitimate issue, the right of a State to run its business the way that it sees fit, and if it does things correctly, and we develop new ways to do things, allowing other States to adopt those same models. This bill prohibits that from happening. This tramples on States' rights. It's an issue we should have had a full debate on, at least 5 minutes on each side, but we are not going to because of some fear on the other side.

Ms. DELAURO. Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN. The gentlewoman from Connecticut has 2 minutes.

Ms. DELAURO. Mr. Chairman, again, let me just notify the gentleman who just spoke, there is truly nothing in our bill that deals with the issue of privatization or with States and privatization. I think the gentleman is confused with the Agriculture appropriations bill and with the farm bill which occurred a week ago. That was addressed in the farm bill. There is nothing in our bill that deals with the issue of privatization.

I think it's again worth noting that all we are speaking about here is a report. What I can't understand is why we would not want to know about the cost of contracting out and what is happening. That is what our responsibility is, to ask questions. We have oversight responsibility of these Federal agencies.

As I pointed out before, you have 21,000 Americans, 43,000 foreign contractors, 118,000 Iraqis all employed in Iraq by U.S. tax dollars, according to the most recent government data. You have got the massive privatization of military jobs which have been taken up with construction, security, weapons systems, maintenance, and, in fact, we can't even keep track of that effort. We have a responsibility, whether it is Department of Agriculture, whether it is Department of Defense, whatever Department it is.

If we want to hold the jobs that we have, we ought to be asking questions about how taxpayers' dollars are being spent by these agencies. And it's fiscally responsible, and it is what we are charged with doing. You may choose not to know what they are doing because you concur that that's the thing to do, to replace Federal employees and their jobs. You can hold that view, but let's get the information. Let's get a mere report to do it.

I ask for a ''no'' vote on this amendment.

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

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

Mr. SESSIONS. 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 Texas will be postponed.

It is now in order to consider amendment No. 2 printed in part B of House Report 110–290.

AMENDMENT NO. 3 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in part B of House Report 110–290.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HENSARLING:

Page 33, line 16, after the first dollar amount, insert ''(reduced by $6,287,000)''.

Page 33, line 17, after the first dollar amount, insert ''(reduced by $6,287,000)''.

The Acting CHAIRMAN. Pursuant to House Resolution 599, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this is an amendment that may be

modest in the dollars involved, but I believe it is very, very important in the principle that underlies it.

The amendment would simply level fund the Community Facilities Grant Program, level funding. It would spend the same amount of money next year that we have spent last year.

Instead, what we see in this appropriations bill is that the amount is going to be increased 37 percent, 37 percent. Now, again, the people who are going to be expected to pay for this, I seriously doubt that they saw their paychecks increase 37 percent.

Now, I have no doubt that good things can be done with this money. Those who want to spend more of the taxpayers' hard-earned dollars always have some very good rationale for doing it.

But the question is, any time you create a Federal investment, by definition you are going to be creating a family divestment, because somebody has to pay for this. In this particular case, when it is the Heritage Foundation, as is noted, by at least one count we have 10,000 Federal programs spread across 600 different agencies. I defy any human being to tell me what they do. The Office of Management and Budget has noted in their budget report: ''This program is redundant with other Federal programs at the Department of Commerce and Housing and Urban Development.''

Now, my reading of this bill, and I would certainly let the chairman correct me if I am wrong, I don't think one single program is terminated in this particular bill. Everybody is going to get more money except the people who have to pay for it, and that is the poor beleaguered taxpayer.

I have a lot of respect for the chairman of the subcommittee, and we serve on the House Budget Committee together. I know she hears the same testimony that I hear. That testimony is this Nation has a huge spending problem.

Already with the government that we have, we are on track to double taxes on the next generation or, for all intents and purposes, there will be no Federal Government in the next generation, save Medicare, Medicaid and Social Security.

I know it's a problem that doesn't manifest itself tomorrow, but how long is this Congress going to kick the can down the road? I mean, we have heard the testimony. Our Comptroller General has said that the rising cost of government is ''a fiscal cancer'' that threatens ''catastrophic consequences for our country and could bankrupt America.''

Yet here we have a bill increasing one program 37 percent and terminating none, none. I mean, where does it all stop?

Now, I know the subject matter is important. I have the honor and privilege of representing a fair amount of rural Texas in the Fifth Congressional District, but those are the same people who are being asked to pay for this. They are the ones who are going to be subjected to the single largest tax increase in American history of roughly $3,000 per family.

So here we have out of 10,000 Federal programs one that OMB has said is redundant, does the same thing that other programs do. Unfortunately, the committee's response is to increase it 37 percent.

Now, maybe the savings is modest to the taxpayer, but the principle is huge, because ultimately the Federal budget cannot grow beyond the family's budget ability to pay for it. There is a very important precedent that could be set here. Let's take one program and tell the American people who have to pay for it, know what, it can do with the same amount of money last year that it had this year. Let's protect, let's protect the family budget from the Federal budget. Let's adopt this amendment.

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

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Ms. DELAURO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I yield myself 2 minutes.

I rise in strong opposition to this amendment from the gentleman from Texas to cut the Community Facility grant program.

These are grants, please understand, that assist in the development of central community facilities in rural areas and towns of up to 20,000 in population. These are small communities, low populations, low income, and they receive a higher percentage of the grants.

What are they used for? To construct, enlarge, improve community facilities. What are those community facilities? It is about health care, public safety, community, public services. When you have seen what has happened to rural America with the loss of jobs, globalization, you have families and livelihoods which have become marginal, you also see the fabric of the community and those institutions cannot be sustained, and these things go away. And so that the local community has an opportunity to create some of these services that are necessary, it is vital to small communities, to impoverished communities. And they build fire stations, hospitals. They purchase ambulances and other critical facilities.

And if you don't deal with the health care where they have limited availability and accessibility, we are going to continually have a shortage of health care providers in rural America, and that is a disaster.

Major investments in transportation, telecommunications, and other critical services are necessary in many rural areas, and local tax bases are unable to support necessary investments and improvements. And we know what the topography is in rural areas with the remoteness from metropolitan areas adds only to their difficulties.

This is essential, this program, to really help communities get a critical infrastructure. This is building infrastructure in rural America, which every report, every study says we need to do in order to reenergize and revitalize rural America. I urge you not to vote for this amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, let's hear from some of the people in rural America whose health care is going to be impacted by this bill.

More spending fuels more taxes. Let's hear it from the McConathy family in Mineola, Texas. ''We are retired and on a fixed income. If our taxes are raised almost $3,000, we will not be able to afford the medication we need.''

Mr. Chairman, that is coming from the people who have to pay the taxes to help pay for the 37 percent increase in this program that the Democrat majority wants. Maybe they can spend their money better for their health care; and, because of that, I urge adoption of this amendment.

The Acting CHAIRMAN. The gentleman's time has expired.

Ms. DELAURO. I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise in opposition to this amendment.

Let's be practical. This is about rural America. These are about towns that are under 20,000 people who have come together and decided they want to build community facilities, community centers so people can get together and solve problems. They have to put up the money for their match, and they are asking for a competitive grant program, means that their ideas have got to compete with other ideas in small towns around the Nation.

This gentleman gets up and berates the fact that he is taking all this time to cut this money out of rural America for something that they want. You go back and tell your taxpayers that, while we are sitting here, we spent $13,732,620 in Iraq in one hour, in one hour. And they are building community centers over there for the Iraqis. We can build community centers for our communities in the United States.

I oppose this amendment.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Members are advised to address their remarks to the Chair.

Ms. DELAURO. Mr. Chairman, I yield 1¼ minutes to the gentleman from Illinois (Mr. JACKSON).

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Let me rise in strong opposition to the gentleman from Texas's amendment, and I am hoping that the gentleman might engage me in a brief question.

These grants assist in the development of essential community facilities in rural towns of up to 20,000 in population. We talked about them in great detail in a number of hearings on the Agricultural Appropriations Subcommittee, and witness after witness suggested that these Federal funds, in conjunction with local funds, made it possible for them to advance the idea of health conversations and broader conversations about fire stations and hospitals and purchasing ambulances and other critical community facilities.

I was going to ask the gentleman if he wouldn't mind engaging in just a brief colloquy with me. A brief question: Does the gentleman support the President's budget?

I yield to the gentleman from Texas.

Mr. HENSARLING. No, I do not.

Mr. JACKSON of Illinois. The gentleman does not support the President's budget. Well, that is important, because let us be clear that the gentleman's amendment is proposing $16.8 million more than the President is proposing in this program.

The President has zeroed this program out. The committee sought to increase the number in this program. And if the gentleman's amendment returns it to the 2007 level, the 2007 level is $16.8 million more.

I encourage you to vote against the Hensarling amendment and support the Community Facilities program.

Ms. DELAURO. Mr. Chairman, let me close by saying that, again, this is about building infrastructure in rural America.

The facts are that the demographics are changing in rural America. We are looking at communities that have lost jobs, that have lost because they can't sustain them, community institutions. These community facility grants allow for these communities to access resources in order to create the kinds of services that they and their families need in order to be able to survive.

The demographics are going in one direction, and the administration will take away all of the opportunities, as with the gentleman from Texas, for these communities to be able to thrive. It is wrong, and I urge my colleagues to vote against this amendment.

I yield back the balance of my time.

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

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

Mr. HENSARLING. 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 Texas will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 110–290.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HENSARLING:

Page 48, line 12, after the first dollar amount, insert ''(reduced by $8,910,000)''.

The Acting CHAIRMAN. Pursuant to House Resolution 599, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, the purpose of this amendment is, frankly, identical to the purpose of the previous amendment; and that is, let's show the American people that, out of these 10,000 Federal programs spread across 600 different agencies, that maybe one of them, one of them can do with the same amount of money next year that they had last year.

Instead, this particular program that is involved, the Broadband Grants program, in H.R. 3061, spending on the program has doubled, increased 100 percent. Again, are people who are expecting to pay for this, did their family income go up 100 percent?

And I have listened carefully to several of the previous speakers, and I will be measuring my comments. But, Mr. Chairman, I grew up working on my father's family farm. I am the son of a farmer. I am the grandson of a farmer. I am the great grandson of a farmer. I grew up in rural communities in Texas like Slaton and Naples and Lingelville. So, Mr. Chairman, I don't take a back seat to anybody to my commitment to rural America. It is where my roots are.

And so maybe some of the people on the other side of the aisle, maybe their constituents are a little different than mine. Maybe the people they grew up with and their surroundings and circumstances were different than mine. But I spend a lot of time talking to people in rural Texas in the counties that I have the pleasure of representing, those counties that help comprise the Fifth District of Texas. And they would love to all have broadband. They would love to have it.

And do you know what else they love even more? They would love not to have the single largest tax increase in American history imposed upon them. They would love to get rid of the death tax that can take away the family farm or ranch it took generations to build. That is what they would love. They would love the ability to be able to dispose of their private property, as they struggle to make their family farms and ranches successful. Each one of these has been opposed by the Democrat majority. That is what rural America needs. That is what people on the farm and ranch need.

Now, again, the goal of helping bring broadband to rural America is a very worthy goal. It is a very lofty goal. And I am sure in just a couple minutes we will hear how the entire rural America will come to a complete halt if we don't have any Federal, a Federal Government program dealing with broadband, notwithstanding the fact that the Office of Management and Budget has already noted, ''This program is duplicative of the Broadband Loan Program authorized in the 2002 farm bill. The areas eligible for grants are also eligible for low-cost broadband loans through the RUS.''

The program is already there. So what are we doing spending double on this program, being completely oblivious to the people who have to pay for it?

Again, there is great, great focus on the benefits of this program. But where is the focus on the cost?

Again, I know the gentlelady from Connecticut hears the same testimony I do in the Budget Committee, but already we are on track, we are on track to double taxes for the next generation. The Comptroller General has said that we are on the verge of being the first generation in America's history to leave the next generation with a lower standard of living. And so what do we do? We don't even sit idly by. We double spending on this particular program, completely oblivious to those who have to pay for it, especially future generations.

If there is anybody who qualifies today for the least of these in the political process, it is future generations. And because of that, although the principle is large, the sum is modest, I encourage adoption of the amendment.

I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise again in strong opposition to this amendment from the gentleman from Texas. This would cut in half the Broadband Community Connect program.

This funding level will help. First, let me quote to you from something called the Carsey Institute Report, Rural America and the Twenty-First Century Prospectus from the Field. And this is the quote. This is June, 2007: ''Expanded broadband telecommunication is essential, is essential, if rural areas are to be competitive in a global economy.''

I can't believe the gentleman would want to move us backward and not forward in terms of allowing our communities to move into the 21st century and to be able to compete globally. This funding level helps more families in rural communities get the access that they need to technology. This helps to increase business, employment opportunities, greater access to educational and lifesaving medical services.

This is not a partisan issue. We all support providing increased broadband

services to rural America. Communities that are selected to receive grant funds do not currently have access to broadband connectivity for central services of police, fire protection, hospitals, local governments, libraries, schools. In return, what the communities do, because it is a partnership, they provide a community center where you have at least 10 computers to be available to the public with hours set for instruction and on the use of the Internet.

This is about economic opportunity and revitalization and the potential for improving the quality of life for residents in these areas that need to have this infrastructure. The technology is going to be the key to the ability of rural businesses and rural economies.

Mr. HENSARLING. Mr. Chairman, number one, with all due respect to the gentlelady from Connecticut, this amendment would cut nothing. It would level fund the program from one year to the next.

And, again, let's hear the voice of rural America. Let's hear from the Peterson family in Van who is going to have to pay for this.

''I am a widow, a full-time college student, single mother of a growing teen boy. This amount would be impossible to squeeze out. The monthly amount is more than half of my monthly vehicle installment and more than a third of my monthly housing expense and exceeds my already bare bones monthly grocery budget.''

Let's adopt the amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. JACKSON).

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Mr. JACKSON of Illinois. Thank you, Madam Chair.

Let's put a face on this program. In Horseshoe Bend, Idaho, no company had invested in providing broadband delivery to the residents until a company called Bitsmart applied for a USDA Community Connect Grant. 770 people live in Horseshoe Bend, Idaho. Now, Bitsmart has established wireless Internet accessibility and availability, an integrated system connecting law enforcement, health care providers and school and government offices.

The USDA Rural Development mission is to increase economic opportunity and improve the quality of life for rural residents. To level fund a program that connects rural Americans to the rest of our country would be a moral disgrace. We are under an obligation in this Congress to bring rural communities, where large corporations and medium-sized corporations do not invest in them, into the information age and make them part of our more perfect union.

I encourage my colleagues to reject the Hensarling amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise in opposition to this amendment, and I hope the author will tell that mother in rural America that his money cuts grants to rural areas, to her local schools in rural areas, to her hospitals and to her rural businesses who all want to get access to broadband. They're leaving the rural area because they don't have this.

Also tell that mother that the same amount of money is being spent in Iraq in 45 minutes, in 45 minutes. In just the time of this debate, we're spending more money than this amendment cuts in Iraq to build those things that he wants to cut away from rural America.

This amendment is wrong. I oppose it.

Ms. DELAURO. How much time, Mr. Chairman, remains on our side?

The Acting CHAIRMAN. The gentlelady from Connecticut has 1 minute. The gentleman from Texas' time has expired.

Mr. JACKSON of Illinois. I was hoping the gentlelady from Connecticut would yield for just a brief question.

Would the gentlelady care to share with the committee what the President's proposal was for this particular program in this particular budget?

Ms. DELAURO. The President's proposal was to zero out the broadband program, telemedicine, which is really quite extraordinary in an age of technology, an age of trying to bring our communities together and particularly rural America. One of the things that we do in this bill is we're examining why we have so many underserved areas in terms of rural America. And we're going to request that the Inspector General do a study of why money isn't going into the underserved areas.

I don't think that there's an individual in this House, on either side of the aisle, that doesn't believe that that is the key to the future; the Internet, broadband, telecommunications. It's for urban areas. It is particularly for the rural areas which are underserved. Again, these are communities population under 20,000. Libraries, educational centers.

The Acting CHAIRMAN. The time of the gentlelady has expired.

Ms. DELAURO. I urge my colleagues to vote against this amendment.

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

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

Mr. HENSARLING. 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 Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. KINGSTON

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in part B of House Report 110–290.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. KINGSTON: Strike section 726.

The Acting CHAIRMAN. Pursuant to House Resolution 599, the gentleman from Georgia (Mr. KINGSTON) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, I yield my time to the gentleman from Michigan (Mr. ROGERS).

The Acting CHAIRMAN. Without objection, the gentleman from Michigan will control the 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. Mr. Chairman, I'm going to cut right to the chase. We have so little time.

I yield myself 2 minutes.

You know, the New York Times highlighted in an investigation in May, the global and deadly epidemic of counterfeit drugs. Counterfeit product diethylene glycol, an industrial solvent ingredient in antifreeze, found its way into cough medicine on our shelves. It was traced from Panama, through Spain, from China, all countries that would be permitted under this bill.

We must remember how dangerous this is. And I understand everybody's intention to try to lower drug prices to our seniors. That's critically important.

But what we are doing is throwing open the gates to every counterfeiter in the world, and the top five countries, China, Russia, India, Colombia, the other countries who are trying purposely to adulterate our prescription drug safety in the United States of America.

Seventy years ago the same diethylene glycol killed more than 100 people in the United States. That's why we have the FDA today. And guess what? It just happened again in May.

This is the wrong time to throw away all of those institutional years that we've developed to protect our drug supply in America. And I want to quickly show, and I apologize for the speed here, Mr. Chairman, but we have so little time on such an issue that is so important to the United States of America.

This is one of the facilities that was making drugs in China. How many of you would ask your mother to take a drug coming out of this facility? None of you. None of you would do it. And it's wrong for us just to throw it open for a political gamesmanship to say we're going to try to lower drugs. It's dangerous.

Aricept, to treat Alzheimer's disease, was found to be counterfeit. And it looks unbelievably uncanny like the real thing. Let me show you real quickly. Look, you cannot tell the difference. Are you going to ask an Alzheimer's patient to tell the difference between the real and the counterfeit?

And guess what? This isn't 70 years ago. This is today. They're trying to do this today. I cannot tell you how dangerous this is. We should take the opportunity to undo this and go back and use common sense.

I reserve the balance of my time.

Ms. DELAURO. I yield 1½ minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, first of all, because we are under such tight time constraints, I might add, and I understand the points that the gentleman from Michigan was making.

But of course, let me also mention, and I'll submit this for the RECORD, that the foreign facilities inspected for approval by the Food and Drug Administration include those from 65 countries, and I'll name just a couple: China, Macau, Niue. I don't know if anybody here has heard of the country Niue. I'm embarrassed to say that I don't know where Niue is. Russia, India and several other countries that at one point in time may have been questionable.

I also want to point out to the gentleman, and I know that he must be aware, that 40 percent of all drugs that come into this country that we take on an everyday basis, whether it is cholesterol medicine like Lipitor, which is made in Ireland, or Prilosec, which is made in Sweden, all of these drugs are already imported into the United States. So how do we really know if these drugs that are sold by the brand name manufacturers actually have ingredients that are safe?

And I would also say to my colleague from Michigan, who is very, very lucky, because Michigan is right next to Canada, and your senior citizens are able to cross that border there at Detroit, go into Canada, and they can buy their prescription drugs for 40 percent less, 50 percent less than American citizens can.

U.S. FOOD AND DRUG ADMINISTRATION

Foreign Facilities inspected for approval by FDA (65 countries)

Argentina, Austria, Australia, Belgium, Bahamas, Brazil, Bulgaria, Canada, China, Croatia, Czech Republic, Denmark, Finland, France, Germany, Haiti, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Latvia, Macau, Malta, Mexico, Netherlands, Niue, Norway, Poland, Portugal, Republic of Korea, Romania, Russia, Signapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Taiwan, Turkey, United Kingdom.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New Jersey (Mr. ROTHMAN), who knows that 30 percent of the prescription medicines in the areas of Latin America, Asia and sub-Saharan Africa are counterfeit, all of which would be permitted under this bill.

Mr. ROTHMAN. Mr. Chairman, I support the Kingston amendment which upholds existing law which allows for the importation of a personal-use quantity, a 90-day supply of a prescription medicine from Canada.

What the Kingston amendment will not allow, though, is the bulk importation of pharmaceuticals for the use of so-called Internet pharmacies. Internet pharmacies, you don't know where they're getting their drugs. They could come and have come from every single continent, from nearly every continent on the planet.

If we want to reduce the price of drugs, we ought to encourage the drug companies to eliminate or minimize the price disparity between what our citizens pay in the United States and what people around the world pay for their prescription drugs. And, Mr. Chairman, we ought to reform Medicare part D.

The Republican plan would subsidize the insurance industry and subsidize the drug companies instead of using that money for cheaper drugs for our own people in the United States.

But the Kingston amendment will assure a personal supply that you can get from Canada, but will also assure a safe product comes to the people of the United States when they get their prescription drugs.

Mr. ROGERS of Michigan. Mr. Chairman, I reserve.

Ms. DELAURO. I yield 30 seconds to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. I would just like to point out, 1, as I was starting to say, that our senior citizens, even with Medicare part D, cannot afford their prescription drugs. There is no competition in the marketplace.

And it was very interesting, today I ran into one of the pharmaceutical lobbyists who happened to tell me, Oh, my gosh, the Kingston amendment is getting us all engaged again in this issue, and, you know, we're going to pull out all the stops.

And I dare say that I would prefer to stand up for my constituents in Missouri as opposed to the pharmaceutical companies keeping competition and low prices out of this country.

Mr. ROGERS of Michigan. It's unfortunate the gentlelady would take personal comments, when you know that there are Americans and a Canadian who was just killed using counterfeit drugs, very unfortunate indeed.

I yield 1 minute to the distinguished gentleman from Michigan, the chairman of the Energy and Commerce Committee, a good friend and a great friend of the American people, Mr. DINGELL.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, this is a good amendment and it should be adopted.

How many of my colleagues saw television last Sunday night when they saw the hundreds of thousands of fraudulent counterfeit pharmaceuticals, pills that could be imported into the United States from China, and saw Chinese entrepreneurs bragging about how many of these they could make available?

You can kill people with bad drugs two ways. One is by giving them adulterated, contaminated unsafe drugs. That'll kill them. The other way is to give them drugs that don't do anything. And these drugs, although cleverly marked and wonderfully packaged, don't do anything.

How many of you want the blood on your hands of having people killed by allowing drugs to be imported which are not safe or which do not do what they're supposed to do?

How many people here want to see to it that your constituents are getting drugs which won't deal with hypertension or which won't address the problems of cancer or which won't deal with other life-threatening drugs, with life-threatening conditions?

I urge you to support this amendment.

I commend my good friend from Michigan for his leadership, and I say thank you. The Nation owes you a debt.

The Nation is watching this Congress to see whether or not this Congress is going to protect the people or whether we're going to expose them to great risk. I challenge my colleagues to do what is right.

Ms. DELAURO. I yield 1½ minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I rise to oppose the gentleman's amendment and to allow the importation of safe prescription drugs into our country.

You know, the pharmaceutical companies are making record profits. I represent a district along the Canadian border. Hundreds and hundreds and hundreds and hundreds of sick people from our district have to drive up over that bridge, the Windsor Bridge, up into Canada in order to take care of their mentally ill kids. The senior citizens that can't afford drugs, or they've been thrown out of a job, to try to keep house and home together as they have to purchase various pharmaceutical products.

What do we have an FDA for if it isn't for certification? That's what we want them to do. These drugs are being bought from certified pharmacies.

You know, the seniors that come through the supermarket aisle in the place where I shop back home, they're choosing between food and medicine. What kind of a choice is that, really?

You don't have to buy unsafe drugs. You can buy safe drugs. We want the FDA to regulate. I'd prefer to see drug prices reach an affordable level in our Nation and to make sure that all of our people have full prescription drug coverage under Medicare, and that's the direction we ought to move, including drug coverage under our insurance programs.

But there's absolutely no reason to buy the red herring that if you buy pharmaceuticals in Canada they're not safe. There isn't a single person in my district that has ever gotten sick, because they go to certified pharmacies.

The tragedy is they cannot afford those drugs in this country.

And I want to compliment Congresswoman DELAURO, who has fought on this, Congresswoman EMERSON, who has fought on this. It seems like we keep fighting this because the pharmaceutical companies keep fighting us to do what's right for this country.

Mr. ROGERS of Michigan. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. Thirty seconds.

Mr. ROGERS of Michigan. I yield the remaining time, as I remind the gentlelady from Ohio that this bill would actually eliminate the enforcement of the FDA of all the rules, which makes it so dangerous. And nobody knows more about the dangers of counterfeit imported drugs than the gentleman from New Jersey. I yield my remaining 30 seconds to the distinguished gentleman from New Jersey (Mr. FERGUSON).

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Mr. FERGUSON. Mr. Chairman, I rise in strong support of the Kingston amendment.

I have got short time, but earlier this year the Energy and Commerce Committee had a hearing on drug safety, and my good friend, the gentlewoman from Colorado (Ms. DEGETTE), summarized the problem with drug importation by referencing a New York Times article just that week. She said, ''Counterfeit drugs made in China were exported to Panama for sale, and they included a deadly toxin . . . 365 families reported deaths as a result of the tainted cough syrup and fever medication.''

My friend, Ms. DEGETTE, continued: ''Mr. Chairman, the dangers from counterfeit and contaminated drugs are frighteningly real, even under the current construct. Permitting reimportation would significantly increase the risk of counterfeit, misbranded, and adulterated drugs that would end up in my constituents' homes.''

I agree with my friend from the other side of the aisle, the dangers related to drug importation the FDA needs the authority to prevent counterfeit medicines from coming into America.

I urge my colleaues to support the Kingston Amendment.

Ms. DELAURO. How much time is left, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from Michigan has no time left. The gentlewoman from Connecticut has 90 seconds.

Ms. DELAURO. I yield 30 seconds to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentlewoman for the time.

I want to say this is a major policy change. That is why we are here debating it. It is unfortunate we don't have a full Chamber. But the reason that I offer this amendment is because I think we should have the floor engaged on it, and we will have that opportunity tonight.

Number two, people are doing this. There are 1 to 3 million people who are buying Canadian drugs and drugs from other countries right now. If we are interested in safety, we will find a way to make this safe. This is a country that just invented the iFone, the iPod, the navigation system, and all this stuff. We can figure out how to make these drugs safe.

Finally, as Ms. KAPTUR said, these are certified drugs made in the United States in most cases.

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

I reiterate: These are FDA-approved drugs from FDA-approved facilities. Let's set the record straight.

The Congress has been misled by the pharmaceutical industry. They have stood in the way of keeping safe and affordable prescription drugs out of the hands of consumers. They are now misleading us in this campaign to scare the American public on the issue of drug importation. Prescription drugs can be imported into the United States safely. It has been done for decades. Reimportation needs to stay on the table. It needs to stay in this bill.

The drug companies have repeatedly demonstrated the influence that they have gained within the FDA and the Bush administration. It is time for the Congress and the American people to demonstrate that we are not easily swayed. Oppose this amendment.

Ms. ESHOO. Mr. Chairman, I rise in support of the Kingston Amendment which would strike language from the bill to implement a fundamental change to the FDA's drug safety laws by allowing the commercial re-importation of prescription drugs.

The bill is a vast expansion of current policy. Besides allowing individuals to bring drugs across the border for their personal use, the bill would allow pharmacists and wholesalers to re-import prescription drugs for sale in the U.S.

Let me address the myth that allowing prescription drug reimportation will dramatically reduce drug costs for Americans. This has never been proven and according to a 2004 report by the Department of Health and Human Services, estimated SAVINGS TO INDIVIDUALS WOULD BE LESS THAN 1 PERCENT. I'm concerned about taking serious risks to patient health for little or no gain.

It's important to remember why prescription drug re-importation was banned in the first place. Nearly 20 years ago, Congressman JOHN DINGELL introduced and passed the Prescription Drug Marketing Act. He did so on the heels of a multi-year investigation by the Energy and Commerce Committee's Oversight and Investigation Subcommittee.

The Subcommittee's investigation uncovered a string of abuses that were harming patients, including widespread importation of counterfeit drugs, drugs that had been tampered with and drugs that were incorrectly dosed or wrongly labeled. It showed that wholesalers who brought drugs back into the U.S. had no idea where the drugs originated, who they were buying them from and whether they were stored properly.

These problems have only worsened in the years that have followed. In 2003 the FDA and Customs Service found that 88 percent of imported medicines entering the U.S. were unapproved or otherwise illegal.

Mr. Chairman, the FDA is already a beleaguered and underfunded agency, a fact which was borne out by the recent incidents involving the importation of dangerous food and drug products from abroad, including tainted dog food and toothpaste, and Congress continues to struggle to find revenue for this vital agency. To require the FDA to take on the additional mandate of policing imported drugs will only place additional burdens on an already strapped agency.

I understand the concern of many of my colleagues about the cost of prescription drugs, particularly for elderly Americans, and I believe there are ways to address these issues without endangering public health. We cannot and should not jeopardize the safety of our rug supply on the unproven mechanism of reimportation.

I urge my colleagues to join me in voting YES on the Kingston Amendment.

Mr. BUYER. Mr. Chairman, I am very concerned about a highly controversial provision that allows for commercial importation of prescription drugs from any country, regardless of the safety of their prescription drug supply, and includes no safety mechanisms to protect Americans from potentially harmful drug imports.

My greatest concern is the number of counterfeit, illegal, and unapproved drugs flowing into the United States right now under a system which is closed to prescription drug imports. Today, Customs and Border Protection estimates that 273,000 prescription drug imports enter our country every single day—of which less than one percent are screened before being sent to Americans' homes. A 2003 report by the FDA found that 88 percent of the medicines imported into the United States were unapproved or otherwise illegal.

Mr. Chairman, administration after administration, regardless of the party in control of the White House, has been unable to certify the safety of our prescription drug supply in a market open to prescription drug imports. I strongly oppose prescription drug importation and encourage my colleagues to support the Kingston amendment to strip the appropriations bill of the harmful importation provision.

Mr. PRICE of North Carolina. Mr. Chairman, as we consider H.R. 3161, the FY 2008 Agriculture Appropriations bill, I want to voice my serious concerns about the provision in the bill that would prevent the U.S. Food and Drug Administration, FDA, from protecting U.S. consumers from the import of unsafe pharmaceuticals.

While we have had a de facto policy of allowing the importation of personal use quantities of prescription drugs from Canada, the bill before us would for the first time allow wholesalers and pharmacists to import bulk quantities of prescription drugs from any country, regardless of origin. The resulting increase in unregulated drug imports into this country would be exponential.

Such an increase would almost certainly lead to a rise in the number of counterfeit drugs and drugs shipped without adequate shipping safety precautions, creating serious health risks for patients.

I understand the need, sometimes the desperate need, for less expensive medications.

To a great extent, this need is a function of the failure of our health care system to uniformly provide adequate health care coverage. For some 44 million Americans, the system fails to provide any coverage at all. And the Medicare Part D doughnut hole continues to make medications unaffordable for many seniors.

We clearly must find a way to make health care, including prescription drugs, affordable to more Americans. But reimportation on this scale is simply the wrong prescription for what ails us.

Even if we were to focus more narrowly on imports from Canada—and keep in mind that this bill would allow imports from any country—no one should assume that the safety issues would be resolved.

Many American consumers who order prescription drugs from Canadian pharmacies assume those medicines are coming from Canada. However, this is often not the case.

In December 2005, FDA announced the results of an operation to confiscate parcels containing pharmaceuticals from India, Israel, Costa Rica and Vanuatu, 43 percent of which had been ordered from Canadian Internet pharmacies. Of the drugs being promoted as "Canadian," 85 percent actually came from 27 countries around the globe.

In response to the investigation, then Acting FDA Commissioner Andrew C. von Eschenbach said, "These results make clear there are Internet sites that claim to be Canadian that in fact are peddling drugs of dubious origin, safety and efficacy."

This investigation raises serious questions about the form such an importation program would take. Who are the "wholesalers" and "pharmacies" that would be importing in large quantities and how would they be regulated? How would their operations interface with the existing supply chain? How would FDA protect consumers from fraud or drug contamination?

Congress has previously given HHS the authority to permit bulk drug reimportation, but both the Clinton and Bush administrations declined to use this authority because of the intractable safety issues involved.

I simply cannot support tying the hands of the FDA with regard to the importation of prescription drugs when their safety and effectiveness cannot be guaranteed. I urge a yes vote on the Kingston amendment.

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

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

Mr. KINGSTON. 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 Georgia will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. KINGSTON

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in part B of House Report 110–290.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. KINGSTON:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture who would require contracts to construct renewable energy systems to be carried out in compliance with the provisions of the Davis-Bacon Act.

The SPEAKER pro tempore. Pursuant to House Resolution 599, the gentleman from Georgia (Mr. KINGSTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman I yield myself 45 seconds.

Mr. Chairman, we are at a time right now when people are paying $3.10 for gas, $3.30 a gas. Gas is on the rise, and our options are limited. We are importing 60 percent of our oil.

It is ironic that on an Ag policy where 2 percent of the population is feeding all 100 percent, if we were importing 50 percent of our food, it would be a national security crisis, and yet oil, which is just as important, we are importing 60 percent of it.

During this time when we are in desperate need for alternative energy options, we should not increase the price of making cellulosic ethanol. And yet in the Ag bill, there was a clause that says if you are building an ethanol plant, you have to have prevailing wages, which drives up the cost of the plant and, therefore, drives up the cost of ethanol.

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

Ms. DELAURO. Mr. Chairman, I rise to claim the time in opposition to the gentleman's amendment.

The Acting CHAIRMAN. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, I rise to strongly oppose this amendment.

This amendment smacks right at heart of our wage structure, of fair wages and protected wages. Long before Taft-Hartley, before the Wagner Act, this was put on the books in 1931, 76 years ago.

And I might add Davis-Bacon was put on the books by a Republican administration, President Hoover, because at that time it was needed to have wage stabilization. Davis-Bacon is the cornerstone of the wage protection structure in this country that has produced the middle class that has been the backbone of this country. Davis-Bacon prevents underbidding of any contractor coming in on a government contract, low bidding and attempting to bring in a contract and hire workers below the prevailing wage. It is most important. And I might say, Mr. Chairman, this amendment was dealt with in the Agriculture Committee and soundly defeated at that time.

Essentially, what they are proposing is this: In the Ag bill, we have dedicated $4 billion for loan guarantees to set up ethanol plants. Now, Mr. Chairman, these are highly sophisticated operations. In order to come in and to be able to have the opportunity to be able to process an Internet technology, a foreign operation and a product that is clearly into the future, clearly we need the best talent, the best skills. We don't need not to protect the prevailing wage in this community.

Now, my opponents are going to come and say they are probably talking about union wages. Nothing in here says that. It says prevailing wages, prevailing wages that are set by a scientific survey that goes in and takes a survey of the wages in that local community. Why should the government be an instrument to come in and undermine a local community's labor standards? That is what Davis-Bacon was put in to protect, and that is why this is so important here today.

We need not be a thief coming in to take away from a local community what they have earned and their wage standards at their level. Why should the government come in and allow for this to happen? These protections were put in to prevent fly-by-night operations from coming into a community. Because so many government contracts are to the lower bidder and sometimes they bid low so they can go out and pay these low wages that are below the prevailing wage in that community. It is wrong to do that and, quite honestly, unAmerican. Because this law, Davis-Bacon, has been on the books for 75 years and has done this country good, and we deserve to keep it in.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from Georgia for yielding.

I listened attentively to the other gentleman from Georgia, who spoke with such confidence and authority on the Davis-Bacon wage scale. I may be the only Member of Congress, I know of no others, who has earned Davis-Bacon wages and paid Davis-Bacon wages, and I have lived underneath that for over 30 years, 28 years writing paychecks, over 14 consecutive months meeting payroll. I know what this does.

But I can tell you the history of it also goes back to an Iowan, an Iowan President, as the gentleman said, Herbert Hoover.

But this is the last remaining Jim Crow law on the books that I know of. It was designed to keep blacks out of the construction trade in New York. And I would ask the gentleman from Georgia to join me in helping to start the repeal of this process because this is the aspect of freedom between the employer and the employee.

Prevailing wage by definition, union scale in practice, there is no other way

to analyze this. Union scale is what gets produced when the Department of Labor produces the proposed prevailing wage.

And when you talk about $4 billion set up for cellulosic and its being a highly sophisticated project, yes, it is; and we build these projects without its being union labor sometimes. If they can compete, we do it with union labor. My former crews have done so, and they are highly skilled and highly trained, and they get paid a wage that often is a 12-month-a-year wage, not something for just the hours they are on the job but wages and benefits so they can make a good wage and stay with you year round.

There was over a billion dollars invested in renewable energy in my district last year. There will be over a billion dollars invested this year. We are number one in biodiesel production in America of the 435 districts. We will be number one in ethanol by the end of this year. And there is no way that any other district in the country has a hope of catching up with the Fifth Congressional District of Iowa if you are going to impose Davis-Bacon wage scales on this and burn up at least 20 percent of the capital that will go into this. The cellulosic is experimental, and it is in my neighborhood. We need to invest the dollar as well.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise in opposition to this amendment for a very practical reason. The State of California, which is probably the most populous State in the United States, has done more for cutting energy costs by doing energy conservation and renewable energy. It has built all kinds of plants, all kinds of opportunities for renewable energy. It has reduced the per capita energy use in the United States to the lowest per capita in the country, doing the best job. And every one of those facilities was built under Davis-Bacon law.

It is not a problem. We have built every courthouse, every schoolhouse, every road, every capital in this country. It has been on the books for a long, long time. And this is just a get at labor, get at people, try to cut wages, go to the lowest cost. Essentially, it increases all kinds of imported labor.

This is the wrong way to do it. It is a mean amendment, and it should be defeated.

Mr. KINGSTON. Mr. Chairman, I yield myself 1¼ minutes.

I wanted to say what we are talking about here is if a business goes and gets a loan, then the government, because it is a government loan, turns around then and basically dictates what they have to pay, and what they have to pay is a higher wage than it is in most communities. Otherwise, the Democrats would not be putting it in here. If this was about free enterprise, this clause would not be in the farm bill.

And my biggest gripe is that it is making energy costs go up because it is making the construction of alternative energy facilities higher. As Mr. KING says, it is about a 20 percent bump in the cost of construction of a cellulosic ethanol plant. That's why I think it is a concern.

Who is going to pay for this? The consumers at the pump. And, in the meantime, there might be fewer alternatives.

In Georgia right now my good friend, Mr. SCOTT, knows we have three ethanol plants on the books, another two coming, and potentially 70 to 80 that will be built in the next 2 to 3 years. Now those are not all cellulosic ethanol plants, but why should we increase the cost of those?

I am excited about this because it does represent a new avenue in alternative fuels, and I don't think we should make anything increase the cost of that.

Ms. DELAURO. Mr. Chairman, I yield 15 seconds to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, I thank the gentlewoman for yielding.

I had to come back to respond to Mr. KING's assertion that Davis-Bacon was put in for some reason to prevent black workers from working.

I went back to the point of the law so I could make sure I could clarify that. This is what the law says: Adopted in 1931 by President Hoover as an emergency measure intended to help stabilize the construction industry and to encourage employment at fair wages, not less than those prevailing in the locality of the construction work and not to keep black people from working.

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Mr. KINGSTON. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIRMAN. The gentleman from Georgia controls 1 minute. The gentlewoman from Connecticut has 45 seconds.

Mr. KINGSTON. I yield the remainder of my time to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Georgia.

It's interesting to me how the components of history don't match up the same from what I read and what the other gentleman from Georgia (Mr. SCOTT) reads. And I've read through a fair amount of this history.

But the foundation of the Davis-Bacon wage scale went back to a Federal building contract that was awarded on low bid in New York City. And there was a contractor that brought in labor from Alabama, and it was African American labor from Alabama because they would work cheaper than the union labor in New York City. That's an historical fact.

This is a Jim Crow law. And I would appreciate it if the gentleman would join me in repealing it from the books. But it's a practical application today. It's 8–35 percent more money when you go Davis-Bacon wage scale. I average it out to 20 percent.

My company, that I sold to my oldest son, has done work on these sites, and we know the costs and we know the skills that are there. And we're developing the skills within our region and our neighborhood because we keep those people 12 months out of the year. They don't always go in and out of the union hall; if they can compete, they do. But we need to develop the skills and intellectual property. We need to develop our fuel so that we aren't importing oil from the Middle East.

I urge adoption of this amendment.

Ms. DELAURO. I urge my colleagues to oppose this amendment. Why? Why would we want to deny American workers, including those involved in rural development, the opportunity to receive fair prevailing wage protection? It's a matter of fairness for working men and women.

This is a program that is 75 years old, started by a Republican Congress in a Republican administration. The amendment attempts to undo what the House farm bill passed last week.

Mr. Chairman, Davis-Bacon prevents our workers from being exploited, and it encourages high-quality work. Again, I urge the rejection of this amendment.

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

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

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

Mr. KINGSTON. 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 Georgia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. JORDAN OF OHIO

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in part B of House Report 110–290.

Mr. JORDAN of Ohio. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. JORDAN of Ohio:

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

SEC. ____. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5.5 percent.

The Acting CHAIRMAN. Pursuant to House Resolution 599, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. Mr. Chairman, Members of the House, government spends too much money. Ask any American family, is government so lean, so efficient, has it tightened its belt so much that it just can't cut anymore, it has to spend what this bill purports to spend and wants to spend? And if you ask a typical American family that, you're going to get an overwhelmingly, No, government is too big; it spends too much.

And if you don't believe the American people and American families, look at the numbers. We have a $3 trillion budget we're dealing with here. We have an $8 trillion national debt. The government spends $23,000 per American household. We have an entitlement crisis that everybody knows is going to happen here in the next 10 to 15 years when you think about what we face in Medicare, Medicaid, and Social Security. And then this bill grows, over last year's spending level, 2½ times the rate of inflation, 5.9 percent increase over last year, $1 billion increase in spending over what we did last year.

My amendment is real simple. Frankly, it's the same amendment I've offered, now this is the ninth time. All non-defense related appropriations bills we have offered this amendment to, and the amendment is real simple. It says we're not going to cut anything; we're just going to spend what we spent last year. A pretty modest first step in beginning to get a handle on the spending that is out of control with the Federal Government.

Because one thing I know for certain, I've said this several times, but it's so true in my time in public life. We always hear about tax and spend politicians. The truth is, it's spend and tax. Spending always drives the equation. More and more spending inevitably leads to higher taxes and more taxes. In fact, we've seen that from this body over the last several weeks, tax increases on American families, American business owners, tax increases that hurt those families, hurt our businesses, and ultimately hurt our economy.

This is a simple amendment which says, let's spend what we spent last year; after all, all kinds of families, all kinds of taxpayers, all kinds of business owners have had to do that time and time again. It's not too much to ask the Federal Government that has a $3 trillion budget, an $8 trillion debt, and spends $23,000 per household, it is not too much to ask the Federal Government to do the same thing.

And with that, Mr. Chairman, I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I rise in strong opposition to the gentleman's amendment, which would cut all of the agencies and programs in the bill by 5.5 percent to stay at the 2007 level.

This would represent a cut of more than $1 billion from the bill. Now is exactly the wrong time to cut funding for the critical programs under this bill. It is not the way to restore fiscal discipline and balance the budget.

Rather than using targeted precision cuts, as we have done with the bill, an across-the-board cut hurts core programs, increases the investment deficits our communities across the country have had to overcome in the past years, regardless of the value of the program. We face investment deficits in fundamental programs, rural and economic development, nutrition, international food assistance, agriculture exports, conservation, food and drug safety.

I mentioned in my opening remarks that the fiscal year 2008 mark provides total discretionary resources of $18.8 billion, $1 billion above 2007, $982 million above the budget request. These are modest increases, but critical to provide basic services to rural communities to feed those in need and support conservation efforts. And 95 percent of the increase in this bill is used precisely to restore these programs.

If we cut $1 billion from the bill, as the gentleman is proposing, this is what would happen: we would not be able to fund these efforts in rural development. Direct loans for the section 515 Rural Multi-Family Rental Housing Program; section 502 directs single family housing programs; broadband grants, the Community Connect Broadband Program; Empowerment Zone; Enterprise Community Program; Community Facility Grant Program; Rural Business Enterprise and Opportunity Grants Program. We would have to significantly cut funding for water and waste grants, mutual self-help housing grant programs, farm labor housing loans and grants. In conservation, we will eliminate funding for the Watershed Flood Prevention Operation.

Watershed surveys and planning. Cut funding for the Watershed Rehabilitation Program, Grazing Lands Conservation Initiative, and the Resources Conservation and Development Program.

Nutrition. Without $1 billion, we may not be able to restore funding for the Commodities Supplemental Food Program. We may have to cut WIC administrative grants to States.

The increases needed and provided in this bill are not based on the belief that we should just throw money at the challenges that we face. The modest increases are about meeting the Federal Government's obligation.

I oppose the gentleman's amendment.

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

Mr. JORDAN of Ohio. I appreciate the Chair of the subcommittee and her work. But, frankly, the other side has got to get a new playbook. Every time we do this, they talk about devastating cuts and how it's going to ruin this, the sky is going to fall, the world is going to end, everything's going to go to, you know. They always use that. It's not even a cut. We're going to spend what we spent last year.

And just let me ask the question of the American people: Do you think, instead of spending $18.8 billion, do you think government can get along with spending $17.7 billion? We made it last year on that; didn't seem to be too much to ask before. We always hear it is a devastating cut when it's not even a cut.

Mr. Chairman, could I inquire as to the amount of time that we have remaining on each side.

The Acting CHAIRMAN. Both sides have 2½ minutes remaining.

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

Ms. DELAURO. I would just concur that I think what we need to do is to look at core programs. Whether it is at the USDA or at the FDA, the gentleman's amendment would force all of these agencies that cover rural development, and I laid out the programs. Again, if you take a look at the demographics of rural America and their needs, which have to do with water and conservation and transportation and broadband and housing, by the very nature of your amendment, we've cut $1 billion from all those very, very critically important programs that are meeting the needs today of rural America in an effort that they may be able to re-energize and revitalize their communities, put together the kinds of community institutions that will help people in rural America to be able to thrive. They have taken a terrible blow in wages and in globalization. And what you would do with your amendment is just snatch that money from these kinds of efforts.

And I will just say this to you: quite honestly, what we've tried to do is, because the administration, and I'm presuming that this is something that you support along with the administration, is to say to rural America, You're on your own. If you don't have it, forget about it, we're not going to be there to help you. Government has a responsibility, a moral responsibility, to engage when people are facing challenges in their lives.

I believe everyone in this Chamber on both sides of the aisle would concur on what we are seeing happening in rural America and what is happening to the economic stability of this area and of these communities and of these individuals. It's not statistics; it's people. It's people's lives; it's people's abilities to have health care, to take their kids to school, to be able to afford education and transportation costs. Why would you want to take that away?

Why would you want to decimate nutrition programs when 40 percent of children in rural America are dependent upon food stamps? Why would you want to say no to nutrition when one out of eight families with an infant in this Nation is food insecure?

Let me tell you what food insecure means. It means they're hungry. They're hungry in the richest country

in the world; and that is wrong, which is why your amendment really should be defeated, and it makes no sense.

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

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Members are reminded to address their remarks to the Chair.

Mr. JORDAN of Ohio. Before yielding to my friend from Georgia, let me say this: the lady used the term ''take away.'' For the umpteenth time, we're not taking away anything. We want to spend what we spent last year. The reason we don't want to increase spending is because everybody knows, the American people know this, when you increase spending and spend and spend and spend, it leads to tax and tax and tax. And that's what hurts those same families the gentlelady was talking about.

When you take more of their money, money that they could invest in their kids, pay for their kids' education, pay for that vacation they want to take as a family, all kinds of things they want to spend it on, when you take that away from them, that's what really taking away from families is all about. That's what we want to stop.

With that, Mr. Chairman, I yield to the ranking member, my good friend from Georgia (Mr. KINGSTON), for the remainder of our time.

Mr. KINGSTON. I thank the gentleman from Ohio for yielding.

I want to say that I support this for two reasons. Number one, this bill will be vetoed by the President should it make it through the United States Senate, which is doubtful to begin with, but that's nothing we can control over here. But we know the President has sent out a veto message that the spending level is too high.

We have debated this in committee before. I offered a similar amendment that failed. But I think we need to be realistic. The bill that we're spending tonight is not realistic.

Number two, I want to point out something. This is actually not a 5.5 percent cut because it's not an $18 billion bill. It's really a $90 billion bill. However, because of what I would call negligence on the part of the House, practiced by Republicans and Democrats over the years, we have decided to put about three-quarters of this bill on automatic spending. We call it mandatory. Now, nothing is mandatory when you make the laws. Nothing is mandatory. So it's kind of lazy. It's just sort of ''spend as is.''

And my friend from Connecticut has said that the gentleman from Ohio's amendment would actually take the nutrition and food programs away from children, yet most of them fall into this red category, which isn't even touched by his amendment.

His amendment is actually very conservative. It only affects about the $18 billion portion of this bill. And again, that's not where most of these food programs are, these critical programs. Now, I'm a believer that we should be debating both the red and the yellow portions of this bill and look at it realistically because this is a $90 billion bill, and the 5.5 percent only affects $18 billion.

And with that, I want to say that's why I think that it is important for us to always look into the authorizing side of a spending bill and the discretionary side.

I do support the amendment. And we have had this amendment, a similar amendment, in committee already. My friends on the committee have known my position on this.

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

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

Mr. JORDAN of Ohio. 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 Ohio will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. FLAKE

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in part B of House Report 110–290.

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 No. 8 Offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available to the Auburn University for the Catfish Pathogen Genomic Project, Auburn, AL.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Agricultural Research Service—Salaries and Expenses'' is hereby reduced by $878,046.

The Acting CHAIRMAN. Pursuant to House Resolution 599, 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, it's my intent to offer a number of earmark limitation amendments to the FY 2008 Agriculture appropriation bill.

In offering these earmark limitation amendments, I hope that my colleagues will join me in finally grabbing the reins on runaway earmark spending, and if you will pardon the pun, plant the seed of fiscal discipline in the appropriation process.

In its present form, this bill is under veto threat because it jumps the rails of the President's plan to have a balanced budget by 2012 by close to $1 billion. Part of the $1 billion increase in spending over last year's levels is caused by over 400 earmarks in the bill worth over $300 million that direct taxpayer dollars to congressionally selected projects.

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As my colleagues have heard me say a few too many times, I am sure, passing appropriation bills that contain hundreds of earmarks worth millions of dollars that are simply noted by phrases in the committee report shortchanges the legislative process of authorization, appropriation and oversight. The earmarking process is fraught with a lack of transparency, fiscal responsibility and equity for taxpayers, all too often rewarding the districts of powerful Members of Congress in the Appropriations Committee at the expense of the rest of the body.

Let me just note that, according to a review of the bill in a report by Taxpayers for Common Sense, members of the Agriculture Appropriations Subcommittee and party leadership, who make up 5 percent of the House, will take home one-third of the dollar value of agricultural earmarks, nearly $100 million.

If you assume that earmarks with multiple sponsors are shared equally, members of the Agriculture Appropriations Subcommittee and party leadership will send an average of about 4 million earmarked dollars back to their districts.

In contrast, if you look at the remaining earmarked funds and distribute them evenly over the remaining 400-plus House districts, at best they would value slightly less than $500,000. As I have said repeatedly, we are creating winners and losers here.

I'm usually referring to industries that are refunded by the earmarks. But it is true also here in Congress, if you are a seasoned Member in a position of influence, you typically get a lot more. It is simply not right for all the high-minded purpose we give to the contemporary practice of earmarks, talking about Article 1 of the Constitution and the authority it gives us, to then turn around and the leadership and the members of the Appropriations Subcommittee that control the bill get so much more than anyone else. It hardly seems fair. It hardly seems right.

In particular, this amendment would prohibit $878,046 in Federal funds from being used for catfish genome research in Auburn, Alabama, and would reduce the cost of the bill by a commensurate amount. I think that this is definitely one earmark that the taxpayers would love to throw back.

According to the earmark description in the certification letter, the funding would go to Auburn University ''to help continue important research into the genomic behavior of catfish in order to resist and cope with virulent disease strains.'' It appears to me that the earmark is intended to make a genetic map of catfish.

Mr. Chairman, there are so many earmarks in this bill related to genetic research, I feel I am on some kind of farm-based CSI episode. Unfortunately, this isn't a creative drama. This spending is far too real. This seems to be a perennial earmark. It has received over

$1 million in the last 3 fiscal years alone.

Where is the Federal nexus here? Why are we funding catfish research and not trout research? What about sunfish out there? Don't they deserve something? How do we choose here? How do we choose which university gets the funding? It is simply an arbitrary process based on your position on a committee or in the Congress.

Mr. Chairman, that seems wrong to me.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition.

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

Mr. ROGERS of Alabama. Mr. Chairman, I would like to first start by yielding 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman, every year, the administration has castigated the Congress for funding these items. In fiscal year 2007, in the continuing resolution, we left the decision up to the administration. In order to decide what to do, the administration conducted an extensive review of all of the ''earmarks'' in the Agriculture Research Service account. Do you know what? They decided that the vast, overwhelming proportion of the earmarks were worth funding. This one on catfish genomics was approved by the administration. It may have a funny name, but it makes a good sound bite.

I am sure that the members of each party that requested this funding can tell the House a lot about the importance of the catfish industry to their State and the economic losses from the disease in a very serious way.

We also have recently witnessed what is happening with imported product in terms of catfish from China and, in fact, what that has done to that market in these communities.

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

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentleman from Arizona for bringing attention to this vitally important research being conducted at Auburn University, an outstanding university in my district.

As my colleagues from Alabama know, and specifically my friend and colleague, Mr. DAVIS from the Seventh District, Auburn University is the home to USDA Aquatic Animal Health Research Laboratory. This laboratory conducts important research to help solve challenges in aquaculture that diminish productivity, lower the quality of catfish products, and hurt the long-term health of our domestic producers.

As my colleagues on the Agriculture Committee know, catfish is the leading aquaculture industry in the United States. In 2005, according to USDA, domestic producers sold 650 million pounds of catfish valued at $460 million. That total is only expected to grow. Today, catfish production has become one of the most important agricultural activities in States such as Mississippi, Arkansas, Louisiana and, of course, my home State of Alabama.

In recent years, the American catfish industry has been faced with intense competition from foreign producers, specifically countries like China and Vietnam. This not only poses serious challenges to our economy but, as we have seen in recent news reports about tainted Chinese food products, also to our health. In 2005, Alabama, Louisiana and Mississippi banned Vietnamese catfish after U.S. health officials detected a banned antibiotic in Vietnamese imports. That ban remains in effect. In May of this year, Alabama banned Chinese catfish over the same concern.

As with many agricultural imports, we have no control over what drugs these foreign countries are giving to their catfish, nor do we know what diseases they are trying to prevent. But one thing we do know is that we do not want these products, these diseases and those threats to our food and our health in our country.

That is why the funding included in this bill for the Catfish Pathogen Genomic Project is so important. It helps protect the safety and health of our food supply, it helps protect and strengthen important American products and an industry critical to the economics of several States, and it helps carry on the tradition of university based research supported by the Federal Government that benefits our economy and society.

Mr. Chairman, I strongly oppose the gentleman's amendment and ask the support of my colleagues for this important research program.

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

Mr. FLAKE. May I inquire as to the time remaining.

The Acting CHAIRMAN. The gentleman from Arizona has 1 minute. The gentleman from Alabama has 90 seconds.

Mr. FLAKE. Let me just say there is over at the Department of Agriculture something called the Agricultural Research Service, or ARS, account, and it is being funded at over $1 billion for fiscal year 2008. Now, we may not like the programs they choose to fund. If we don't like it and we don't think they have a good process, we should exercise the oversight that we are supposed to exercise and change it. But to circumvent that process and say because you may not have given us a grant in one particular year then we are simply going to go around you and earmark, that simply seems wrong.

We are getting away from the authorization, appropriation, oversight program and process that has been the hallmark of this Congress forever. With earmarking, the contemporary process of earmarking, we are circumventing that and we do very little oversight of the Federal agencies, because we are seeking to compete with them.

We set up a program over there and we say you have a merit-based program, a competitive grant program, and then, when they don't choose what we want to, we circumvent it.

Mr. ROGERS of Alabama. Mr. Chairman, I yield 1 minute to my friend and colleague from Illinois (Mr. JACKSON).

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Speaker, I just want to stand in defense of the subcommittee and its work. We tried to be as responsive to members on this committee as possible, given that many members of the committee do not understand the specific details of every congressional district. But this is what Congressman ARTUR DAVIS had to say:

''Auburn University is seeking funding to continue research on endemic and emerging pathogens of catfish. Because the prevalence of catfish diseases constitutes $90–100 million in annual losses for catfish farmers, it is important to prevent these diseases to ensure a healthy national food supply and a successful economic development activity. This funding will allow Auburn University to conduct outreach to farmers and ensure that these vaccines make it into the field to protect the food supply of the American people. Earlier research from this project has already led to the commercialization of two vaccines that are now helping in the reduction of these disease losses.''

Mr. Chairman, I want to thank Mr. ROGERS, and I also want to thank Congressman ARTUR DAVIS for looking out for the interests of this vital industry in their State. The committee did its work and honored their request. We should vote down the gentleman's amendment.

Mr. ROGERS of Alabama. Mr. Chairman, I would like to close by saying to my friend from Arizona, I share his concerns over some of our fiscal behavior in this Congress in recent years, but clearly this kind of USDA research university partnership is exactly what we should be fostering, given our concerns in this country about our food supply and its safety.

Mr. JACKSON did make reference to the fact that, in 2003, half of our catfish production was being affected by two diseases that this partnership has now alleviated. We can continue to ensure that supply is safe with this kind of expenditure.

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 NO. 9 OFFERED BY MR. FLAKE

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in part B of House Report 110–290.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available to Cornell University for Grape Genetics research, Geneva, NY.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Agricultural Research Service—Salaries and Expenses'' is hereby reduced by $628,843.

The Acting CHAIRMAN. Pursuant to House Resolution 599, 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, this amendment would eliminate $628,843 for the Grape Genetics Program at Cornell University and reduce the cost of the bill by a corresponding amount.

Mr. Chairman, it would seem that Congress is a one-stop shop for the wine industry. There is in this bill here $628,843 earmarked for the Grape Genetics Program, as mentioned, in addition to a $2.6 million earmark to actually construct the Center for Grape Genetics.

The earmark description in the certification letter submitted to the committee by the sponsor of the earmark informs us that this earmark would fund a full-time grape geneticist at the Grape Genetics Research Unit and support the viability of the grape and wine industry.

Now, according to some, the wine industry faces a growing demand for new technologies and varieties in order to be a player in the global marketplace. I don't doubt that at all. I don't deny that research and development is important to the wine and grape industry. I simply question why the Federal Government is expected to foot the bill for a private industry.

According to recent reports, direct sales of wine to consumers are up 30 percent this year. Let me repeat that. Direct sales of wine to consumers are up 30 percent this year.

According to a study unveiled by the Congressional Wine Caucus earlier this year, the U.S. wine, grape and grape products industry contributes more than $160 billion annually to the U.S. economy, $160 billion annually.

This study indicated that the industry supports more than 1 million full-time equivalent positions and that there are more than 900,000 grape-bearing acres in the U.S. In addition, according to the 2006 report by the USDA, New York has 239 wineries currently, as opposed to 17 in 1976. I would submit that this looks like an industry that is thriving.

If the Federal Government is going to support genetic research for one industry, why doesn't the Federal Government provide support for all of them? What mechanism is there to stop Congress from funding mold research on gourmet cheese, or soil research for truffle farming? Where does it stop? Where is the Federal nexus here? Why do we continue to fund these profitable industries?

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

Mr. WALSH of New York. Mr. Chairman, I claim the time in opposition.

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

Mr. WALSH of New York. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I thank the gentleman for offering this amendment because, if nothing else, it points out the essentially beneficial nature of public-private partnerships. Just as the Federal Government paid for the marvelous water projects in the West which helped Mr. FLAKE's State to grow and prosper, these research dollars have made the United States the global power in agriculture.

The Agriculture Research Service established the Grape Genetics Research Unit in Geneva, New York, at the center of New York's grape-growing region in conjunction with Cornell University.

□ 2030

The goals of this program are to reduce losses to crop yield and quality that result from disease, pests and environmental stress, and to improve grape and grape product quality and utilization.

The genetic research unit's primary research areas are development of resistance to pests and diseases, superior adaptation of grapes to growing conditions and tolerances for environmental and weather-related stress, and improved product quality through enhanced knowledge of genetic factors governing color, flavor, aroma, sensory characteristics and yield.

The grape genetics research unit works with growers both in New York and nationally to develop root stocks and grape varieties that are pest and disease resistant.

The explosive growth that my friend from Arizona mentioned is a direct result of the research that is being done here and elsewhere in the United States thanks to the support of the American taxpayer. The plant genetic research unit in Geneva works very closely with farmers in all parts of the country. In fact, 1,200 varieties of grapes are growing at the Geneva ag station today.

Nationally, it is a $30 billion industry, the wine industry. There are 23,000 growers; 5,000 wineries; and in New York State, it is a $7 billion industry. This industry is paying back to the Federal Government, the State and communities $17 billion in taxes.

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

Mr. FLAKE. Mr. Chairman, let me just say, nobody questions the validity or the importance of research. Every industry needs to do it, and do a lot of it. But we have a lot of high-tech industries that are vital to this country. Why aren't we funding a company like Intel, for example, for issues related to testing of circuit boards? That is important. They face international competition.

Why do we say all right here, only we are going to fund grape research? Also, when we have a program over at the Department of Agriculture that we fund to the tune of a billion dollars this year to actually provide grants in this area, and still it is not enough. Still we say we have to earmark funds to go around that process. It seems like overkill, and I think the taxpayer deserves a break here at some point.

Mr. WALSH of New York. Mr. Chairman, I yield 1½ minutes to my friend and colleague from Utica, New York, in whose district Geneva resides, Mr. ARCURI.

Mr. ARCURI. I thank my colleague from New York, and I thank the distinguished chairwoman from Connecticut.

Mr. Chairman, I have only been here for 7 months, but in that short time it has become overwhelmingly clear to me that some of my colleagues are more concerned with establishing a reputation than addressing the needs of the American people.

Over and over, some of these colleagues from the other side of the aisle march down to the floor and take aim at appropriations projects that they feel aren't worthy of Federal support, as if people at one end of the country know what is important for people on the other end of the country.

I hear them talk about these earmarks and try to demonize them, talk about them being hidden and going to powerful Members of Congress. Well, there is nothing hidden about this. It is very clear what this project is. And as for powerful Members of Congress, I would like to be impressed, but I know as a freshman I am certainly not a powerful Member of Congress.

There are no winners or losers here. They talk about winners or losers here. The only winners are the American people. This program is for the American people. It is to ensure that our grapes and our wines that are so important to so many people in this country continue to be high quality and the kind of quality that makes America competitive.

The benefit of this project is not limited to my congressional district, but to people all over the country. Mr. Chairman, it is not about making a point or establishing a reputation; it is about conducting important research

that protects the safety of our food supply, helps our domestic economy and the grape industry.

Mr. FLAKE. Mr. Chairman, let me just say to close, again, research is important in every industry, but there are industries all over the country in agriculture, in high tech, in storage, in transportation, you name it. It is going on all over, and not everyone is looking to the Federal Government to pay their research costs.

Why here? Why do we have an organization that gets earmarks virtually every year for the same thing over and over and over again? When does the taxpayer get a break? When is this industry weaned?

We just had a farm bill pass last week with subsidies going on and on and on. Here are more agricultural subsidies. I don't know where it stops, particularly with the deficit we have, the ongoing debt that we carry. It is time to give the taxpayers a break. I urge adoption of the amendment.

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

Mr. WALSH of New York. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to express my appreciation to my dear friend and colleague for providing me with this time to say a couple of things in opposition to this amendment. I think the person who is proposing this amendment simply does not understand what is being done here.

The agricultural industry is a very important part of the economy of New York State, one of the most essential parts of the economy of New York State. The grape industry is an important part of the agricultural industry. This Grape Genetics Research Center, which has been established as a result of legislation which was put forward by Mr. WALSH and myself and others in 2005, is an important part of the way grape production is advancing in the United States and becoming a more important part of American agriculture. It is providing jobs for our citizens, and it is providing more and more economic growth in a number of parts of our country all across our country.

It enables grape growers to deal with the cold winters in the Northeast and enables grape growers to deal with the arid circumstances that they confront in certain parts of southern California and the other forms of diverse issues that need to be dealt with by grape growers in many places across the country.

This means of searching into this industry and providing better ways of doing it is an important part in the way in which we are protecting and growing our agricultural economy.

I would hope that the offeror of this amendment would spend a few moments to look more closely at these circumstances, because I think if he does, he might begin to understand the value of agriculture and the value of this kind of genetics research.

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 NO. 10 OFFERED BY MR. FLAKE

The CHAIRMAN. It is now in order to consider amendment No. 10 printed in part B of House Report 110–290.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Alternative Uses for Tobacco, Maryland grant.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Cooperative State Research, Education, and Extension Service—Research and Education Activities'' (and the amount specified under such heading for special grants for agricultural research) are hereby reduced by $400,000.

The CHAIRMAN. Pursuant to House Resolution 599, 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, this amendment would prohibit $400,000 in Federal funds from being used for alternative uses for tobacco in Maryland and reduces the cost of the bill by a consistent amount.

I would suggest to my colleagues that we can find some better alternative uses for the taxpayers' money, like paying down the national debt, for example.

In fact, just yesterday, Treasury Secretary Paulson predicted that the Treasury will reach the nearly $9 trillion statutory debt limit in early October. I would argue that this is a sign that we need to spend less on appropriation bills just like this one.

The certification letter submitted to the Appropriations Committee stated that the funding will go to the University of Maryland College of Agriculture and Natural Resources for the Alternative Uses of Tobacco Research Project.

The funding for this earmark is through the Cooperative State Research, Education, and Extension Service Special Research Grants account, which are congressionally directed and noncompetitive research earmarks.

The Alternative Uses of Tobacco Research Project is focused on finding new, nonsmoking uses for tobacco, such as pharmaceutical or biotechnology applications.

I am not denying that there aren't potential benefits for this research for the tobacco industry, for pharmaceutical industry, or for other biotechnology industries, but how long is the taxpayer going to be expected to fund specific research for the benefit of these industries?

This is not a new earmark. In fact, the project has received earmarks of between $320,000 and $400,000 each year since fiscal year 2002. Including this earmark, the University of Maryland will have received over $2 million in Federal earmarks for their alternative use project.

Why are we singling out this program and this school and earmarking funds for it year after year after year? What makes this program at the University of Maryland more deserving than Federal funds at other schools or organizations in Virginia, Tennessee, Arizona, California or elsewhere around the country? There are many other earmark projects that we are funding at the University of Maryland as well.

According to research done by Citizens Against Government Waste, from 2001 to 2006, the University of Maryland received just under $17 million in Federal earmarks. I think it is interesting to note in 2006 the University of Maryland paid lobbying firms more than $200,000 for various lobbying activities. Are these lobbyists lobbying Congress for additional earmarks?

When do we say enough is enough? When the smoke clears, the taxpayers are still being asked to fund tobacco research.

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

Mr. HOYER. Mr. Chairman, I claim the time in opposition.

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

Mr. HOYER. My friend from Arizona is having a good time. I don't blame him, but this is something that is good for the country. It is good for literally millions of people who have grown tobacco.

Let me say to my friend from Arizona: A, I don't smoke; B, I have never smoked. And when redistricting occurred and I got most of the tobacco-growing areas of Maryland, I went down and met with the Farm Bureau. I said, Look, I'm new to you. You don't know me. Actually, they did know me because I had been in office for some time. But I said, I want to tell you something right out front; I think smoking is bad for people's health, and I am not for it.

About eight of the 10 to 15 tobacco farmers that were there said to me after the meeting, they came up to me and said, You know what, we don't smoke and we don't want our kids to smoke.

That aside, Maryland has had one of the most successful tobacco buyout programs in America. In my district, the tobacco-growing area of Maryland, 90-plus percent, almost 95 percent of

the farmers have taken the buyout, which means they can no longer ever on the property they own have tobacco grown for the purposes of smoking tobacco.

There were literally, as you can imagine, hundreds, and across the country there are thousands and thousands of farmers so situated, families who have been involved in this process for most of their lives and who produce a product, used alternatively, can have extraordinary value. But the problem is the research has not been done on it. Why has it not been done on it? Because the tobacco product was a very valuable product for a bad purpose; that is, smoking. Harmful to health and a destroyer of life.

Very frankly, some of the Farm Bureau came to me and said, Do you think we can find an alternative use, because we have a lot of expertise in growing this product, and we have facilities to do so. We think it can have some beneficial effect. My good friend said he thought that was the case. He is correct. There are a lot of good things in life that can happen, and his proposition is why this money, why here?

Well, because I represent my district. But I also believe this has national implications that if we can get a product from tobacco that is useful, and I want to discuss some of them, that will be good for our country, good for our economy, good for jobs, and good for people who have been displaced from the very lucrative but harmful vocation and who are now put to perhaps not having nearly the livelihood they expected to have.

The amendment seeks to eliminate funding for an important research project being undertaken at the University of Maryland. One of America's extraordinary research institutions, a land grant college established in the mid part of the 19th century, it seeks to develop safe and beneficial nonsmoking uses for tobacco.

The Alternative Uses of Tobacco Project has several very important objectives. First, we are seeking to take advantage of the many beneficial nonsmoking uses of tobacco. Most people would not think of the tobacco plant as having a use beyond smoking. They would be wrong. I didn't know that either, frankly.

Tobacco naturally produces high-nutrition proteins, one of the highest of any product, industrial raw materials and large amounts of biomass which can be used for renewable energy. Think of it. We talk about corn, we talk about other things, and we want to talk about cellulosic to produce energy. We just passed a farm bill seeking to do that. Think if all of the tobacco farms in America could be turned into energy producers, an extraordinarily positive contribution to the economy of our country.

□ 2045

Secondly, we're trying to revitalize tobacco-producing communities across the southeastern United States by shifting their focus away from the traditional use of the crop and generating new markets and new industries for beneficial new nonsmoking purposes.

Unlike Maryland, the Federal buyout, as you know, didn't eliminate the growing of tobacco; and in many States that have buyout programs they didn't eliminate the use of tobacco for smoking purposes. Maryland did. So that if we could give alternative uses for a product and get it out of the sale of use for smoking products, what a health benefit that would be for America.

So I suggest that this $400,000 is an extraordinarily good investment in health care, in the economy for our people.

Third, we are attempting to develop new technologies for producing leaf proteins. Leaf proteins are as nutritious as milk protein, but, unlike other protein sources, they are generally nonallergenic. Tobacco may be the largest producer of leaf proteins of any agricultural crop, but its historically inadequate processing technologies have limited their development.

Now, let me tell you something. The tobacco companies do not grow tobacco. They sell cigarettes. So they do not have an incentive to do this. The people who have an incentive to do it are the tobacco farmers, but, guess what, the tobacco farmers don't have a lot of money. It's the tobacco companies that have a lot of money.

So the tobacco companies rely on, I'm sure in your State as they do in mine, land grant institutions who have focused on agricultural research, as does the University of Maryland, as does the Beltsville Agricultural Research Center.

So I have some other things to say, but I think you get the point.

Mr. FLAKE is a friend of mine. I have great respect for Mr. FLAKE. Not only that, I think he offers his amendments in a very positive way. I've never seen him get mad at anybody. I've never seen him criticize anybody. I've never seen him say a cross word to anybody. He sets forth what is a correct proposition, that, look, we could save a lot of money by not having any of these earmarks and we wouldn't do this research or maybe the State could do it or maybe somehow the farmers could get together in a cooperative and do it. But they haven't done it and the Federal Government has historically invested in long-term progress.

Now, very frankly, the best example is the space program. The space program has made an extraordinary contribution in the creation of jobs outside of the space program, and agricultural research colleges have done the same for farming and feeding the world. We honored with a gold medal a university professor who fed the world, billions.

So I ask my friends, this is $400,000. We will spend $400,000 in Baghdad in the next hour or so. I don't know what the Citizens Against Government Waste think of that, and I frankly don't think they think of this particular item. I understand that. They think generally we ought to stop wasting government money. I agree absolutely.

And if you think research in a product to turn it to pharmaceutical use, if you think that research in a product to turn it to better energy production, if you think research in a product that may be available to give us better protein production, then I think, my friends, Mr. OBEY has said, we get the point. So I say this, and I'm laughing, this is a serious investment in good things for all people.

I hope that, notwithstanding the fact that he is my friend, that you will reject the gentleman's amendment, and I thank you for the time.

Mr. FLAKE. Mr. Chairman, I have great respect for the gentleman from Maryland, and I appreciate the tone which this debate has been conducted in.

I heard some new things here that I didn't know before. This was a Maryland-initiated buyout for the tobacco industry, a buyout which limited the uses of tobacco afterwards. That's great. It should probably be the State of Maryland that funds this kind of research then, instead of the Federal Government.

Another thing I heard that I hadn't heard before is I guess we are moving toward tobacco-based ethanol or something of some such. My old car smokes enough, thank you. I'm not sure that's the way to go, but, in any event, there are limits to what you can do. The truth is you can make ethanol out of an old boot if you expend enough energy doing it, but it doesn't mean that we ought to fund research again and again, over and over and over. There are limits to what the taxpayer ought to do.

And let me just say, given that, I mean, we imposed another tax on tobacco just a day ago, and I think there are plenty of incentives there within the industry, be it the growing side or be it on the marketing side or whatever, to find alternative uses for tobacco. I think it ought to be left with them and not the Federal taxpayer.

Mr. Chairman, I yield back 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 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 NO. 11 OFFERED BY MR. FLAKE

The CHAIRMAN. It is now in order to consider amendment No. 11 printed in House Report 110–290.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Ruminant Nutrition Consortium (MT, ND, SD, WY) grant.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Cooperative State Research, Education, and Extension Service—Research and Education Activities'' (and the amount specified under such heading for special grants for agricultural research) are hereby reduced by $489,000.

The CHAIRMAN. Pursuant to House Resolution 599, 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 rise to prohibit funding for an earmark for the Ruminant Nutrition Consortium. This earmark would provide $489,000 for ruminant livestock production research, rangeland integration and other livestock resources.

A press release issued from this earmark in a previous year described it as an effort in the northern plains to further develop beef, dairy and sheep finish-feeding, which may lead to more jobs and more value-added agriculture.

Mr. Chairman, I know a little about cattle nutrition. I spent a lot of years on a ranch and a farm; and, in fact, I spent years on what we call bloat watch, where we'd sit at the edge of a field and have to watch while cattle, being the type of ruminant digestive system that they have, might bloat. And you'd have to run and stab the left side and hopefully relieve the suffering and relieve the certain death that comes.

I think this is an effort to relieve a little bloat that is here in this Agricultural appropriation bill and certainly in this budget.

There is simply no reason we should continue to fund research like this when we have, as mentioned already many times tonight, we have an account over at the Department of Agriculture that is for this purpose to dispense research dollars based on competition, where there are groups that are out there will compete for grants. We've told the Department of Agriculture to set up that program, and here we're saying it's not good enough. We're going to have that program; and then, in addition, we're going to give what essentially is a sole-source contract, single bidder. One university or one entity will get this earmark grant.

So it's simply not right.

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

Ms. HERSETH SANDLIN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentlewoman from South Dakota is recognized for 5 minutes.

Ms. HERSETH SANDLIN. Mr. Chairman, let me say at the outset, the gentleman from Arizona said this is a sole-source contract to one entity and we already have an entity in USDA an agency that would make these grants based on competition.

This is not a sole-source contract. Four universities are involved in the consortium, and it's a competitive-based program.

So my colleague from Arizona's attempting to strike from the bill an extremely modest amount of funding for an outstanding program that's provided tremendous benefits to ranch families in one of the most remote and economically challenged corners of the United States.

The economy of this area of the country, western North and South Dakota and eastern Wyoming and Montana, is probably more dependent on animal agriculture than any other region of the country. It's beautiful rangeland and beautiful country, for that matter, but it isn't suitable to grow much other than grass.

We have dozens of small, rural communities in that area that rely almost completely on the ability of ranchers to raise cattle and sheep and bison; and I consider them to be among the best livestock producers in the country, given the climate they have to contend with as well.

This modest program, again funded at $489,000 in this year's bill, is a model of what we should be trying to fund in our appropriations bills. This program stretches a few dollars a very long way. It targets its efforts on addressing specific needs. The results of the program benefit all regions of the country and its collaborative effort among four highly respected universities: South Dakota State University, North Dakota State University, the University of Wyoming and Montana State University.

By distributing grants through a competitive awards process, let me repeat, the program is competitively awarded, the consortium promotes interstate cooperation and collaboration among ranchers, farmers, scientists and educators. Research addresses subject areas that are identified as needs by producers living in the target region, which means results are directly applicable to those producers; and I'm proud of my efforts to secure funding for this program.

Research funded by this consortium is developing new methods to add value to common grain and forage crops through the use of ruminant livestock, again cattle, sheep and bison. The projects enhance economic return and positively impact the regional environment by integrating rangeland, annual crops, and livestock resources.

Like many, if not all, of my colleagues, I carefully vet the projects for which I request funding to ensure that the program requests that I make are effective, important, valuable projects. I'm proud to put my name on this project and on the handful of other projects that I've supported in this bill. I know my State. I make every effort to know the needs of the farmers and ranchers I represent and ensure that we are spending their tax dollars wisely on programs that get results.

This is one of those programs, and I urge my colleagues to join me in supporting it and rejecting this amendment.

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

Mr. FLAKE. Mr. Chairman, let me just say that the gentlewoman mentioned that this is not a single-source contract or single-bid contract. I have the certification letter. It says I'm requesting funding for South Dakota State University in Brookings, South Dakota, to conduct research into production of environmental aspects of ruminant livestock production, et cetera, et cetera.

What used to be a competitive grant process is no longer with this earmark. We do have a competitive grant process at the Department of Agriculture. Now, this school may choose to have a competitive grant process beyond that, but we're using Federal dollars to give to one university to perhaps disburse among other universities.

If we don't like the process over at the Department of Agriculture, we should end it. We should say we're not going to fund that account anymore, that billion dollars we're giving you is not being disbursed equitably nor wisely. If we believe that, we should tell them. We'd save a lot of money and instead contract with others at the local level and just give it out.

But what we're doing here is we're funding both. We're having a process over there where a billion dollars is handed out competitively with some kind of process, merit-based process, and we're going around that and earmarking funds for specific institutions.

It simply seems wrong.

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

Ms. HERSETH SANDLIN. May I inquire how much time I have remaining?

The CHAIRMAN. The gentlewoman from South Dakota has 2 minutes remaining.

Ms. HERSETH SANDLIN. Mr. Chairman, I will yield the balance of the time to the gentleman from California, but let me just say, he can point to the certification letter, but this is a consortium. There is a lead university, but it's a consortium of four.

With that, I yield the balance of the time to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I thank the gentlewoman for yielding.

None of this money comes to my State or the universities in California involved in this consortia, but the State of California and other States, including Mr. FLAKE's own, are very interested in the outcome of this. I will tell you why. Because the rangelands

of America are under great threat; and certainly in those rangelands in the rural areas, you raise cattle and sheep and bison, which we don't raise in our State.

But what this grant does, why you ought to be interested in it, is that they're learning new ways in which to graze. What they're doing is studying the effects of grazing herds of cattle, horses, sheep all together, because they eat different kinds of grass, and if you herd them essentially, move them on, you can preserve and bring back the native grasses, which is what we want to do.

Our cattlemen are very interested in this process, and this is the place to do that study. You get kind of a funny name for some of these things like this Ruminant Nutrition Consortium, but, in fact, it's a grant program. It is competitive, and the benefits of it are I think what keeps America strong. We've got to keep putting money into research dollars.

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You know, if this was medical research, you wouldn't be criticizing it, but it's agricultural research, and it sounds funny. But, you know, you didn't take on my earmark, which was about lettuce and germ plasma. That's a pretty funny one, but it's very important if you like lettuce and you want to keep America ahead in the lettuce world.

So striking these few earmarks, by your time, trying to do this, fortunately, I think you are a great Member and you get an A for effort; but you also get A for 100 percent failure in being able to strike earmarks, because these are good earmarks.

Mr. FLAKE. Mr. Chairman, well, I should say I haven't been very successful here. I have noted before I have been beaten like a rented mule here quite a bit. But I must say the majority of Democrats did join me in actually striking an earmark a couple of weeks ago, one Member, and I had the occasion just today of one earmark that I had planned to strike was stricken by the Member himself before I could strike it.

So there are occasions when the Appropriations Committee, for whatever reason, I sympathize with them. They simply don't have the time to vet all of these. I would suggest, when you have 410 earmarks in one bill like this, you simply don't have a lot of time to vet them.

I know a little bit about cattle ranching. As I mentioned, I grew up on a cattle ranch. The gentleman mentioned the process of moving cattle from one cell to another. Actually, we started doing that on the F-Bar some 30 years ago and are still doing it to some extent.

The gentlelady mentioned this is a consortium, four universities, I believe, getting these research dollars, but it's earmarked for that consortium. That consortium could apply to the Department of Agriculture for universities like this. I suppose, cattle have four stomachs, four universities, only makes sense, but they can apply directly to the Department of Agriculture. They don't have to get earmark dollars.

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

Ms. HERSETH SANDLIN. Would the gentleman yield?

Mr. FLAKE. Is the gentlelady out of time?

The CHAIRMAN. The gentlewoman's time has expired.

The gentleman has 30 seconds remaining.

Mr. FLAKE. I yield 15 seconds to the gentlewoman.

Ms. HERSETH SANDLIN. I thank the gentleman.

Mr. Chairman, I too grew up on a farm. I have moved my share of cattle. We still have cattle on that farm, but it's in eastern South Dakota. It's not nearly as remote as the region that we are talking about. There are different types of grasses than the grasses we are talking about.

This is a consortium. I think it's very important we recognize the uniqueness of this particular area of the country.

Mr. FLAKE. I urge adoption of the amendment. We simply cannot afford everything. Let's give the taxpayer a break.

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 NO. 12 OFFERED BY MR. FLAKE

The CHAIRMAN. It is now in order to consider amendment No. 12 printed in part B of House Report 110–290.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. FLAKE:

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

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Wood Utilization (OR, MS, NC, MN, ME, MI, ID, TN, AK, WV) grant.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Cooperative State Research, Education, and Extension Service—Research and Education Activities'' (and the amount specified under such heading for special grants for agricultural research) are hereby reduced by $6,371,000.

The CHAIRMAN. Pursuant to House Resolution 599, 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, this amendment would prohibit $6,371,000 and reduce the cost of the bill by a commensurate amount from being used to research wood utilization.

This is the second year in a row I have stood to address this earmark. It seems that not much has changed in the past year of wood utilization research. The committee provided precisely the same amount of funding last year, $6,371,000, for a variety of projects around the country that frankly seem designed to provide a solution in search of a problem.

This is another example of an earmark that has persisted for years that can only be terminated by Congress. The wood utilization program has received Federal funds since 1985 and has received more than $90 million in appropriations.

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 a 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. About 1.3 million people are directly employed in the planning, growing, managing, and harvesting of trees and the production of wood and paper products in all 50 States.

The forest industry ranks among the top 10 manufacturing employers in about 42 States with an annual payroll of about $60 billion. This is an industry that dates back hundreds of years and has shown itself remarkably capable to adapt to change. It obviously continues to thrive today.

I sincerely question why the Federal Government needs to involve itself in a program that educates students about the utility of wood as a renewable resource.

What happened to the free market? What happened to common sense? I think we have had it out there for a while. After 1985, we have been doing this same earmark or this same program for the past several years, or it has been earmarked for the past several years. I would say it's time to reconsider the project.

I think the taxpayers may want to take us to the woodshed themselves for continuing to fund at a price of $6,371,000 this same earmark year after year after year.

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

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the Flake amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, the wood utilization consortium is made up of 10 universities in 10 different States around the country with varying missions.

I am familiar with the program mainly because of the involvement of North Carolina State University. NC State's contribution to the consortium is focused on wood machining and tooling. The programs help develop innovative production methods and use stronger, longer-lasting tools which are allowing U.S. manufacturers to maintain domestic production and compete in the global economy.

Such work is critical to support the U.S. furniture and lumber industries. North Carolina's furniture industry alone is estimated to contribute $10 billion to the economy.

North Carolina State University's contribution to increased manufacturing efficiency and global competitiveness within this major industry represents only a small component of the wood utilization program. Continued funding is a wise national investment.

I urge defeat of the amendment.

Mr. Chairman, I yield 1½ minutes to my colleague from North Carolina, who represents the main campus of North Carolina State University (Mr. ETHERIDGE).

Mr. ETHERIDGE. I thank my friend for yielding.

Mr. Chairman, my friend from Arizona has already made a statement why this earmark ought to stay in here. It really is making a difference for the industry, and it's employing people. I rise in strong opposition to this amendment.

The funding for this wood utilization grant helps fund the Wood Machining and Tooling Research Program, as you have just heard. Part of it is really on the campus of NC State University, a land grant university. It has been matched more than dollar for dollar, every Federal dollar by private dollar.

This is not a giveaway program but, rather, one that has been designed to work to make the Southeastern furniture industry more competitive, as you have heard, in the global economy. This research program investigates and solves problems related to manufacturing tools used in the wood machining and manufacturing operations.

Other than Wood Machining and Tooling Research Program, there is no other Federal research program to support U.S. wood manufacturing and tooling companies who are competing with low-wage jobs on the other side of the world with other countries. It is only right to invest in the industries we have remaining in our rural parts of this country when outsourcing these industries overseas has hurt States all across America.

I strongly urge my colleagues to vote against this amendment.

Mr. PRICE of North Carolina. I yield 1 minute to our colleague from Maine (Mr. MICHAUD).

(Mr. MICHAUD asked and was given permission to revise and extend his remarks.)

Mr. MICHAUD. Mr. Chairman, I want to give just one example why this investment is important to our Nation.

The Module Ballistic Protection System, developed at the University of Maine, is made of light, strong-as-metal wood composite panels that are inserted into tents to protect our soldiers over in Iraq and Afghanistan. This life-saving technology would not have been possible without the initial investment from the wood utilization funding.

In fact, this funding spurred advances in many different industries. It creates jobs and, in some cases, it will save American lives. This funding benefits the entire Nation.

I urge the rejection of the gentleman's amendment.

I rise in strong opposition to the gentleman from Arizona's amendment.

Investment in Wood Utilization Research at these locations including the University of Maine supports education and economic development across our country.

The funding encourages students to pursue careers in advanced wood science and engineering at a time when international competition in these fields is growing. This type of research is important to a growing number of industrial applications and to our national economy.

At U–Maine, every dollar appropriated to the Center generates an additional $7 in economic output. The research has promoted important advances in fields as diverse and important as biofuels and advanced wood composites.

I want to highlight one program in particular that was born from this funding. The Modular Ballistic Protection System, developed at the U–Maine Advanced Engineered Wood Composites Center, is a series of lightweight, strong-as-metal, wood composite panels that are inserted into tents to protect our soldiers from mortars and other incoming fire in Iraq and Afghanistan. This lifesaving technology would not have been possible without the initial investment from the Wood Utilization funding.

I appreciate the gentleman's intent but I believe it is misguided. In offering these kinds of amendments, the gentleman has frequently asked: what is the federal interest?

Well, in this case, it is clear. This is a project with national implications that helps our competitiveness, our industries, and our national defense. It is an investment that the federal government should be making so that America can lead the way in a variety of important R&D fields, create jobs, and in some cases, save American lives.

We do not pick any winners and losers here with this project—in fact, we all win with this research. So I urge the rejection of the gentleman's amendment.

Mr. PRICE of North Carolina. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from North Carolina has 1½ minutes remaining.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 45 seconds to my colleague from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I agree with what my colleagues have said previously. I would take it from a slightly different angle. We are concerned about value added to American forest products.

I have watched in the Northwest the development of wood utilization research to deal with plywood and particle wood that are formaldehyde-free. It enables us to be able to provide a superior environmental product, adds greater value, protects the public and competes against foreign products where they are cutting corners. It wouldn't be possible without this type of partnership, from an environmental perspective, from an economic perspective, from a research perspective. I strongly urge rejection and look at that and suggest people look at how the $6 million has been spent in the past.

Mr. PRICE of North Carolina. I thank the gentleman for this most persuasive argument.

Mr. Chairman, I yield 45 seconds to our colleague from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise in strong opposition to this amendment.

Research funded by this program has provided blast-proof wood hybrid materials to the Coast Guard and the Army to strengthen their facilities. In fact, some wood composites engineered by the University of Maine and developed by research conducted under this grant program are being used by the Army Corps of Engineers in Iraq, Afghanistan and worldwide.

This funding will allow the University of Maine to continue its strong support of traditional wood products production and enhance the competitiveness of our domestic industry.

I strongly oppose this amendment, and I would add simply that I don't know of any program that spins off more small businesses than this wood composite program at the University of Maine.

Mr. PRICE of North Carolina. Mr. Chairman, we yield back the balance of our time.

Mr. FLAKE. Mr. Chairman, nobody here is questioning the need for research. Every industry does it. Every industry has to do it to survive because of competition.

What I question here is why the taxpayer is spending $6 million every year on this same earmark for a $60 billion industry. This money goes to universities all over the country, so does research money from paper companies that are in the department next door.

There is research being funded. This is a pittance compared to the other research dollars that are being spent.

Thank goodness, private industry knows that they have to do it. But why does a taxpayer have to be on the hook again and again and again year after year after year for this same earmark for wood utilization?

Mr. ROGERS of Michigan. Mr. Chairman, I rise today in strong opposition to the gentleman from Arizona's amendment to cut funding for the USDA grant for Wood Utilization Research.

For the past 15 years, Michigan State University and other universities have used grants for Wood Utilization Research to strengthen and improve the United States wood product

industry. Jointly, these universities have addressed major problems in all of the forest regions of the United States. This collaboration has provided important advances that have helped to make our wood product industry more competitive around the globe, and our forests healthier here at home. Specifically, grant funding has been used to expand sustainable, environmentally sound forest practices and develop renewable wood-based materials.

The United States wood products industry is fragmented and composed of many small firms whose only access to advanced technology is through government or university laboratories. A major benefit of the USDA Wood Utilization grant has been the flexibility of universities to rapidly respond to critical regional or national research needs. In addition, the availability of grant funding has leveraged additional funds from state and private sources.

Michigan State University, located in Michigan's 8th District, continues to be a leader in this vital research. Today, they are performing research on wood materials that will shape the future of this industry for years to come. Projects include the conversion of wood residuals into biofuels, the development of environmentally safe preservative systems to lengthen the life of wood products (thus lessening the demand for harvest), the creation of wood materials that can substitute petroleum-based plastics, and the utilization of trees killed by emerald ash borer. Many of these projects will help reduce our nation's dependence on foreign sources of petroleum, create manufacturing and research jobs, and further strengthen our wood product industry.

Mr. Chairman, this research grant is critically important not only for Michigan State University and my district, but clearly for the United States wood product industry and our national energy needs. I thank the Committee for funding the grant, and I urge my colleagues to oppose this dangerous amendment.

Mr. FLAKE. Mr. Chairman, I yield back the balance of my time and urge adoption of the amendment.

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.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 110–290 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. SESSIONS of Texas.

Amendment No. 3 by Mr. HENSARLING of Texas.

Amendment No. 4 by Mr. HENSARLING of Texas.

Amendment No. 5 by Mr. KINGSTON of Georgia.

Amendment No. 6 by Mr. KINGSTON of Georgia.

Amendment No. 7 by Mr. JORDAN of Ohio.

Amendment No. 8 by Mr. FLAKE of Arizona.

Amendment No. 9 by Mr. FLAKE of Arizona.

Amendment No. 10 by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. FLAKE of Arizona.

Amendment No. 12 by Mr. FLAKE of Arizona.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 2-minute votes.

N O T I C E

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.