want to talk about are personal and some are of a public policy nature.

I never cease to admire the courage of my parents in bringing our family to this country, to a new country, a new language, a new culture. And interestingly enough, I have never been really able to say that to them in person across the kitchen table, and it's easier for me to say it right here on the House floor.

There are other lessons that are important, and one of them has been referred to earlier, the internment of the Japanese Americans during World War II. It is not an old, cold, dead issue. We passed the Military Commissions Act just before the 2006 elections. It substantially restricted habeas corpus for all Americans. And just as we apologize to Japanese Americans for the internment during World War II, someday we'll be apologizing for actions taken under the Military Commissions Act.

So some of the lessons learned from the Asian Pacific American experience are positive ones, and others are cautionary ones that we should continue to remember.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1189

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report without intervening motion except (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture and (2) one motion to recommit.

□ 1045

UNFUNDED MANDATE POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 1189 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the conference report which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order shall be disposed of by the question of consideration.

The gentleman from Arizona and a Member opposed, the gentleman from California (Mr. CARDOZA), each will control 10 minutes of debate on the question of consideration.

After that debate, the Chair will put the question of consideration, to wit: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, I raise this point of order realizing that it is a bit of a stretch. The reason that we have this point of order in law is to guard against unfunded mandates being levied on the States. In this case, there are a lot of unfunded mandates being heaped upon taxpayers. I realize, as I said, this is a stretch. But I have to do this today because the rule that is before us does not allow anybody opposed to the bill to claim time in opposition to the bill.

Now how is it that a bill of this import, a bill that will spend over the next 10 years about $300 billion, is not important enough to allow those who are opposed to the bill to claim time in opposition to it? Instead, the structured rule before us today allows time to be split between the majority and the minority. Now those who will be controlling that time are people who are in support of the bill. How is it that we can discuss a bill this large, this important, that spends this much money, and that heaps this kind of burden on the taxpayer, yet again, without having a real discussion?

When we have a bill before the House, we have time called ''general debate.'' In this case, general debate is between those in the majority who support the bill and those in the minority who support the bill. Now how is that debate? Why is it that the Rules Committee can't see fit to actually allow people who are opposed to the bill to claim time in opposition to it?

With that, I would love to hear an explanation from the Rules Committee why we have a structured rule that does this.

I reserve the balance of my time.

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

This point of order is about whether or not to consider the rule and ultimately the underlying conference report. In my opinion, it is simply an effort to try to kill this bill without any debate, without an up-or-down vote on the conference report itself. It is nothing more than procedural roadblocks, something the other side has been using a fair amount recently. I don't believe it will work.

The gentleman has talked about the fact that he is not able to speak in opposition. The gentleman had an hour's worth of debate the other day on a motion to recommit. It is also my understanding that the chairman is working with the opposition to allow them time to discuss the bill within the rules that were set up.

This conference report is far too important, Mr. Speaker, to be blocked by a parliamentary tactic. We have worked on this bill for nearly 2 years and have accomplished what many of us thought was an impossible feat by bringing it to the floor.

Make no mistake about it. The Republican obstruction will ensure that a farm bill will not pass during this Congress. So despite whatever roadblocks the other side tries to use to stop this bill, we will stand up for America's hardworking farmers, for the hungry and for the millions of other Americans who will benefit from this farm bill.

We must consider this rule, and we must pass this important conference report without further delay.

Mr. Speaker, it is my understanding I have the right to close. But in the end, I will urge my colleagues to vote ''yes'' to consider this rule.

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

Mr. FLAKE. Again, I realize this bill has been in discussion for a couple of years. And I will come to that a little later as we talk about why earmarks had to be airdropped into the bill at the last minute. If we have been discussing this bill for 2 years, then couldn't we actually discuss these earmarks that were to be added to the bill instead of airdropping them into the conference report when nobody in the House or nobody in the Senate had even seen them? So it is hardly a defense to say that we have been discussing this for 2 years, nor is it a reason to deny those who are opposed to the bill an opportunity to actually claim time in opposition.

Let me read from the House rules. If the floor manager for the majority and the floor manager for the minority both support the conference report or a motion, one-third of the time for debate thereon shall be allotted to a Member, Delegate or Resident Commissioner who opposes the conference report or motion on demand of that Member, Delegate or Resident Commissioner.

We waived that. And we are not doing it. And let me tell you why I think that is the case. Now if I were supporting this bill, and I had been touting this bill as some big reform to our farm programs, I would flat be plumb embarrassed to bring this bill to the floor in its current form. I would be embarrassed.

What has got most of the attention, the problem that we all note, that everybody across the country realizes, is how in the world can we have a situation where multimillionaire farmers are collecting subsidies courtesy of the taxpayer?

And the real effort in here, what the President wanted, what others wanted, and what many of us here in the House argued for, was to put a cap on how much income you can have and still receive subsidies. The President suggested $200,000 adjusted gross income.

Remember, adjusted gross income is your income minus expenses. All of us here collect a salary of about $169,000. By the time we deduct things for mortgage interest, medical expenses and charitable contribution, it brings that down by at least one-third, maybe even one-half. Under this legislation, a farm couple can have farm income and nonfarm income totaling $2.5 million and still receive direct payments under this legislation.

Now, if I were bringing a bill to the floor and had touted this bill as reforming, man, I would want to hide that as well. I would not want somebody to be able to stand up and say, how is it that a multimillionaire farm couple can still collect subsidies from the taxpayers? So I commend the Rules Committee and those who are in support of the bill for actually putting a rule together that minimizes opposition that can be raised and that the only way people can stand up and oppose and be guaranteed time in opposition is to use a maneuver like raising a point of order against the bill.

I should mention there are other problems with this and other reasons why this rule should not go forward. We are waiving PAYGO rules. Now one thing the majority said when they came into power is we will not waive PAYGO. We are going to live by PAYGO. When we give money out, we have to make sure that that many money is in the Treasury or we won't do it.

This waives PAYGO because there is simply no way you can be in compliance with PAYGO and pass a $300 billion farm bill. And in this case, the writers of the legislation did something very creative. They actually went baseline shopping. What PAYGO says is that you have to take the current baseline, the most current baseline of spending, and total up your spending in the bill based on that current baseline.

Instead, what the authors of this legislation did was said, oh, let's go to last year's baseline because we spent less money then and it means we can spend more money in this legislation. Baseline shopping. It is as if I were to say, I don't want to pay so much in taxes this year. So I am going to use last year's wages that I was paid, and I am going to report that instead. Now if I did that, I would be thrown in jail. But we are allowed to do this here. We are allowed to say, we will take whatever baseline we want as long as it allows us to spend more money in the legislation. And then when the bill comes to the floor, we will just waive the rule that required us to be honest in terms of bringing legislation that complies with PAYGO.

I would love an explanation from the Rules Committee as to why PAYGO was waived in this regard.

And I would reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, I am happy to respond to my friend from Arizona with regard to the PAYGO issue, even though that is going to be addressed in the rule and not in this motion that he has brought forward now.

I didn't raise a point of order in your motion so you can have plenty of time to speak.

Let me tell you also that the chairman and the ranking member have, in my understanding, provided 10 minutes to both the Republic and Democratic opposition to this bill out of their time today. So we will be complying with the rules of the House. It is my understanding there will be 20 minutes in opposition.

With regard to PAYGO, the Senate and the House have adopted different rules. In the 1990s when the House and Senate had statutory PAYGO, both Chambers had the same rules with regard to PAYGO. The House rules talk about one issue with PAYGO. The Senate rules with another.

In this rule, we have tried to reconcile, we started this bill and actually passed it in a conference report, or we passed it out in chief from the Agriculture Committee to this floor and to a conference committee in 2007. That work was not completed in 2007, and thus we have this bill on the floor today.

There are many reasons why this bill didn't get finished in 2007. But because we have different rules in the House and Senate, we have decided that in order to make this bill work and achieve a conference report that we can bring to this floor that we will be discussing this further as we discussed the rule. But we have dealt with that in the rule.

I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Arizona has 3 minutes. The gentleman from California has 6½ minutes.

Mr. FLAKE. I will gladly yield to my colleague from California on the Rules Committee for a question.

Did we waive the PAYGO rules in this rule?

Mr. CARDOZA. We have accommodated the Senate PAYGO rules as we have moved forward. And it is my opinion that this is a technical situation because we started this bill and passed this bill off the floor in 2007.

Mr. FLAKE. Reading from the House rules after the beginning of a new calendar year——

Mr. CARDOZA. Mr. Speaker, I raise a point of order.

I believe we are supposed to be talking about the unfunded mandates in this bill. If the gentleman would like to talk about the PAYGO rules, we should talk about this when we bring up the rule which that is germane to.

The SPEAKER pro tempore. The gentleman should confine his remarks to the question of order.

Mr. FLAKE. I can well understand why the other side does not want to talk about PAYGO and why I should confine this debate to unfunded mandates because PAYGO was, in fact, waived here. PAYGO was waived. And were it not waived, it would be subject to a point of order, the same point of order that the gentleman is lodging against this debate right now. So I can understand that. And I guess we will have to go with the flow.

There is another point of order that will be raised shortly with regard to the waiver of the earmark rules that we have in place as well.

So let me get back. This is an unfunded mandate on the taxpayers, of course. According to the Environmental Working Group, the Federal Government handed out $13.4 billion in farm subsidies to 1.4 million recipients, $11.2 billion of which related to various commodity support programs, programs that the underlying bill simply does not change.

The taxpayers have a huge unfunded mandate here that we are going to be paying off for a very, very long time.

With that I will gladly yield the balance of my time to the gentleman from Wisconsin (Mr. KIND).

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 1½ minutes.

Mr. KIND. Thank you, Mr. Speaker.

I thank my friend and colleague for yielding me a little bit of time to speak on his motion.

There is one, I think, serious concern that many of us who have been advocating reform under the commodity title, the so-called commodity subsidy programs, and that is what was done with the two subsidy programs now where funding currently isn't going out. And the reason it is not going out under the loan deficiency program and the counter cyclical program is because market prices are high.

□ 1100

That's a good thing, because farm income is good, debt to asset ratio has never been better in farm country.

But what this bill proposes to do, instead of holding those programs constant, they are actually increasing the loan rate under the loan deficiency program and the target price under the countercyclical program, which means that if things do turn south in farm country, if prices do drop—and we know how cyclical agriculture can be, and these are safety net programs—those programs will trigger much sooner and at a much greater expense than what I fear is being accounted for right now in this bill.

That, I think, speaks to the unfunded mandate concern that the gentleman from Arizona and myself, and others included, have in regards to the so-called reforms that we are just not seeing under the commodity title, not when they go in the opposite direction with the LDP and the countercyclical programs by dialing up the loan rate and the target prices of those two programs and triggering them at a much earlier time and at a much greater expense for the taxpayers of this country.

There is a whole lot of other reform that we felt were justifiable and reasonable under the commodity title.

Quite frankly, we don't get there. In fact, if you look at the payment limitation caps that exist under the direct payments, it would only affect two-tenths of 1 percent of farmers in this country, hardly the type of reform we would like to see.

Mr. CARDOZA. Mr. Speaker, I would like to say that we will deal in the debate on the bill chiefly with regard to what the level of reforms is.

I would just like to tell my colleagues and my friends from both Arizona and Wisconsin that there are, in fact, significant reforms. In fact, if you take the ratio when this bill was first brought up in 2002, you have a situation where the nutrition part of this bill, versus commodities, was by a ratio of 2–1, $2 for nutrition for every dollar of commodity payments.

In this particular act that we are going to be bringing to the floor later today, it is my understanding, and my work with regard to the reforms, that there have been so many reforms put into this bill that the nutrition title versus the commodity payments is actually a 5–1 ratio at this point. I would say that indicates, as just one of many indicators, that you will see as we conduct this debate the significant reform that has happened in this bill.

I believe this is good work. I am very proud to be a part of bringing this bill to the floor. I believe it complies with the House Rules, and, I, again, want to urge my colleagues to vote ''yes'' on this motion to consider, so that we can pass this important piece of legislation today.

Mr. Speaker, I yield back the balance of my time and ask for an ''aye'' vote.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 1189 under clause 9 of rule XXI, because the resolution contains a waiver of all points of order against the conference report and its consideration.

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates clause 9(b) of rule XXI.

Under clause 9(b) of rule XXI, the gentleman from Arizona and the gentleman from California each will control 10 minutes of debate on the question of consideration.

Following the debate, the Chair will put the question of consideration as follows: ''Will the House now consider the resolution?''

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, this second point of order, and I will be calling for a vote on this one, is raised because of earmarks that have been airdropped into the legislation.

As the gentleman mentioned, this is not a new bill. This is not something that just popped up last week and that there was a need to add $1 million for the National Sheep and Goat Industry Improvement Center, but that was something that had to come up at midnight and be dropped in when nobody had seen it in either the House or the Senate.

This bill has been under consideration for a long, long time, and yet, still, we have earmarks that have been airdropped into the legislation, a number of them. Now, the gentleman may say in defense, we have listed the earmarks that have been airdropped in.

It is true that some have been listed. If all of them were listed, why would we waive all points of order against the bill? If the majority was confident enough that all earmarks have been listed, then we wouldn't have waived the points of order against it. I will speak specifically about a few of these earmarks.

But let me just mention some of them that are in the bill. There is authorization language for a National Products Research Laboratory. Again, this was airdropped in at the last minute when it hadn't been in the House version of the bill, hadn't been in the Senate, it was airdropped into the conference report. There is authorization language for a Policy Research Center, authorization language for Housing Assistance Council.

Now, what that has to do with the farm bill, I am not sure, and the problem is, we will never know until the bill was passed because it was airdropped in at the last minute.

That's the problem that the majority party correctly identified when they took control of this body, that we have a problem with earmarks, and they are being dropped in at the last minute without notice.

That's why decent rules were actually put in place to try to curb this abuse. The problem is, in this rule, we are waiving those rules. We are waiving those rules so the old practice can continue on just like it always has.

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

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

As my colleague knows, this point of order is about whether or not to consider this rule and the underlying conference report for the farm bill. This point of order today is just another effort, in my opinion, by the other side of the aisle to block this critical legislation that we have worked on for nearly 2 years.

They don't want to debate, and they don't want to vote on this conference report. They simply want to obstruct through a parliamentary tactic.

I want to make it very clear that the farm bill fully complies with the earmark disclosure rules contained in clause 9 of rule XXI. I would suggest to those raising the point of order that they look in the statement of managers, and they will see a list of the earmarks. If they can't find that list, we will be happy to provide it for them.

Mr. Speaker, I urge my colleagues to vote ''yes'' and to consider this important rule.

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

Mr. FLAKE. Mr. Speaker, I find it ironic that we are being accused on this side of trying to stifle debate on the bill, that we don't want debate on the bill when I am here to argue against a rule that waives these points of order and a rule that also does not allow opposition to claim time.

Now, the majority will say, well, we will yield you time now. Now that we have been caught on this, we will yield you some time. That's not the same as controlling time.

When I control time, I can yield time to my colleagues. If I am yielded time, I can't do that. I don't control time in opposition.

Our House Rules say that if both the majority and the minority are in favor of the bill for the leadership, that somebody opposed to the bill has a right to claim time in opposition.

That was not done here. With a bill this important, you wonder why that has happened.

Back to the earmarks, the gentleman mentioned that there is a list of earmarks that was listed, it's right here, a number of them. Now why in the world we had to have more than a dozen earmarks airdropped into a bill that has been under consideration for the past 2 years, I simply don't know.

But when you read some of them, you kind of wonder why, like I said, Housing Assistance Council, Sun Grant Insular Pacific Sub-Center, Desert Terminal Lakes, Nevada. This is all we know about them.

If you dig into them, you might find something untoward, you might not, but the fact is we don't have time to do that. That's why we have earmark rules that give us time to actually vet them. Those rules are being waived here, and we should not be doing that.

Let me mention also, the gentleman said they are all listed. They aren't. There is quite a controversial earmark in this legislation that does not show up on the list. It's a $250 million tax refund to the Plum Tree Timber Company. Now, this is an earmark that allows the Nature Conservancy to purchase that from the Plum Tree Timber Company.

Now, the Plum Tree Timber Company, as I understand, is not mentioned in the legislation, it is simply described. It would be like saying I am going to give a subsidy to the gentleman who stands 6-feet tall, weighs 175 pounds, has blue eyes and his middle name is John, but we won't say the rest of it.

That's exactly what we are doing here. In an effort to get around the scrutiny that might come if somebody actually said now why is a subsidy actually going to the Plum Tree Timber Company.

It is no wonder that the rules have been waived here. If I had something like this in this bill, I would waive the rules too, because I wouldn't want anybody to talk about it. I would also not want anybody who is opposed to the bill to claim time in opposition to it.

If I were sponsoring this legislation that I said reformed the farm subsidy program to make sure that multi-millionaire farmers don't continue to get subsidies on behalf of the taxpayer, I would hide it as well. I would do exactly what the Rules Committee has done here and the supporters of the legislation have done.

Because under this legislation, a farm couple earning as much as $2.5 million in adjusted gross income, that's your income after expenses are taken out, can still receive direct payments under this legislation.

Also, the other subsidy programs, rather than reform or to get rid of the loopholes that were allowing people to get extra subsidies, we simply waive the limits there. This is called reform?

I mean, is it any wonder that the rules have been waived and debate has been stifled here on this critical legislation?

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

Mr. CARDOZA. Mr. Speaker, I yield such time as he may consume to the chairman of the committee, who I believe has done a fabulous job in bringing this bill to the floor, COLLIN PETERSON of Minnesota.

Mr. PETERSON of Minnesota. I thank the gentleman.

Mr. Speaker, I haven't seen the entire list that's being talked about here, but a couple of the things that have been mentioned are not earmarks, and I don't know why the gentleman continues to characterize them as such.

First of all, this is not an earmark, it does not define Plum Creek. What it says is that these bonds can be used for any habitat conservation plans that protect native fish or any forest land covered by these habitat conservation plans.

We know of at least seven habitat conservation plans that would qualify under this provision. So, therefore, it's not an earmark. The Cedar River Watershed Habitat Conservation Plan in King County, Washington, the Plum Creek Timber plan, which is also in Washington, the Washington Department of Natural Resources Forest Practices Habitat Conservation Plan in Washington, the West Fork Timber plan in Washington, the Plum Creek Native Fish Habitat Conservation Plan in Montana and Idaho, Green Diamond and Pacific Lumber, both in California.

So this is not an earmark, because any of these would qualify. There are probably more that we don't know about. Now, this was in the Senate bill, so I don't know what you are talking about airdropped.

A couple of the others that I heard you mention were also in the Senate bill, and there is another one that you characterize as an earmark, which is not an earmark, and that's the salmon recovery disaster plan which was a plan that was actually first passed in the 2006 Congress by the Republican majority, was implemented in 2006. Fifty million dollars at that time was put out to the people that were in the commercial fishing industry, primarily off the coast of California.

At that time there was a partial shutdown of the salmon season. Now, this year, we have a complete shutdown of the salmon season all along the coast from California to Oregon to Washington State. So it's much broader, and it not only shut down the commercial fishing, it shut down the recreational fishing in those areas.

What we are doing is replenishing this disaster fund with money that is exactly similar to what was done, what was in the statute and it was actually disbursed in 2006, because the disaster is much bigger this year than it was in 2006 because we had a partial shutdown. Now we have an entire shutdown of three States.

So this is clearly not an earmark, this is in the disaster title of the farm bill that goes along with the other disaster provisions that are in the farm bill. You know, I don't know, I guess because apparently some people think that being against earmarks is popular and, whatever, they try to make this into an issue.

But a number of the provisions that were raised by the gentleman are clearly not earmarks. The House bill that passed out of here had no earmarks.

We had to deal with the other body, and we took some provisions from the other body, because that's how a conference works. You know, there is a lot worse stuff that was in that bill that we took out. I just want to clear the record that a number of things being talked about here are not earmarks, and I would encourage my colleagues not to support this point of order.

□ 1115

Mr. FLAKE. The gentleman mentioned the National Marine Fishery Service earmark. It was added at the last minute. It may have been in a 2006 bill, but it wasn't in this bill until it was air dropped into the conference report. Now $170 million, that may well be a disaster there, but why in the world, if it is a disaster, why isn't it covered?

Mr. PETERSON of Minnesota. Would the gentleman yield?

Mr. FLAKE. I would.

Mr. PETERSON of Minnesota. The House bill didn't have a paid-for disaster provision in it, the Senate bill did. And so when we molded these together, we put these disaster provisions in, and we paid for them, the first time that we actually paid for a disaster with pay-as-you-go money, and we included the California disaster in the process and paid for it.

This is not a new program. As I said, it is not an earmark, and it was brought in because we were dealing with a disaster. This is clearly a disaster. Any place that you have a complete shutdown of a commercial fishery, they are going to be in asking for help from the Federal Government. That is appropriate. This was brought in, the permanent disaster program from the Senate, and funded when we molded them together.

Mr. FLAKE. Reclaiming my time, I thank the gentleman for the clarification. I still would point out we have a $3.8 billion permanent disaster title added to the bill; and still, in addition to that, we are funding these kinds of programs directly and specifically.

The gentleman can argue that it is not an earmark. I think that a casual or a tortured reading of this would both say this is an earmark when you are naming a specific entity to receive a specific amount of money and when it wasn't in the House bill, that is an earmark. So there is a good reason for this point of order.

The gentleman said, and let me go back to the PAYGO issue. The gentleman mentioned that this rule he thinks is in compliance with PAYGO. Let me read what this conference report says and see if anybody can decipher this.

Mr. CARDOZA. Mr. Speaker, the gentleman raised a point of order with regard to earmarks, not with regard to the issue of PAYGO. That will be discussed in the rule itself. It will be germane to that later discussion.

The SPEAKER pro tempore. If the gentleman may confine his remarks to the question of order.

Mr. FLAKE. If I might respond, the gentleman, after he raised his last point of order went on to talk about the reforms in the bill which clearly didn't have anything to do with the unfunded mandates language that I had raised or that I had talked about or that he had raised a point of order for. Clearly, I understand that they don't want to talk about this. I understand that. That's why the rules are waived. But to stand now and to raise a point of order against my point of order because I am not addressing specifically the question that they want to address or that they would rather dispose of is, I think, a little spurious.

I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 5 minutes and the gentleman from Arizona has 1 minute.

Mr. CARDOZA. Mr. Speaker, when the gentleman says we talked about other issues in the last point of order, I was trying to be gracious with regard to the time and the discussion and allow the gentleman to speak. I raised an issue on the point of order on PAYGO because we are going to discuss that in the rules discussion, in the discussion of the rule.

I would just remind the gentleman that in the time he has taken on these

two points of order, he will probably have discussed this bill more than any other Member on the floor, even after we agreed to give him 20 minutes of debate on this topic. So I think that the gentleman thus protests too greatly, and I reserve the balance of my time.

Mr. FLAKE. I thank the other side. You notice the words used, that we have graciously agreed to give them. Under the rules, the House rules, those who are opposed to the bill are required to be given the chance to claim time in opposition, not to be at the whims and graciousness of those who support the legislation. That's why we have rules, and that's why in this case the rules have been waived.

I understand completely if I had waived the PAYGO rules, when so many on that side of the aisle, bless their hearts, have been diligent sometimes on raising the issue of PAYGO and saying we shouldn't violate it, if I had violated PAYGO and waived it like this, I would want to waive every rule as well and stifle all the debate I could because it is embarrassing, frankly.

I don't have time to yield.

I would just say in my remaining 15 seconds, we have a bill that deserves a lot more debate than it is getting. This is important legislation. We are waiving PAYGO rules, and let me just say what this rule says: Therefore, while there is a technical violation of clause 10 of rule XXI, the conference report complies with the rule. It says there is a technical violation, but we have complied. It simply doesn't make sense.

I yield back the balance of my time.

Mr. CARDOZA. Mr. Speaker, I want to emphasize that this conference report fully complies with the earmark rule. In my opinion, it fully complies with the spirit of PAYGO.

Mr. Speaker, I would now like to yield to the chairman who would like to respond on that question as well.

Mr. PETERSON of Minnesota. I thank the gentleman, and I wasn't going to prolong this, but just like I had to take issue with saying earmarks were there that aren't there, I take very much issue with your saying we are waiving PAYGO. We are not waiving PAYGO. We are not waiving PAYGO in this bill. We are meeting PAYGO requirements based on the 2007 baseline which is what we started the bill under. This is what the rules are in the Senate.

Let me explain my point first, and then I will be happy to yield.

So the Senate has a rule that says under whatever baseline you start off with, that you continue under that baseline with the bill until a new budget resolution is passed by both the House and the Senate. For whatever reason, the House has a different rule when we adopted that, and it says once you file the Budget Committee report in the House, not when it is passed, if a new baseline comes along, you are supposed to use that. But clearly, we cannot write a bill of this magnitude and this scope having two different baselines. We can't have one baseline in the Senate and another baseline in the House. That is number one.

Number two, the common practice around this place has always been to follow this rule, that we always use the baseline that we started off with. That is what we have done for years. So all we are doing is complying with what the Senate rule is because we have to do that and it makes sense. We are not trying to waive anything. We are not trying to get around anything. This bill, it meets PAYGO requirements and it meets it under the 2007 baseline which is what we started the bill under. And we are not waiving PAYGO.

Mr. HASTINGS of Washington. Would the gentleman yield?

Mr. PETERSON of Minnesota. I would be happy to yield.

Mr. HASTINGS of Washington. I appreciate the gentleman yielding, and I would just like to make this point. This rule provides for waivers of other rules. Last night when we were up in the Rules Committee——

Mr. CARDOZA. Mr. Speaker, I control the time under the remainder of my motion, and I believe the gentleman is discussing the rule.

I don't yield, and if the gentleman from Washington would just suspend for a moment, I just would like to say that I do not yield because we are talking about a whole different topic here. I would like to make sure that we consider the point of order that has been raised directly by the gentleman from Arizona and not make this a wide-ranging debate with regard to the rule.

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that each side receive an additional 2 minutes so we may discuss this issue.

Mr. CARDOZA. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. CARDOZA. Mr. Speaker, I urge my colleagues to vote ''yes'' on consideration on this point of order, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is, Will the House now consider the resolution?

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

Mr. FLAKE. 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 228, nays 189, not voting 16, as follows:

[Roll No. 309]

YEAS—228

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
Carson
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
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
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
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
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Towns
Tsongas
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—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
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.
Doggett
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg

Kuhl (NY)
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
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
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)
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stearns
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Bonner
Bono Mack
Carney
Cramer
Crenshaw
Cubin
Cummings
Gerlach
Hinojosa
Lewis (KY)
Mack
Myrick
Rush
Sali
Sullivan
Weller

□ 1151

Messrs. HELLER of Nevada, CULBERSON, ADERHOLT, McHENRY, DOGGETT and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''yea'' to ''nay.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. RYAN of Wisconsin. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) is recognized.

Mr. RYAN of Wisconsin. Clause 10 of rule XXI, the so-called pay-as-you-go point of order says that it is not in order to consider a bill if it increases the deficit if applied today over a period of fiscal years 2008 through 2013 and the period of fiscal years 2008 through 2018. The effect on the deficit is determined by the Budget Committee relative to the most recent baseline supplied by the Congressional Budget Office ''used in considering a concurrent resolution on the budget.''

Mr. Speaker, according to the Congressional Budget Office relative to its March 2008 baseline, the Farm Bill will increase the deficit by $2.9 billion over the period of fiscal years 2008 through 2018. But if using last year's outdated 2007 baseline, CBO states that it would decrease the deficit by about $100 million over that same period, 2008 through 2017.

Mr. Speaker, under clause 10 of rule XXI, which baseline provided by CBO is the most recent and should therefore be used by the Budget Committee in order to determine pay-as-you-go compliance, the March 2007 baseline or the March 2008 baseline?

The SPEAKER pro tempore. Whichever one is required under clause 10 should be the one used by the Committee on the Budget.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

Does the rule not state that it is the most recent CBO baseline?

The SPEAKER pro tempore. Whichever one is required under the alternate branches of clause 10 shall be the one used by the Committee on the Budget.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized.

Mr. RYAN of Wisconsin. Mr. Speaker, according to clause 10(a) of rule XXI, in advising the Chair, the Budget Committee must use ''the most recent baseline estimates supplied by the Congressional Budget Office . . . used in considering a concurrent resolution on the budget.''

Mr. Speaker, has Congress considered the concurrent resolution on the budget this year?

The SPEAKER pro tempore. The answer is ''yes.'' The House has considered a concurrent resolution on the budget.

Mr. RYAN of Wisconsin. Further parliamentary inquiry, Mr. Speaker.

Isn't it true that the concurrent budget resolution on the budget for fiscal year 2009 considered by the Budget Committee and considered and passed by the House uses the most recent baseline which is the March 2008 baseline?

The SPEAKER pro tempore. The Chair is not aware of which baseline is current.

Mr. RYAN of Wisconsin. Further parliamentary inquiry.

The rule providing for the consideration of the conference report to accompany the Food Conservation and Energy Act of 2008 includes a waiver of all points of order against consideration.

Does that waiver include a waiver of clause 10 of rule XXI, the pay-as-you-go point of order, and in addition, to all points of order under the Congressional Budget Act? And does this mean that a Member of Congress may not raise a point of order against consideration of the bill even if it is in violation of the PAYGO rule, Budget Act points of order, or the concurrent resolution on the budget?

The SPEAKER pro tempore. That calls for an advisory opinion. The pending resolution proposes to waive any point of order, so this is a matter for debate.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

Does this waiver of these points of order mean that the PAYGO rule and the Budget Act points of order are also waived and therefore, a Member may not raise a point of order against consideration of the bill on those grounds?

The SPEAKER pro tempore. If the pending resolution were adopted, then any point of order would be waived.

Mr. RYAN of Wisconsin. Mr. Speaker, further parliamentary inquiry.

The Rules Committee report accompanying the rule provided for consideration of the conference report contains an explanation of waivers and states: ''While there is a technical violation of clause 10 of rule XXI, the PAYGO rule, the conference report complies with the rule.''

Mr. Speaker, my inquiry is this: Is it possible to be in violation of the PAYGO rule yet comply with the rule at the same time?

The SPEAKER pro tempore. The gentleman may engage his colleagues in debate on the pending resolution on that point.

Mr. RYAN of Wisconsin. We plan on doing that, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CARDOZA. 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

Mr. CARDOZA. I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 1189.

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

There was no objection.

□ 1200

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

Mr. Speaker, House Resolution 1189 provides for consideration of H.R. 2419, the Food, Conservation, and Energy Act of 2008, the continuation of the Farm, Nutrition and Bioenergy Act of 2007 which we passed off this floor in September of 2007.

Mr. Speaker, the conference report rule waives all points of order against the conference report and against its consideration and provides that the conference report shall be considered as read.

The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, and it also provides one motion to recommit.

It should also be noted that despite the blanket waiver, the conference report does not violate clause 9 of rule XXI.

Furthermore, I want to point out that the conference report uses the CBO 2007 baseline, the year in which the bill passed both the House and the Senate, and under that baseline, CBO has determined that this conference report will not increase the deficit in either of the years 2008 through 2012 or in the years 2008 through 2017 scoring window.

Therefore, while there is a technical violation of clause 10 of rule XXI, this

conference report complies with the rule by remaining budget neutral with no net increase in direct spending. In other words, Mr. Speaker, this bill does not increase the deficit and it is PAYGO compliant.

Mr. Speaker, as chairman of a subcommittee on the House Agriculture Committee, and as a member of the Rules Committee, I'm pleased to offer the Farm, Conservation, and Energy Act conference report for consideration today. This bipartisan conference report represents the blood, sweat and tears of many Members of the House and Senate Agriculture Committees, including myself. I would be remiss if I did not single out a few individuals at this time.

First, I must recognize Chairman COLLIN PETERSON, without whom this farm bill would have never been completed. His unwavering dedication to seeing this bill through to completion should be an example to us all, and I am indeed grateful for his commitment, especially in the face of tremendous adversity.

I also want to thank Ranking Member GOODLATTE, Leader HOYER, and certainly, not least, our Speaker of the House, Ms. PELOSI, for their steadfast commitment to creating a farm bill that we can all be proud of and to stand behind, and because of her leadership, there is, in fact, significant reform in this bill.

It is hard to believe, but we actually started this process nearly 2 years ago, starting with traveling to nearly every corner of this country to hear directly from farmers and ranchers from all walks of life about what they needed in a modern farm bill. We took these wide-ranging comments to heart and crafted a fiscally responsible, equitable and unparalleled farm bill.

I wish I could say that it was all a walk in the park. The House and the Senate passed their respective bills in 2007, and since January of this year, Members of the House and the Senate have been hammering out a compromise. There have been many battles, but in the end, this conference report is something I believe this House should be very proud of.

While people didn't get everything they wanted, the country got what it needed. That speaks volumes about the quality of this bill and tells me we ended up in exactly the right place.

The Farm, Conservation, and Energy Act builds upon the past successes of Federal farm policy by maintaining the farm bill's safety net, while at the same time providing for substantial increases in conservation, nutrition and energy.

However, I'm most proud of the $2.3 billion in new Federal investments for specialty crops, an industry that has been uniformly neglected in previous farm bills despite comprising nearly 50 percent of total farm gate value.

Furthermore, this farm bill contains unprecedented reforms to commodity programs by revising program eligibility and strengthening payment limitations.

Through major changes to the crop insurance program, we have also increased government efficiency and reduced the waste, fraud and abuse identified in the current farm programs.

More importantly, this bill is completely paid for. Through PAYGO, Democrats are fulfilling our promise to live within our means like every household in America is forced to do, and I believe the PAYGO rules, Mr. Speaker, made this a leaner, meaner and better bill, despite the complexities that the new rules presented at times.

We pledged to stop writing blank checks with reckless abandon and shouldering our country's needs on the backs of our children and grandchildren. Make no mistake about it, Mr. Speaker, this legislation adheres to the spirit of PAYGO, proving that it can be done.

Mr. Speaker, our farmers have the capacity for immeasurable innovation and success, and they deserve the Federal Government's commitment that's included in this bill by supporting this farm bill.

Mr. Speaker, I look forward to telling my constituents of the 18th District of California that the United States Congress has accomplished what many thought was an impossible feat in coming to an agreement on a farm bill.

Mr. Speaker, I strongly and wholeheartedly urge my colleagues to support this rule and the underlying legislation.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend from California (Mr. CARDOZA) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

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

Mr. HASTINGS of Washington. Mr. Speaker, this rule provides for consideration of a final farm bill, a farm bill that is over 7 months late. It was supposed to be completed last September when the old farm bill law expired. It's long past time for Congress to be voting on a final farm bill, and the one the House will consider today is far from perfect.

It spends billions more than it was supposed to. Mr. Speaker, in fact, despite this being called the farm bill, nearly 75 percent of the spending in this bill doesn't even go to agriculture or farming. It goes to pay for government food assistance programs. Mr. Speaker, let me repeat that. In fact, despite this being called a farm bill, nearly 75 percent of the spending in this bill doesn't even go to agriculture or farming. It goes to pay for government food assistance programs. To me, that is very concerning.

There's also considerable dissatisfaction with the income limitations being too high for farmers who may receive payments under this bill.

There are also concerns that while commodity prices in the marketplace have risen since the last farm bill, the guarantees in this farm bill have also gone up.

There are also special interest provisions that are unrelated to farming or food stamps that have been stuck on this bill.

Now, Mr. Speaker, I agree that this farm bill is very far from perfect, but like many of my colleagues in the House, I must measure this bill by the impact on my constituents in my district.

And as the representative of one of the most diverse and productive agricultural areas in this country, I will vote for the farm bill because it does more to support the specialty crops that are grown in my district than any other farm bill in history.

I must point out that the assistance provided for the specialty crops grown in my district are not direct subsidy payments or handouts. What matters most to farmers and growers in central Washington are research dollars and help in opening up new markets abroad. Specifically, I'm pleased that the farm bill includes a new initiative to fund research projects for these specialty crops.

The conference report also expands the successful fresh fruit and vegetable SNACK program to children in all 50 States. This worthwhile program provides fresh fruits and vegetables for schoolchildren.

The Market Access Program is also very important in central Washington and something that I've worked very hard on to support for many years. The Market Access Program, or MAP, assists our agriculture community in expanding access to markets overseas.

For far too long, American farm products have had difficulty getting into foreign countries, and sometimes are unfairly blocked outright. Fair market access and fair trade agreements help our farmers compete, and the MAP program has proven this to be very successful.

While I will vote to pass this farm bill, Mr. Speaker, I strongly oppose this unfair rule because it shuts down fair opportunities for debate and votes on the House floor and because, Mr. Speaker, it waives new anti-earmark and PAYGO rules written just last January, a year ago last January, by the Democrat majority.

And already today, Mr. Speaker, we have had a great deal of discussion on PAYGO and the ramifications. We heard it says it complies with the spirit of PAYGO and so forth.

Let me just make a point of what happened last night in the Rules Committee. In the Rules Committee, there is a provision in this rule that waives all points of order. We had discussion up there on PAYGO. So the ranking member of the Rules Committee, Mr. DREIER, offered an amendment to keep all the waivers, all the waivers in the farm bill with the exception of the

PAYGO provision that was adopted just a year ago last January by the new majority. That amendment simply said if there's no problem with PAYGO, then why not keep that provision in there. It was voted down, Mr. Speaker, on a direct party-line vote.

So it appears what has happened here in this instance—because I think the rules are very clear. I think Mr. RYAN from Wisconsin pointed out exactly where we are on this and what the procedures are. Apparently what we have done—and this to me I think is probably unprecedented—we have adopted Senate rules in the House for consideration of the farm bill. Maybe that's a pattern that we will see hopefully in other things that we'll debate, like, for example, maybe having more debate on issues because the Senate does have unlimited debate under their house rules. So, if we're going to start adopting Senate rules, maybe we ought to do that on the debate area.

Mr. Speaker, a conscious decision has been made to break the PAYGO rules to increase spending by several billions of dollars.

The farm bill, Mr. Speaker, is long overdue, and I'm disappointed that a bill that provides new levels of recognition to specialty crops, as I pointed out in my earlier remarks, from central Washington is coming before the House with so many other questionable provisions within the bill.

And with that, Mr. Speaker, I reserve the balance of my time.

Mr. CARDOZA. Mr. Speaker, the gentleman from Washington complains that nearly 75 percent of this bill goes to a nutrition program. I would submit to the House that if Republican policies with regard to the economy weren't what they were we wouldn't have to be increasing the nutritional support for our citizens.

At this time, Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I want to thank the gentleman from California for yielding me time.

I rise today in strong support of the rule we are considering on the conference report to H.R. 2419, the Food, Conservation, and Energy Act.

Mr. Speaker, this important conference agreement outlines the funding for our country's agriculture policy, its conservation approaches, and its nutrition programs. These initiatives touch each of us in some way. Whether we're from a rural area, suburban or urban area, the farm bill has impact on every single one of us.

As a farmer's daughter, I understand how the food we produce is truly the backbone of our country. I am proud of our Nation's commitment to a strong farm economy and a long-standing tradition of providing a safe and secure food supply, not only for our country but for the world.

That is why I support this bill. From the $10 billion increase in nutrition programs to the $7.7 billion increase in conservation funding, this legislation provides for our entire country. I've spoken to our producers, and this legislation gives them the safety net they need to continue producing the food supply our Nation relies upon. I am pleased with the balance and vision in this bill, and that is why I will strongly support it.

I'd like to thank Chairman PETERSON and Ranking Member GOODLATTE for all of their work on this bill. The chairman has shown exceptional leadership and patience through this process. This bill turns the page and helps start a new era of farm and nutrition policy.

I also want to thank Chairman PETERSON and the committee for their inclusion of provisions of the House-passed Regional Water Enhancement Program. By including the Sacramento River Watershed as a national priority in the conference report, my region will be able to preserve farmlands, as well as provide a comprehensive approach to ground and surface water.

Our initial focus should be on building a strong consensus on conservation and its value for our region. We have a truly unique opportunity to shape the vision for the watershed from the beginning. This will help ensure that we build upon solid, local input.

Mr. Speaker, I am happy to be standing here today in support of this well-crafted bill. I ask my colleagues to support the rule and the final passage of the farm bill conference report.

□ 1215

Mr. HASTINGS of Washington. Mr. Speaker, I'm pleased to yield as much time as he may consume to the ranking member of the Rules Committee, Mr. DREIER of California.

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. And I thank him for his very thoughtful statement, as always, in his management of the rule.

I want to begin by extending congratulations to all of those who have worked long and hard on this important conference report, Mr. CARDOZA, and I see Mr. HASTINGS here, I know are strong supporters of it. And I know that there is, in fact, some bipartisan support for this measure, but I will say that I personally am troubled with it and I am going to be voting ''no'' on the conference report when we get to that point for a number of reasons.

I do feel very strongly that as we look at the international food crisis that exists with over a billion people on the face of the Earth facing either malnutrition or out-and-out starvation, it seems to me that we need to take very strong and bold steps to address that. I don't think that dramatically expanding the food programs and feeding is the solution to the problem of a billion people who are facing malnutrition and starvation. I happen to think there are a number of very important factors that unfortunately this farm bill doesn't address.

First and foremost, it's key, as we look at the fact that developing nations in the world have failed to open up their markets so that they can get onto the first rung of the economic ladder, they are preventing us from having the opportunity to address that crisis of starvation and malnutrition. Similarly, we in the United States and the European Union have unfortunately provided two-thirds of the farm subsidies that exist in this world. And guess what? That creates a great distortion and further diminishes the opportunity for those developing nations to address this very important malnutrition and starvation crisis facing one billion human beings. And so I just don't believe in any way that this measure effectively addresses that.

And I think, again, as a number of people have said, if we were to see the European Union diminish its level of subsidization, then we would do that. I was very happy in the Rules Committee last night that for the first time our good friend from Minnesota, the distinguished chairman of the Agriculture Committee, did indicate that he would ultimately support that. In the past he hasn't, as I know he has said publicly and in conversations that I've had with him privately on that.

But nevertheless, it's imperative for us to show leadership on the issue of dramatic taxpayer subsidization of the agriculture sector of our economy. It is just plain wrong. And I hope very much that my colleagues, based on that, if they sincerely want to address this starvation crisis facing a billion people, they will oppose this measure.

Now, there was an interesting debate, Mr. Speaker, that took place earlier on and has been going on. And Mr. HASTINGS made a very, very compelling argument. Now, this is all inside baseball. I know our colleagues understand it, and there are maybe some outside of this Chamber who are following this debate. And it looks like it's very arcane. I mean, we've got copies of the rules manual and we're looking at this whole question of PAYGO and 2007 versus 2008. Well, this comes down to a very simple and easily understood issue, and let me put it this way:

Yesterday we had a debate on whether or not we should, in fact, prevent 70,000 barrels a day of oil from going into the Strategic Petroleum Reserve. And the idea behind that was, of course, if we do increase the supply of energy, prices might come down. Well, guess what? The people whom I represent in southern California would very much like to be able to pay maybe $2.50, $2.75 a gallon. And you know what? If you go to last year, they were able to pay significantly less than $4 a gallon for gasoline.

Well, how does that relate to the debate that we're having right here? Very simply. What is it that our colleagues in the majority are calling for? And that is, to use last year's numbers, to

use last year's numbers, not this year's numbers, in this debate. So that's what it comes down to, Mr. Speaker. It is just plain wrong. I would like to pay 2007 prices when I go to the pump and fill up, and unfortunately I can't. And you know what? This majority should recognize their responsibility in the exact same way.

Now, as Mr. HASTINGS said, last night in the Rules Committee I offered what I thought was a very thoughtful amendment to the rule. Everyone continued to say this is PAYGO-compliant, this complies with PAYGO. Well, in one single sentence in the report, Mr. Speaker, they, in fact, provide the most confusing explanation. It says, ''Therefore, while there is a technical violation of clause 10 of rule XXI, the conference report complies with the rule by remaining budget neutral with no net increase in direct spending.'' What does that mean? So it begins by saying there is a violation, and then it says there isn't. I mean, it is so confusing.

Now, the amendment that I offered said, okay, if the majority is, in fact, complying with the PAYGO requirements, what they should do is they should say that they don't need to protect the item, clause 10 of rule XXI, which very clearly states that they must be using this year's numbers. And so, Mr. Speaker, as you said in your ruling—or your predecessor in the Chair said, Mr. PASTOR, who was serving as acting Speaker at the time, we're having a debate on this. And it's obvious that it can be confusing. But I bring it right back to the issue of the desire that the people who we represent, that they would love to pay last year's gasoline prices, but it can't be done. And in the exact same way this is being mishandled. It is just wrong.

And so procedurally we're bringing up a bad conference report. And so I urge my colleagues to vote ''no'' on this rule, which, also, is a lockdown rule, I should say, and very, very unfair in its treatment of the rights of the minority—not that anyone cares about that. But procedurally and institutionally I think that there should be some concern about the fact that it's a lockdown rule, and if it does pass, it will allow us to bring up what I think is a bill that has some good things in it, but on an overall basis will not deal with the very important challenges that we face.

So I urge a ''no'' vote on the rule and a ''no'' vote on the conference report.

Mr. CARDOZA. Mr. Speaker, I appreciate the comments of my colleague from California. I would just like to reiterate that this bill and this rule fully complies with the Senate PAYGO rules and it is totally in keeping with the spirit of PAYGO by complying with the 2007 PAYGO baselines as my Republican colleague, Mr. NEUGEBAUER, said last night when he presented the rule to the committee as the Republican ranking member at that time, and his words were that this bill is fully PAYGO compliant.

Mr. Speaker, at this time, I would like to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank the gentleman for yielding and for his work on this bill.

Mr. Speaker, from my point of view the farm bill conference report is a mixed bag. There are many things in this farm bill that I don't like. I don't like what I consider to be an extravagant disaster assistance program. I don't like the minuscule cuts to direct payments, and I don't like the unnecessary subsidies. And I don't like the fact that this bill reduces the mandatory funding for the McGovern-Dole International Food for Education and Child Nutrition program by $756 million.

This is a program that is close to my heart, Mr. Speaker, a program that is proven to work. Named after George McGovern and Bob Dole, this program feeds hungry children around the world in a school setting. The only thing crueler than not feeding a hungry child is to feed that child for a while and then stop. And that's what has happened, unfortunately, in this process and it's flat wrong.

I would like to insert a recently published Washington Post Op-Ed written by both Senators McGovern and Dole into the CONGRESSIONAL RECORD at the end of my statement.

Let me be clear, this is not the end of our fight for funds for McGovern-Dole. And I look forward to working with the appropriators and the authorizers to ensure that there is proper funding for this program in the upcoming appropriations bill. I believe it is a moral imperative.

Mr. Speaker, this is not the bill that I would have written. And, Mr. Speaker, I suppose that I could find enough reasons to justify a vote against this conference report. But when I look at the whole bill, I have concluded that a ''no'' vote is the wrong vote to take today. And let me explain why I will vote for this bill today.

Thanks to the leadership of Speaker PELOSI and Congresswoman DELAURO and Chairman PETERSON, this bill includes the most sweeping expansion in the domestic anti-hunger safety net ever. This bill will do more to fight hunger in America over the next 5 years than anything Congress has done in decades. Over $10 billion will go to improve the food stamp benefit, to provide fresh fruits and vegetables to children in schools around this country, and to invest in America's food banks.

Over 73 percent of the spending in this bill will fund the anti-hunger safety net. Damage that has been done over the years, the erosion of both the food stamp benefit and the emergency food assistance system, for example, is fixed in this bill.

Mr. Speaker, the nutrition title of the farm bill is not perfect, but it is very, very good. I'm voting for this bill on the strength of these improvements, and I urge my colleagues on both sides of the aisle to do the same.

These enhancements will improve the lives of real people around the country, people who desperately need help putting food on their tables in this time of spiking energy costs and rising food prices. This bill will help more than 10 million people afford an adequate diet, including over 200,000 people in my home State of Massachusetts. Unfortunately, though, it will not end hunger in America, and it won't end hunger around the world.

Mr. Speaker, I believe strongly that hunger is a political condition. And I believe we can end hunger here at home and around the world if we find the political will to do so. But ending hunger will take leadership, leadership to stand up to the powerful special interests that don't care about ending hunger, leadership to stand up for the people whose interests aren't always represented here in the halls of Congress, leadership to simply do the right thing. And ending hunger is doing the right thing.

The face of hunger here in America is not one of sunken eyes and swollen bellies. No, the hungry in America are our neighbors, our children's classmates, and the seniors we see every day. Some serve in the military, and others take their kids to soccer and baseball practice all over this country.

The face of hunger is the face of too many in America, but that doesn't have to be the case any longer. This bill, the effort put forth by the anti-hunger community, that deserves such great credit, and by many Members of Congress is just a start. With a continued and dedicated effort, this can truly be the beginning of the end of hunger.

This bill is a solid down payment on our efforts to end the scourge of hunger in America once and for all, and for that reason alone it deserves our support.

[From the Washington Post, May 6, 2008]

A SLAP AT SCHOOLCHILDREN

(By George McGovern and Bob Dole)

How can the world's hungriest schoolchildren be denied meals while the farm bill being debated in a House-Senate conference provides millions in subsidies for wealthy farmers? That's what Congress proposes. In all fairness, it should not become law.

We are puzzled that Congress wants to increase overall farm bill spending by billions of dollars yet reduce by more than 90 percent the mandatory funding to feed hungry children. The program at issue saves lives and has a proven ability to break the cycle of poverty and hopelessness in poor countries.

We are not expressing disagreement because the program, supported by Presidents Bill Clinton and George W. Bush, bears our names. We believe, simply put, that a costly humanitarian mistake would be made. Funding for the program would go from $840 million over five years to $60 million this coming year. After that, there would be no guarantee of funding at all. The $840 million in funding represents less than 1 percent of the proposed total spending in the farm bill. At a time when increasingly high food prices are pushing millions of families around the globe deeper into poverty, we must step up, not reduce, our efforts to feed hungry schoolchildren.

For just a few cents a day per child, the McGovern-Dole Program has made a critical

difference in the lives of children and communities worldwide, promoted American values in the most positive terms, and helped achieve U.S. foreign policy and national security goals. By providing meals to children who attend school in the poorest countries, the program increases attendance rates and student productivity and gives hope to a new generation of impoverished children around the world. The impact on young girls is particularly important. As their school attendance increases, they marry later and birth-rates are reduced.

During our careers in public service, we were honored to assist U.S. efforts to reduce hunger at home and abroad. Americans should be proud of the bipartisan progress our country has made. As a nation, we must not retreat from the compassion we've shown when the world's poorest children needed us most. We respectfully ask farm bill conferees to restore the $840 million in mandatory funding for the McGovern-Dole Program. Our nation must not turn its back on the world's poorest. On the contrary, we must demonstrate again that the United States will continue to be a nation of compassion.

As former senators, we both know how difficult it is to put together and pass sound farm legislation. We also know, as does every member of Congress, how important it is to help take care of the world's neediest and most vulnerable children. We believe that a vast majority of the proposed farm bill beneficiaries share our view. Americans care and will respond positively if this needed change is made.

George McGovern, a Democrat, was appointed a U.N. global ambassador on world hunger in 2001. Bob Dole, a Republican, is a former Senate majority leader.

Mr. HASTINGS of Washington. Mr. Speaker, I'm pleased my friend from California said we are complying with Senate rules, but I believe this is the U.S. House of Representatives, and the fact is we have waived the House PAYGO rules.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING).

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

Mr. HENSARLING. Mr. Speaker, I rise today in opposition to this rule.

I find it fascinating that our Speaker, when she became our Speaker, said that we were going to have the most open democratic Congress in the history of America, and yet we have a rule coming to the floor that doesn't even allow dissenting voices to speak in general debate.

Our Speaker also at one time said the 110th Congress will commit itself to a higher standard, pay-as-you-go, no new deficit spending. But instead, we waive the PAYGO rule. And we baseline shop. I know that's inside baseball, but as the gentleman from California said, it's kind of like deciding you're going to pay last year's gasoline prices. Well, I wish we could do that.

And now we have the whole question of earmarks. Our Speaker at one time said that she would just as soon do without earmarks. Instead what we have are airdropped earmarks, secret earmarks coming in in a conference report that nobody can challenge, including one, apparently, according to press reports, that was requested by none other than the Speaker of the House.

And so for all of these reasons, Mr. Speaker, this rule ought to be defeated. This is too important of legislation to come before us to be treated in such a frivolous manner.

Now, let's talk about the matter at hand, the actual substance of the bill. At a time when we're looking at some of the worst food inflation in the last two decades, what do we have coming before us, Mr. Speaker? A bill that will pay out billions of dollars of taxpayer subsidies to a select group of farmers. You know, it kind of begs the question, Mr. Speaker: Why do we have a farm subsidy program?

You know, I'm thinking about all the people who are going to have to pay these billions of dollars in taxes to subsidize a select group of farmers. You know, I think about the auto mechanic in Mesquite, Texas; I think about the guy working at the grocery store in Mineola, Texas; I think about the school teacher or the factory worker in Garland; where is their government subsidy program? Why are we bestowing billions of dollars in subsidies on this one select group?

□ 1230

This is a relic of the New Deal. We are paying out money to millionaires. We are teaching more people to be reliant upon government programs. Now, Mr. Speaker, we need a farm program. We just don't need a farm subsidy program.

Let me tell you what farmers in the Fifth Congressional District of Texas that I have the honor of representing need. They need some relief in their energy cost. The energy that it takes to run their tractors, their combines, their farm equipment, and the cost of diesel, they need some relief there.

The SPEAKER pro tempore (Mr. SERRANO). The gentleman's time has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HENSARLING. And yet there is absolutely nothing that our friends do on the other side of the aisle to produce any American energy, to get us any more independent, to have independent American energy.

Also, we benefit one set of farmers at the cost of another. This continues the ethanol mandates. It continues the tariff on imported ethanol. Now, if you've got a bunch of corn growers, it may be very good for them. I would say they're in high cotton, but I guess they're in high corn. But it's not too good for the cattle raisers, not too good for the poultry people. It's not too good for the hog farmers or the other livestock people who are all of a sudden seeing their feed prices almost triple. What are we doing for them?

Then let's talk about trade. Ninety-six percent of the world's consumers live outside of America, and yet this is an anti-trade Congress under Democrat leadership. You had the Colombian Trade Agreement totally one way. Farmers and ranchers want to export, and they're being disallowed the opportunity to do that.

The SPEAKER pro tempore. The gentleman's time has again expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman another 30 seconds.

Mr. HENSARLING. So we need a farm bill that promotes trade, Mr. Speaker.

Next, we need death tax relief for our farmers and ranchers. Somebody in the Fifth Congressional District worked his whole life building a farm and told me, ''Congressman, after the government takes theirs, there's just not enough to go around.'' You shouldn't work your whole life building a family farm only to have Uncle Sam take 55 percent. We need income tax relief. That's what a farm bill needs to help the true agricultural producers. Not a subsidy program, an assistance program for those who work hard.

Mr. CARDOZA. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. HASTINGS).

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

Mr. Speaker, I rise today in vigorous support of this rule. I would like to thank Chairman PETERSON, Chairwoman DELAURO, Chairman RANGEL, and Mr. GOODLATTE, who I feel have crafted a sound bipartisan compromise bill for all of us to support, and they are to be complimented for their hard work during these fiscally challenging times.

The underlying legislation makes important reforms that benefit farmers across our Nation and assist many industries which are the economic engine of the congressional district that I'm privileged to serve. The bill before us today is an important achievement for the State of Florida and for the constituents that I serve.

As many of my colleagues know, I represent, along with my colleague from Florida (Mr. MAHONEY), the second largest sugar-producing district in the country. The Florida sugar industry has a $3.1 billion economic impact on the State of Florida, and I thank the committees for including the provisions that assist this important industry.

I also thank the committees for including the Pollinator Protection Act, which I authored and which was carried by Mr. CARDOZA, who is carrying this rule and working with me. This act authorizes funding to conduct research on colony collapse disorder to prevent the continuing decline of the pollinator population. People, if there ain't no bees, there ain't no food.

Finally, this bill addresses rising food prices here at home and overseas by substantially increasing funding for nutrition programs and food banks and promoting duty-free imports in the

Caribbean, thanks to Mr. RANGEL, and to Haiti, where citizens are forced now to eat mud cakes to survive.

Having worked as a boy in farms, I understand firsthand how food gets to the table. I am proud to say that this bill serves our farmers well.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

Mr. Speaker, we've detailed many of the problems with this rule, one of the worst aspects of which is that, as has been mentioned, it allows a bit of time travel here for the purpose of going back and choosing another baseline that allows you to actually comply with PAYGO rules. That should not be allowed under the rule, and that's why the PAYGO rules are actually waived in this bill. For all the talk on the other side about PAYGO compliance, if this bill was PAYGO compliant, the PAYGO rule would not have been waived.

The same goes with earmarks. More than a dozen earmarks were added, airdropped into the bill; yet we still have a waiver because we know there are likely other earmarks added in the bill as well. So we want to protect against that.

Also, I mentioned about the rule. It stifles debate. I don't know of another example where a conference report has come to the floor, particularly one of this magnitude, where those who are opposed to the bill have not been given the opportunity to claim time in opposition. Instead, we have to rely on the good graces of those who support the bill to actually be yielded time to actually speak in opposition to the bill.

Finally, Mr. Speaker, we have a real problem in this country in terms of entitlements. We're going to have to reform Social Security and Medicare. Tell me how, tell me why anybody out there, outside of the beltway, should believe that we are capable of doing that kind of reform when we can't tell a farm couple making up to $2.5 million in adjusted gross income every year, that's income after expenses, if we can't tell them that the subsidy party is over? How are we ever going to reform entitlements? I asked that of my party; I ask that of the Democrats. How in the world can anybody take us seriously here if we can't have a farm bill that reforms the subsidy program?

Mr. CARDOZA. Mr. Speaker, I yield 1½ minutes to the gentleman from North Dakota (Mr. POMEROY), a member of the Ways and Means Committee, without which we could not have done this bill.

Mr. POMEROY. I thank the gentleman for yielding.

Mr. Speaker, the pride I want to express is, as being a member of the Agriculture Committee, which I also serve on, a day like today makes me especially proud of that membership because what is before us is a collaborative product, the majority, the minority, arm in arm, working this through to build the best farm bill we possibly could. A bill that attends to the nutrition needs of our country; a bill that provides the safety net for family farmers; and a bill that safeguards the highest quality, most affordable food supply in the Western world. This collaborative effort would not have been possible but for the leadership of Chairman PETERSON, who, at every step of the way, wanted to be inclusive in his leadership style, having not just the majority but the minority fully involved in writing this bill.

I also salute BOB GOODLATTE, ranking member of the committee, because he could have walked away, could have said we're just going to do the partisan thing on this bill, but, no, instead played a very important role substantially improving the product of this bill, by virtue of BOB GOODLATTE's contribution and the contribution of the members of his caucus on the Ways and Means Committee.

Our farmers are putting into the ground the most expensive crop in the history of U.S. agriculture. I had a farmer tell me last week that running three tractors to get his crop in was running a $10,000-a-day fuel bill. They've got horrific exposure. They need the protection of this farm bill. Please adopt it.

Mr. HASTINGS of Washington. Mr. Speaker, I am at this time pleased to yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Mr. Speaker, I would like to join my colleague in a little colloquy.

I understand you're going to offer a previous question on this rule?

Mr. HASTINGS of Washington. If the gentleman would yield, I am going to urge my colleagues to vote against the previous question so that we can amend the rule, not replace the rule, amend the rule so that we can discuss energy prices and legislation to bring the price of gasoline at the pump down.

Mr. SHIMKUS. And I would assume a way in which we would do that would be to bring in more supply?

Mr. HASTINGS of Washington. It would be based on supply and demand. The gentleman is exactly correct.

Mr. SHIMKUS. I want to thank my colleague.

Mr. Speaker, one of the best things we can do for the family farmer in this economy is to lower energy costs. And that's why I'm coming to the floor because I am excited about my colleague's previous question to bring on more supply.

Now, I was pleased to see that my friends on the other side have accepted the supply debate, and we did that yesterday with great acclamation, saying that bringing in 70,000 barrels of crude oil onto the market would lower gasoline prices, your quote, not mine, between 5 cents to 25 cents.

Well, just imagine if we brought a million barrels of crude oil onto our market, a million barrels from U.S. territory. And I think that's what my colleague is going to bring in the previous question, because 1½ years ago, the price of a barrel of crude oil was $58. Today the price of a barrel of crude oil is $125.09. I'm telling you the public is starting to wake up. I'm hearing it from soccer moms. I'm hearing it from labor individuals. They understand that the cost of energy is too high. The price of diesel has doubled.

In an agricultural country, my farmers are trying to get their corn in. It's been really wet. And it's diesel fuel. Diesel fuel has doubled. We've got small local truckers going on strike because they can't afford to fill up the tractor-trailers because diesel costs are too high. Why are diesel costs too high? Because we won't open up any supply.

I think the previous question will be an opportunity to open up supply on U.S. soil, and maybe we will get a chance to talk about opening up supply on the Outer Continental Shelf.

You all agreed to it. Supply will lower prices, based upon our vote yesterday. But that was 70,000 barrels. Our challenge is to bring a million barrels, locally produced crude oil and natural gas. Because we can't sustain these high prices. We can't sustain them in the family farm.

And that's why I'm excited to be here today to continue to raise this debate on the price of a barrel of crude oil.

Another thing we could do is take our locally produced coal——

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. SHIMKUS. I want to thank my colleague for yielding.

Because we want to highlight the Arctic National Wildlife Refuge, a coastal plain the size of South Carolina, a drilling platform the size of Dulles Airport. We want to address the Outer Continental Shelf, both on the east coast and the western seaboard and the eastern gulf. We want to address coal-to-liquid technology, where we take coal underneath the soil or on our upper plain, build a refinery, U.S. jobs; operate a coal mine, U.S. jobs; build a pipeline, U.S. jobs; and lower the cost for jet fuel so that we can have U.S. jobs.

Mr. CARDOZA. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), who absolutely has been an undying advocate on behalf of those who need it the most, those who are going hungry in our country.

Ms. DELAURO. I thank the gentleman from California for yielding, and I thank him for his perseverance in this effort as well.

Mr. Speaker, I rise to support the rule and the underlying bill, historic change that will meet the nutritional needs of all Americans.

I want to thank the Speaker for her vision and clear priorities on this bill and Chairman PETERSON for his tireless leadership and perseverance. Thank you for welcoming my input on something so critical as the nutrition title.

Today, as the country faces rising food costs, food banks cannot handle the demand, and families struggle just to keep up. Today 35.5 million Americans live in households where not everyone has had enough food in the United States of America.

With this bill we are finally taking the right steps to provide people with a fighting chance, ending the erosion in food stamps by increasing the standard deduction and the minimum benefit, which has been frozen at $10 for the past 30 years, then indexing them to inflation. Commitments to help almost 11 million people, families with children, seniors, and people with disabilities.

Yet the current administration is looking for ways to undermine the legislation. The administration has argued against expanding eligibility by excluding retirement, education savings, and combat pay when determining that eligibility.

□ 1245

What does it say when our soldiers who fight so bravely for our Nation abroad are forced to scrape and scrounge for food upon their return?

And this bill does more. It increases funding for the Emergency Food Assistance Program, including an immediate infusion of $50 million to address supply shortages as more families than ever are relying on food banks, soup kitchens and food pantries for help. There is also a dramatic increase in funding for the fruits and vegetables snack program for our schools giving more children greater access to healthy fresh fruits and vegetables at school. And we are providing $84 million in funding for the McGovern-Dole program which helps reduce child hunger, promotes education and represents a powerful opportunity for our Nation to export goodwill around the world.

I urge my colleagues to support this bill. For too long we have failed to meet our obligations as a Congress and as a Nation, failed to act while too many Americans have gone without adequate food, healthy food, and are facing hunger in our Nation today. Today, we can begin to do something about it.

Mr. HASTINGS of Washington. Mr. Speaker, can I inquire again how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Washington has 7 minutes remaining. The gentleman from California has 11 minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I will reserve my time to allow more equity in the time.

Mr. CARDOZA. Mr. Speaker, I was remiss when I introduced my colleague, ALCEE HASTINGS from Florida, for his undying support and work with regard to specialty crops. He was joined in this effort by the gentleman from Florida (Mr. MAHONEY) who has been just a stalwart in helping me get the specialty crop title into this bill. And I would like to yield 1½ minutes to the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Thank you, Chairman CARDOZA.

Mr. Speaker, I would like to begin by thanking Chairman PETERSON and thanking Chairman CARDOZA for their tireless resolve to bring this historic legislation to a vote today. I also want to thank Commissioner Bronson and my good friends and colleagues, ALLEN BOYD and ADAM PUTNAM, for their work in delivering to the ranchers, farmers and growers of Florida the best farm bill in history.

This farm bill, in combination with the energy bill already signed into law, completes the foundation upon which Florida will build a biofuels industry that will power America's engines and make us more secure. It means more jobs for our State. It means our children will be able to stay in rural Florida and have jobs for the future. This farm bill, after more than 70 years, begins to give Florida's growers and farmers parity with commodity crops.

In Florida, we grow over 270 different varieties of specialty crops. I welcome this $1.3 billion investment in new programs that supports research, pest management, trade promotion and nutrition for the industry.

Finally, this bill makes an investment in our environment by making an additional $7.9 billion available for conservation programs. This bill brings farmers and environmentalists together to protect our land, our waters, and one of our Nation's greatest treasures, the Everglades.

As a Blue Dog Democrat, I am especially proud that we have been able to accomplish all of the above without having to raise taxes or go into debt. We don't have to mortgage the farm to pay for this farm bill.

Thank you, Mr. Speaker.

Thank you, Chairman CARDOZA, for all of your work on behalf of the farmers and growers of Florida.

Mr. HASTINGS of Washington. Once again I will continue to reserve, Mr. Speaker.

Mr. CARDOZA. Mr. Speaker, I yield 1½ minutes to the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. Thank you, Mr. Chairman.

Mr. Speaker, I rise today to urge my colleagues to support the rule on the farm bill. Chairman PETERSON and Ranking Member GOODLATTE have worked hard to put together this bipartisan bill that helps working class families struggling with the soaring cost of food. On balance it is a good bill for nutrition and for the small farmers of the Northeast.

The bill will also help my home State of New Hampshire because it includes the Northern Border Regional Development Commission Act. I introduced this bill to help the struggling communities in the north country of New Hampshire and the region. The commission will help bring investment, leadership and focus to the north country's economic development efforts.

Thirty-six counties in four States that would become part of this commission have poverty levels above the national average, median household income that is more than $6,500 below the national average, persistent unemployment fed by constant layoffs in traditional manufacturing industries, and a significant out-migration and loss of younger workers.

The recent announcements of mill closures in Groveton, Gorham, Berlin and Littleton, New Hampshire, confirm a clear, persistent pattern of economic distress in this region and across the northern border.

The people of the north country need a new start and more resources to rebuild their communities for a new economy. The northern border commission, coupled with other efforts, will help revitalize the region and rebuild communities which need our help.

Mr. Speaker, I urge passage of this rule. The people of New Hampshire's north country, and the northeast northern border region are counting on us.

Mr. HASTINGS of Washington. I will continue to reserve, Mr. Speaker.

Mr. CARDOZA. Mr. Speaker, I would now like to yield 1½ minutes to the gentleman from Ohio (Mr. SPACE).

Mr. SPACE. I thank the gentleman from California for yielding his time. I would like to thank our chairman, COLLIN PETERSON, and Ranking Member GOODLATTE for their hard work on this good, bipartisan piece of legislation that does a lot of good things.

It enhances conservation. It provides a safety net that our farmers need to do the work that is so important to this country. It does some very exciting things with energy. And in the end, it allows these small family farms that make up most of southern and eastern Ohio to meet their margins in a very difficult profession. But it does something more than that. It helps meet the growing needs associated with poverty; rising food prices, a diminishing manufacturing base, rising costs of living.

Seventy-five percent of this bill is devoted toward nutrition, being mindful of the fact that most of those who will be fed pursuant to the nutritional programs of this bill constitute the working poor. In my district many of the counties have poverty rates exceeding 20 percent and unemployment rates at 6 or 7 percent. This means that thousands of people in my district alone are working full-time but can't afford to feed their families. This bill will help mitigate that crisis.

This bill is good for farmers. It helps diminish the effects of poverty and fight the ever-growing fight against poverty in this country and will allow for the farmers of this country to continue to provide the safest, cheapest

and most abundant source of agriculture on the planet.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise to talk about the energy issue also. There are some good things in this bill for our farmers. I especially think the dairy provision was well done. Dairy is very important to Pennsylvania.

I was in the food business 26 years of my life. I know how people struggle with their family budgets. But let me tell you, the farmers are reeling with fertilizer costs. Why are fertilizer costs doubling and tripling year after year? And why is 50 percent of our fertilizer now being imported? Because of natural gas costs. Ninety percent of the cost of ammonia fertilizer is natural gas, clean, green natural gas. This Congress refuses to produce natural gas in this country. There has never been a gas well that polluted a beach. Look at this chart. Off-limits. Off-limits. Off-limits. There should be another one in the middle. There should be one up here in Alaska.

We have said that we are not going to produce fossil fuel. Natural gas is a fossil fuel. We are not going to produce oil.

Our farmers need relief. They need affordable energy to drive their tractors, to dry their grain after they harvest it, and to buy their fertilizer.

Folks, this country's economic future, not just farming, but our ability to manufacture, our ability to heat our homes this winter—right today, we are putting $11.50 natural gas in the ground for next winter's use. Last year at this time, it was $6.50 to $7. Do the math. That's a 40 to 50 percent increase in natural gas costs.

We have lost half of the fertilizer factories in America. That's why our farmers are now using foreign fertilizer. That's why it is costing them 300, 400 and 500 percent more than it did just several years ago. Folks, we have to produce energy in America if we are going to farm and have affordable food, if we are going to manufacture products and if we are going to have an economy that competes in the global economy.

We are not in a sole economy any more. We are in a global economy. We have to compete.

In America, we pay $125 for oil. Everybody does. But we have had the highest natural gas prices in the world for 8 years. And the margin is increasing because we refuse to produce energy for America. All of these other debates are going to be academic. We won't have factories. We won't have successful farmers. We'll be buying foreign fertilizer to grow products in this country. We'll be buying foreign tractors to produce our farms. We'll be driving foreign cars because we won't have a manufacturing base left.

Clean, green natural gas is the answer.

And we need to open up. And we need to drill for oil, too. There has never been a natural gas well that has harmed us economically and environmentally. Clean, green natural gas.

Mr. CARDOZA. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

The committee has taken this bill as far as they can. There are some modest reforms, as they nibbled around the edges. But the fact is, with the passage of this bill, most farmers will still get no help. Most conservation needs will be unmet. And we are going to continue to give money to people who don't need it, up to $2.5 million of farm and unrelated farm income and as over the last 12 years, 75 percent of the direct payments went to just 10 percent of the largest farmers. We don't need to that.

To add insult to injury, section 1619 will hide information under the Freedom of Information Act so the American public won't even know the facts. This is wrong. We can do better. We can stop giving assistance to the richest of farmers. We can redirect it to further strengthen nutrition and the environment.

I strongly urge a rejection of the rule and the bill. And if the President has the fortitude to veto it, I hope people will join us in bipartisan support to sustain the veto.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. CARDOZA. Mr. Speaker, I ask how much time is remaining on either side.

The SPEAKER pro tempore. The gentleman from Washington has 4 minutes remaining. The gentleman from California has 5½ minutes remaining.

Mr. CARDOZA. At this time I would like to yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding.

Mr. Speaker, despite a President that has been unwilling to negotiate in good faith, the Agriculture Committee, on both sides of the aisle, has produced a solid compromise. And for the first time, under Chairman COLLIN PETERSON's leadership, this House has provided authority for the agricultural interests of this country to lead America forward into a new energy age.

The committee also has provided $1 billion to secure specialty crop production in America for a change, to try to stunt foreign imports, while also providing critical increases for farmers markets to help empower local family farmers. And while there are some trade provisions that were airdropped into this bill, not by the Agriculture Committee that should have been considered in a different manner, the agriculture provisions of this bill are critical for transforming our economy into the 21st century.

In a world of increasing trade deficits and economic instability, the production of food, fiber, forestry and now fuel, are all critical for protecting America's economic independence, and her food security.

I want to congratulate Chairman PETERSON for his incredible leadership. He is the right man at the right place at the right time. I urge a ''yes'' vote on the rule and on the base bill. I thank the gentleman for yielding me the time.

Mr. HASTINGS of Washington. I reserve my time.

Mr. CARDOZA. Mr. Speaker, at this time I would like to yield 2½ minutes to the gentleman without whose leadership on the bill we simply would not be bringing the bill to the floor today, the chairman of the Committee on Agriculture, the gentleman from Minnesota (Mr. PETERSON).

□ 1300

Mr. PETERSON of Minnesota. I thank the gentleman.

Mr. Speaker, I rise today in support of the rule and the underlying bill. This has been a long, drawn-out process. It has been a long time since last July when we first passed this bill out of the House.

I want to first of all commend my ranking member and good friend and colleague, Mr. GOODLATTE, for the tremendous work that he did on behalf of this bill and his caucus. As was said earlier, this bill is a much better bill because of the involvement of Mr. GOODLATTE and the great work that he did. I very much thank him for sticking with us here to the end.

We obviously would have preferred to have been here earlier, but this was a difficult bill to work out because of all the competing interests, and the fact that we started off with $58 billion less in baseline than we had back in the 2002 bill.

In order to make all the accommodations for the different folks that were interested in improvements in this bill, we had to find additional resources outside of the Agriculture Committee, which caused additional problems. We had to deal with a much different bill in the Senate, where you had a lot of powerful committee chairmen that brought issues into the bill that were not in the House bill.

We have worked through all of that, and we have produced a product here that I think it isn't perfect, but satisfies, in most cases, the different interests in this bill. We maintain a safety net for farmers along the lines of what we have had in the past.

I, personally, would like the safety net to be stronger than it is, but it's what can be accomplished at this point. We have $10 billion of new spending above the baseline in this bill, and that $10 billion is—I guess money is fungible, but the increase in this bill for nutrition is $10.3 billion. You could say that we have improved the nutrition funding to the amount of new money that's put in the bill. This is money going into the food shelves, food

banks that right now are empty and very much needed. There is a new fresh food and vegetable snack program for kids in low-income schools, and there is improvement in food stamps.

We have a good bill that has a lot of other components. I urge my colleagues to support the rule and support the underlying bill.

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

Mr. CARDOZA. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank the gentleman for yielding.

Mr. Speaker, I realize how difficult it is to put a farm bill together in this place, but this truly represents a missed opportunity. The so-called reforms that are being advocated under the commodity subsidy title would only affect, at best, two-tenth's of 1 percent of farm entities throughout the country.

With an adjusted gross income limit of $2.5 million, these income limits don't even apply to the loan deficiency program or the countercyclical program, two of the three subsidy programs that exist today. At the end of the day we should produce a farm bill that's less market and less trade distorting and more responsible to the American taxpayer.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the ranking member of the Agriculture Committee, who, along with the chairman of the Agriculture Committee, their persistence was such to bring this product to the floor.

Mr. GOODLATTE. I thank the gentleman for yielding.

I just want to say to all of my colleagues that this has been, as the chairman described, a very long and arduous process that began more than 2½ years ago by listening to farmers and ranchers and other people all across the country and holding a multitude of hearings there, and here in Washington as well. It began under my chairmanship. I have never seen anybody who has pursued the passage of legislation as tenaciously and with such dedication, but also listening to so many different people, as the chairman of the committee has done.

Mr. Speaker, as a result, this is not your father's farm bill, nor is it even the farm bill that passed out of this House last summer. This farm bill has more reform than any farm bill that the Congress has ever taken up. It imposes payment limitations on farmers and those who own land and have substantial nonfarm income alike and is well worth consideration in this body, and I urge its passage.

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

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

Mr. Speaker, this rule provides for a farm bill that is 7 months overdue, and I want to again commend Chairman PETERSON and Ranking Member GOODLATTE for their persistence in bringing this product to the floor.

But there is another concern for farmers in our country that this Democrat Congress is totally neglecting, and that's addressing skyrocketing gasoline, diesel and energy costs. The cost of running a tractor, trucking products to market, and running a farm has risen dramatically since Democrats took control of Congress, and they have done nothing to help farmers, truckers or millions of Americans hurt by rising fuel costs.

One of the principles of the farm bill is ensuring that America does not become dependent on foreign nations for our food supply. We, as a country, have fertile fields that can produce as much food as our country needs to eat and even export billions of dollars of foodstuffs overseas. But we, as a country, are not using our energy sources like farmers use our fields.

For decades, our country has been handicapped by not tapping into our existing oil reserves. The effort to develop just a tiny portion of ANWR has been fought and blocked to the detriment of America's energy independence and with high prices that we are now paying at the pump.

Today I urge my colleagues to defeat the previous question so this House can finally consider solutions to rising energy costs. By defeating the previous question, I will move to amend the rule, not rewrite it, just amend it, to allow for consideration of H.R. 5984, the Clean Energy Tax Stimulus Act of 2008, introduced by Mr. BARTLETT of Maryland, as well as ''any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Arctic National Wildlife Refuge.''

With diesel and gasoline prices going up and American farmers having to cope with these skyrocketing costs, it's time for Congress to act. The Democrat majority has refused time and again to act. We can act by defeating the previous question.

Defeating the previous question will be simply to allow the House to debate rising energy prices. The farm bill will still be considered and voted upon.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD 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 urge my colleagues to do something about rising fuel costs, and the way to do that is by voting to defeat the previous question.

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

The SPEAKER pro tempore. The Chair will note that the gentleman from California has 90 seconds remaining.

Mr. CARDOZA. Mr. Speaker, this is a once-in-a-lifetime bill that will meet our country's needs. Every major group, commodities, specialty crops, nutrition groups, conservationists and others support this bill. A ''yes'' vote on this rule and the underlying bill is a vote for America's hungry, a vote for our environment, a vote for United States' energy independence, and a vote to deliver on our long-standing commitment to rural America.

Mr. Speaker, I ask all of our colleagues to support this rule and to support the underlying bill. I urge a ''yes'' vote on the rule and on the previous question.

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

AMENDMENT TO H. RES. 1189 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

SEC. 2. That upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5984) to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall not exceed one hour equally divided and contolled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except any amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline and diesel fuel by increasing the domestic supply of oil by permitting the extraction of oil in the Arctic National Wildlife Refuge. Such amendments shall be considered as read, shall be debatable for thirty minutes 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. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such 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.

(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 from 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.

Mr. CARDOZA. 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 H. Res. 1189; motion to suspend the rules on H. Res. 1134; and motion to suspend the rules on H. Res. 1176.

The vote was taken by electronic device, and there were—yeas 232, nays 188, not voting 13, as follows:

[Roll No. 310]

YEAS—232

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
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
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
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)
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
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
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
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
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—188

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
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.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
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
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
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)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Bono Mack
Cramer
Crenshaw
Cubin
Gerlach
Lewis (KY)
Mack
McDermott
Myrick
Rush
Schmidt
Stark
Weller

□ 1335

Messrs. LAMPSON and TIM MURPHY of Pennsylvania changed their vote from ''yea'' to ''nay.''

Messrs. INGLIS of South Carolina, SHAYS and JOHNSON of Illinois changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. McDERMOTT. Mr. Speaker, on rollcall No. 310, I missed the vote because I was talking to military officers from the U.S. Army War College. Had I been present, I would have voted "yea."

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 228, nays 193, not voting 12, as follows:

[Roll No. 311]

YEAS—228

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
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
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
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
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
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
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
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—193

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
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
Cooper
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)
Giffords
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
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
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
Scalise
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)
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Bono Mack
Cramer
Crenshaw
Cubin
Gerlach
Lewis (KY)
Mack
Myrick
Paul
Rush
Schmidt
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain on this vote.

□ 1345

Mr. TIM MURPHY of Pennsylvania changed his vote from ''yea'' to ''nay.''

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.

MENTAL HEALTH MONTH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1134.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and agree to the resolution, H. Res. 1134.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes 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 421, nays 0, not voting 12, as follows:

[Roll No. 312]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin