

she was part of the Higher Education Committee in Texas, when we recognized the disparities that existed throughout south Texas, where we had no universities of any professional type, and we fought. We were very pleased with then Governor Ann Richards and others to be able to push forward what she made happen in the late 1980s and early 1990s, and that was the formation of a 4-year institution in Corpus Christi; the formation of a 4-year institution in Brownsville, Texas; the formation of a 4-year institution in Webb County; the expansion of the A&M downtown campus in San Antonio. During her tenure, in her efforts in higher education, she knew that those were the areas that she needed to move on.

She has left a lasting legacy, and this is a tribute that will continue to remind the residents of south Texas of her strength and courage.

Mr. DAVIS of Illinois. Mr. Speaker, I do not have any additional requests for time, and I yield back the balance of my time.

Mr. DUNCAN. Mr. Speaker, I have no other additional speakers, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 4829.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3242

Mr. OSE. Mr. Speaker, I ask unanimous consent to have the name of the gentlewoman from Missouri (Mrs. EMERSON) removed as a cosponsor of H.R. 3242.

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

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 5212, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR HURRICANE DISASTERS ASSISTANCE ACT, 2005

Mr. PUTNAM. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 819 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 819

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm

damage, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; (2) the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Hensarling of Texas or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. PUTNAM) is recognized for 1 hour.

Mr. PUTNAM. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. PUTNAM. Mr. Speaker, H. Res. 819 is a modified, closed rule that provides for consideration of H.R. 5212, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage and for other purposes.

The rule waives all points of order against consideration of the bill and provides for 1 hour of debate in the House, equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Appropriations. The rule provides for consideration of the Hensarling amendment which shall be separately debatable for 20 minutes, equally divided and controlled by the proponent and an opponent. Finally, the rule provides one motion to recommit.

Mr. Speaker, this is my inaugural rule, and I want to begin by thanking the Speaker for the honor of serving on this distinguished committee, and what an important rule to begin with, as it impacts the Sunshine State that the gentleman from Florida (Mr. HASTINGS) and I are so honored to represent.

Mr. Speaker, on four occasions in a span of 6 weeks, portions of my home State of Florida have been designated disaster areas. Additionally, areas in nine other States have been declared disaster areas due to hurricane-related damage. Between August 13 and September 26, five hurricanes wreaked havoc upon the eastern and Gulf coasts of the United States. For the first time since 1886, a single State has been hit by four hurricanes in one season.

The widespread devastation caused by these natural disasters is breathtaking. Damage was sustained along the entire eastern seaboard from rav-

aging winds in the Florida Keys and the Florida panhandle to tornadoes and mudslides in the Carolinas and severe flooding up the east coast.

The emergency supplemental appropriations bill, H.R. 5212, provides substantial resources for recovery. This rule brings to the Floor legislation to help families and farmers and businesses rebuild in the aftermath of nature's destruction.

The long-range economic effects of these storms will be severe. All facets of the economy were affected due to power outages, crop losses, and wind and water damage. It is difficult to comprehend the impact of these successive storms on Florida's economy. Florida's largest economic engine is tourism. The land of pristine beaches and world-class attractions has seen significant hardship for the tourism industry, while entire communities along the panhandle have been washed away. Businesses, large and small, are suffering from the aftermath of these storms. Many remained closed for weeks at a time while they went without utilities, losing important revenue. Mom-and-pop shops have fewer beachgoers to serve. Families and businesses now face multiple insurance deductibles following the damage of multiple storms that hit the same areas.

Florida's agriculture industry sustained the loss of up to 40 percent or more of its citrus crop for this season, along with the loss of trees that provide future harvests. In addition to citrus, the vegetable, sugar, cattle, timber, dairy, nursery, and other industries suffered severe losses.

Our infrastructure, Mr. Speaker, was utterly destroyed in some areas. Bridges, interstate bridges were washed away, cutting off evacuation routes and isolating communities. Hospitals were forced to close due to damage. Schools were shut down to serve as shelters. In my county alone, 13 days of school have been missed. The school year has essentially begun anew on four separate occasions. Military bases have been closed following extensive damage to hangars, equipment and training areas. Traffic lights lay in the middle of intersections. Daily life came to consist of searching for ice and batteries and helping neighbors wield a chain saw to remove a tree on top of your home, business or vehicle.

President Bush has recommended a total of \$11 billion in assistance to the States that have been affected by these storms. The bill provides for \$6.5 billion for disaster recovery efforts for FEMA, which is in addition to the \$2 billion that was appropriated for FEMA earlier this month. FEMA uses these resources for a variety of disaster relief activities, including direct assistance to impacted individuals and families, debris removal, utility and infrastructure repairs, emergency food and shelter, and mitigation.

Mr. Speaker \$1.1 billion for the Department of Defense; \$929 million for

disaster relief activities of the Small Business Administration; \$800 million for the Federal Highway Administration's emergency relief program for repairs to roads and highways; \$600 million in agricultural assistance to provide needed help to producers suffering crop loss from these hurricanes; \$245 million for the Army Corps of Engineers; \$150 million for community development grants; \$50 million for the Public Health and Social Services Emergency Fund to help provide nutritional, medical and social services to affected elderly individuals; \$126 million for NASA; \$121 million to repair damage to VA facilities that support our ever-so-important servicemen and women and the veterans; \$70 million to support the American Red Cross in their mission to shelter, feed and otherwise support the victims of these storms.

In addition to this enacted and requested emergency funding, Federal agencies will continue to use existing resources and programs for response and recovery efforts from all recent hurricanes and storms.

I am proud that our President has followed through with an assistance package that amounts to more than \$12.2 billion in restoration efforts for damages occurring as a result of Hurricanes Charley, Frances, Ivan and Jeanne, storms that the gentleman from Florida (Mr. HASTINGS) and I have come to know by their first name in an all-too-intimate way. I am deeply grateful to our governor Jeb Bush for his tireless efforts throughout this period, and I want to applaud the extraordinary efforts of our chairman, a fellow Floridian of the Committee on Appropriations, the gentleman from Largo (Mr. YOUNG), and all of his team. Their hard work guarantees that Floridians can recover from the devastation left by these storms.

Finally, Mr. Speaker, I just want to take a moment to praise the combined efforts of FEMA, local first responders, local cities and counties, recovery operations, managers, utility companies, the men and women and everyday heroes who climb to the top of telephone poles to restore power while the wind is still out there and the water is still coming in; people from around the country who rush in with mobile semis that can feed 10,000 people at a time, giving hope to an entire community. Storms like this tend to bring out the best in people, Mr. Speaker, and it is an impressive thing to see the American spirit alive and well.

□ 1830

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

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida (Mr. PUTNAM), my friend, for yielding me the time. I also wel-

come the gentleman from Florida (Mr. PUTNAM) to the committee and thank him for taking my place as the most junior member on the committee.

Mr. Speaker, I rise today in strong opposition to this closed rule which tosses aside bipartisanship and abdicates this body's role to independently craft responsible public policy. This closed rule neglects millions of Americans who are hurting today not only from hurricanes but also from prolonged drought, flood, and freezes.

As all in this body know, my home State of Florida and others throughout the East have been ravaged over the last month by a series of hurricanes. It is the first time in more than a century that any State has been hit by four storms of this magnitude in less than a month. First there was Charley, and then the others that followed; and when the last one passed, millions were left literally picking up the pieces of their homes and lives.

Nineteen States along the eastern seaboard, from Florida to Vermont, were declared disaster areas. Seaports and airports came to a halt and the insurance industry is reporting more than \$23 billion in claims, not including the millions of uninsured home owners and renters who lost everything they had in these storms. For them, their only relief is Federal Emergency Assistance.

In my district, the after-effects of these storms will be felt for many years to come. From Ft. Pierce in the north to Pahokee and Clewiston in the west to Ft. Lauderdale in the south, people are hurting.

I thank my colleagues for their encouraging words and support during this trying time. But we need more than consolations, and we need more than understanding.

The underlying supplemental appropriations bill which the House is considering today is deeply appreciated, appreciated by all of us in Florida; but, frankly, it is not enough.

We know that the majority knows that and the President knows that, but the willingness to deliver for those in distress just is not there unless a photo op comes along with it. This closed rule blocks my good friend from Florida (Mr. BOYD) from offering a substitute that would have provided nearly \$2 billion in emergency assistance beyond the President's shortchanging proposal, to help all communities recover from the hurricanes.

When I attempted to amend the rule at 7 a.m. this morning, to make the Boyd amendment in order, the majority defeated it along a straight party line vote. The underlying legislation mirrors the President's request and neglects the well-known needs of Florida and her neighboring States. In contrast, the Boyd substitute provides nearly \$500 million more than the President's request in emergency agriculture disaster assistance, not only for Florida agriculture, which is suffering from more than \$2.2 billion in

losses in just 4 short weeks, but also for North Carolina and New York.

Citrus and sugar growers, ranchers, nurseries and dairy farmers are all shortchanged or just plain ignored in the underlying legislation. In contrast, they are helped under the Boyd amendment which was not made in order. The Boyd substitute would also increase emergency funding to the Department of Defense for reimbursements to the National Guard and facility repairs, beach nourishment, and repairs to VA hospitals and the Kennedy Space Center.

Most importantly, the Boyd substitute mirrors the bipartisan agreement that was reached between the outstanding chairman of this committee and the ranking member of the committee equally outstanding but was rejected by the President who seemingly has a knack for leading with a reckless disregard of the obvious.

The rule also blocks the gentleman from Texas (Mr. STENHOLM) from offering an amendment to help States who are suffering from prolonged drought. In doing so, Republicans have dug themselves into a hole, and we are now going to see some true colors shine. Not only are they blocking the gentleman from Texas (Mr. STENHOLM), someone who spent his entire life fighting for the well-being of farmers and ranchers across this country, from offering his amendment, but now they are trying to make in order an inferior amendment that the Committee on Rules never heard testimony on.

The amendment will be offered by the gentleman from Texas (Mr. NEUGEBAUER). Not only does it provide less assistance than the Stenholm amendment, but it also cuts funding in the Farmland Conservation Program. The Neugebauer amendment literally robs Peter to pay Paul.

As is done here often, we are refusing to help those most in need. We have tried the bipartisan approach led by the chairman of the Committee on Appropriations, but the President said, no, thank you. We have tried the bipartisan approach in the Committee on Rules, but the Republican leadership said, We are just not interested.

When the Committee on Rules had the opportunity this morning to reject the President's "my way or the highway approach," it balked and folded.

I wish I could be more bipartisan, Mr. Speaker, especially on an issue as critically important to the welfare of all of our constituents in Florida as well as the Northeast. But they are making it difficult on the other side to be bipartisan. How is it that we got money to pass trillions in tax cuts to the wealthiest of Americans, but we do not have the money to help Americans recover from natural disasters of all kind.

Where is the compassion? But better yet, where is the outrage? I urge my colleagues to oppose this closed rule and do all that we know we can if we were to pass it to help those most in

need. My constituents are depending on our vote. Please do not let them down.

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

Mr. PUTNAM. Mr. Speaker, I certainly understand the passion of the gentleman from Florida (Mr. HASTINGS), and I will remind him that in addition to the \$11 billion that is in this package, the President delivered \$500 million in assistance to citrus, nursery, and fruit vegetable growers just 2 weeks ago in the aftermath of the first two storms. And as we gather data from these storms and whatever else the Atlantic sea may have in store for us, there will be additional assistance forthcoming.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I thank my young colleague from Florida for yielding me the time. I want to congratulate him for having risen to the high level of being a member of the Committee on Rules, the newest member of the Committee on Rules. And I believe that his expertise and his talents will show through as he presents these rules from day to day. I look forward to working with the gentleman from Florida (Mr. PUTNAM) because in Florida he is a hero, and I think as Members get to know him as a member of the Committee on Rules, they will agree.

There is good news and bad news here today. The good news is Florida has not had a hurricane in the last 10 days. Now, that is a switch because we have become so accustomed to them. This delegation on a bipartisan basis has joined together to help the people of Florida recover from these tragedies.

The gentleman from Florida (Mr. PUTNAM) mentioned several of the problems that his part of the State has experienced. The gentleman from Florida (Mr. HASTINGS) has talked about other issues. So I wanted to mention to the membership that there are two bills today. This bill, H.R. 5212, is the one that we will call up under this rule. This bill, H.R. 5227, which I also introduced today, includes everything in H.R. 5212 plus \$1.6 billion in additional funding that is required, and that we, as a delegation, have identified.

I just want you to know that I am going to do everything possible, everything that I can, to make sure that H.R. 5227 is the bill that goes to the President's desk and not H.R. 5212 because it is short.

Incidentally, for those who are concerned about the extra \$1.6 billion, I have offset it. I have offset the entire \$1.6 billion so, in fact, the top number is going to be the same in either bill. But H.R. 5227 covers a lot more of what has been promised to the people of Florida and neighboring states due to these terrible, terrible tragedies called Hurricane Charley and Hurricane Frances and Hurricane Ivan and Hurricane Jeanne and Tropical Storm Bonnie.

Not one section of the entire State of Florida escaped damage from one of these storms or maybe in some cases three of these storms. And so the Governor has made promises, the President has made promises to the people of Florida, and I am going to do everything that I can, despite any bureaucracy or despite any problems here in the Congress, to help the President of the United States deliver on his promises.

I will discuss this more in length as we get into the bill itself.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. STENHOLM), my good friend and a leader in this fight.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding me time.

I rise in strong opposition to this rule, and I urge Members to vote "no" on the previous question, and not because I disagree with the chairman of the Committee on Appropriations and his eloquent defense of the need for assistance for Florida. I support that. I do not know of anyone that does not support that.

But I rise to point out to my colleagues today that there should be an element of fairness associated with how we respond to the disaster in Florida.

The President called for crop loss assistance. His emergency legislation was not offset, what the President asked us to do. But unfortunately he only asked for victims of 2004 hurricanes and tropical storms.

Now, again, we all agree that we should help Florida. But, as Senator PAT ROBERTS said so eloquently, How on Earth can you provide disaster assistance to people who have suffered gravely over hurricanes and then deny assistance to people who have not had any rain for 3 years?

We have other disasters, and what I and 41 of my colleagues joined in co-sponsoring a bill yesterday have said, let us treat all disasters fairly. Let us not for the first time in a long time differentiate between various kinds of disasters. Let us look at the disasters and let us fund them, as the President asked us to do.

Now, there will be an argument saying that we should offset the additional agricultural disasters. I ask my friends on both sides of the aisle who may lean towards that position, why? Why make a differentiation between a disaster in Nebraska and one in Florida or Pennsylvania when the farmer has been affected the same way?

To those who suggest that there is an easy offset by reopening the farm bill which we will hear in just a moment an amendment offered that reopens the farm bill not by what I say, but what 25 farm organizations are saying to us tonight and 15 conservation groups are saying for us to think long and hard before we undo the delicate balance that puts together the 2002 farm bill

that the gentleman from Texas (Mr. COMBEST) and I and many of my colleagues still in this body worked so hard to put together.

Do not be deceived for one half second that if you get into the conservation title in paying for this disaster for other farmers, you are not reopening the farm bill because you are, not by what I say, but by what 25 farm organizations all around the country are saying. Be careful before we go there.

Now, to those that suggest there is some fiscal responsibility about this let me make it very clear. Whatever amount of money the President of the United States designates for disaster assistance, that is what we offered in our amendment. Whatever the President said. And if he says it is going to be less, then we will prorate it out to all farmers and disasters all over. That is the way we have always done things. We treat everyone fairly.

The bill before us and the proposed amendment does not treat everyone fairly.

I ask my colleagues, before you join in a move that reopens the farm bill, think it out twice because there will be repercussions that will affect producers, and there is going to be a lot of other needs that we are going to have to address.

□ 1845

But once we begin to tear up the coalition that was put together when we stood on this floor and we made agreements with the conservation crowd, the environmental groups, we made deals.

This farm bill, the 2002 farm bill, we had a partnership. It was the greenest farm bill in the history that I have been here, in the history of this body, and now all of a sudden we have an amendment that is going to tear that coalition up, and folks are going to stand on this floor and say it is not going to have any effect on anything.

I urge my colleagues, the 14 of my friends on this side of the aisle that co-sponsored the bill we introduced yesterday, stick with me on this one. We have got the votes to pass it; and it is my understanding I am not arguing differently what the chairman of the Committee on Appropriations, who made an offer some time last week to deal with this disaster within committee, and the leadership of the House chose not to accept it, and I am sorry they did not because we could have avoided a lot of this problem that we are about to get into.

So, again, in summation, how do we separate a disaster from Nebraska from a disaster from Pennsylvania from a disaster from Texas? Do not separate the two. Let us deal with it in one package. Oppose this rule. Particularly, vote "no" on the previous question.

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

I appreciate the work the gentleman has done in agriculture, and I appreciate the gentleman's record in matters affecting the budget, which is why

I draw to his attention the fact that we have improved upon this rule and will be providing for additional assistance beyond the Southeast, beyond the Carolinas, beyond Florida, to assist those affected farmers and ranchers and fully offset it, which is an important piece of fiscal responsibility.

What is so sacred, what is so sacrosanct about a farm bill that my colleague would hold it up so high that he would not use it to help farmers? Farmers in Florida, farmers in Georgia, farmers in the Carolinas, perhaps farmers who do not have access to the billions of dollars that are allocated in the farm bill on an annual basis; but farmers who have suffered from four separate hurricanes, many farmers who had the eye of three storms come over their field, pass over their ranch, we would say to them, we do not want to open the farm bill to help you because that is for other farmers?

The farm bill, as it is today, has a reserve because it has worked. I was on the committee. I voted for it. I supported it. It is a good package, but why would we let that package stand in the way of assistance to farmers? Is that not what the farm bill is for?

Is that not why we put all the effort and time and labor into it, to help people in need, to help farmers who are suffering? Ranchers who have had their fences devastated, their barns blown to the ground? Row crop farmers who have seen all of their plastic torn up? Citrus growers who have seen a sea of brown from Charley and yellow from Frances and green from Jeanne, where Mother Nature has color-coded the devastation that is their crop, that is on the ground rotting? We would say to them, we will not open it up?

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Missouri (Mr. SKELTON), my good friend.

Mr. SKELTON. Mr. Speaker, I thank the gentleman for yielding me time.

And let me first congratulate the gentleman from Florida (Mr. PUTNAM) for being assigned to the Committee on Rules. I am sure in days ahead we will see a lot of each other as we testify before the committee.

Mr. Speaker, I speak about agriculture disaster assistance. Let me commend at the outset the gentleman from Texas (Mr. STENHOLM) for introducing a disaster package in the House and for his tireless work on behalf of American agriculture. No one in this body does more for farmers than the gentleman from Texas (Mr. STENHOLM).

We are here today to discuss emergency funding for natural disasters. Fewer and fewer of us in this House represent rural areas. When natural disasters impact the people we are privileged to represent, we tend to band together across party lines to do what is right for those outstanding Americans, our farmers. This is espe-

cially true when it comes to those from rural areas.

That is why, Mr. Speaker, I must say I am disappointed that the Republican leaders in this House have decided to play politics with America's farmers. Rather than passing a stand-alone, emergency disaster bill for U.S. producers whose economic well-being has been turned upside down by extremely dry weather, Republicans have decided it would be better to slash funding for programs within the 2002 farm bill.

The gentleman from Texas' (Mr. STENHOLM) bill declared that the drought conditions facing our farmers were an emergency that they should be paid for, just like any other national emergency, through an emergency supplemental spending bill. Opening up the 2002 farm bill to pay for this assistance is wrong-headed and ends up hurting some farmers to help others. This political theater has no place in the House, and it does a disservice to the men and women who are in the fields right now all across our land harvesting the food that we eat.

Over the past several years, Missourians have experienced Mother Nature's fury. Tornados, flooding, and drought have plagued our State. Widespread drought has had the greatest impact on Missouri farms and on the rural communities that dot the countryside.

I come from the Show-Me State. It is high time that the Congress shows all American farmers that we are here to help them when disaster strikes.

Mr. PUTNAM. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished Chairman of the Committee on Agriculture, my former chairman and someone who is passionate about all of America's farmers and ranchers.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding me time, and I rise in support of this rule.

I want to thank the Committee on Appropriations for their hard work, and I want to call the attention of my colleagues to the opportunity that we expect to have, the opportunity to put in place a way to provide the kind of assistance that America's farmers and ranchers need and deserve all across this country.

For weeks, we have been working on this problem, and we have come upon a solution, and a solution that will work. It is a solution that is very, very, very similar to one that this Congress joined together in a bipartisan fashion, across the aisle, to support just about 18 months ago to help farmers in the 2001-2002 disaster period. That was to take funds from a program that had funds available, took them off the back end of it and went ahead and paid it.

Now we find that this program has in it four-and-a-half times as much money as was in the program when the gentleman from Texas and my predecessor, the gentleman from Texas, Mr. COMBEST, wrote the farm bill and put money in for this new program; but

after that work was done, others, apart from those here today, went in and took the cap off that program.

So, in addition to being able to meet the needs of farmers all across this country from Florida to Texas to Minnesota, we will have the opportunity to do the same thing. We will have the opportunity to pay for it, and we will have the opportunity to have money in that program in a greater amount than was in the program when we did this the last time. We will have the opportunity to put a cap on that program because I think those on the other side of the aisle would agree that the future of farm programs is very dependent on one program not being uncapped, not having the opportunity to spend these enormous amounts of money.

So I am pleased to join with the gentleman from Texas (Mr. NEUGEBAUER), who is going to have, if this rule is passed, the opportunity to offer an amendment to take care of this problem for every American and end this problem.

I would ask my colleagues on the other side of the aisle to join us in the same bipartisan effort that helped America's farmers and ranchers when we did this in the beginning of 2003 in a very, very similar circumstance with a very, very similar solution.

Mr. HASTINGS of Florida. Mr. Speaker, would the Chair tell us, please, how much time each side has remaining?

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Florida (Mr. HASTINGS) has 16 minutes remaining. The gentleman from Florida (Mr. PUTNAM) has 13½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations, my good friend.

Mr. OBEY. Mr. Speaker, I thank the gentleman for the time.

Mr. Speaker, it is too bad we are here under these conditions tonight, because the gentleman from Florida (Mr. YOUNG) tried to bring out a bill which would have met all of the problems all of the parts of the country face. Unfortunately, the gang that cannot shoot straight has called for other ways to deal with the problem, and so we are dealing with only half a bill.

I want to make one point: that I speak not as the ranking Democrat on the Committee on Appropriations, but simply as a Member of Congress from Wisconsin.

One of the deficiencies with this rule is that it does not allow for an amendment to extend the Milk Income Loss Contract program. Now, that program was authorized in the 2002 farm bill. It is currently scheduled to expire next year, while other commodity programs run through the end of the farm bill, September of 2007.

In my view, dairy farmers ought to be treated under the milk program in exactly the same way that farmers of

other major commodities are treated under the farm bill. If Congress fails to extend the milk program through to the end of the farm bill, then dairy farmers across the country will be at a disadvantage when Congress prepares a new authorization in 2007. That is because, under existing budget rules, there will be no budget score for milk, and only the milk price program will appear in the budget baseline. That means the budget baseline for dairy price safety programs will be deceptively low, about \$800 million below where it needs to be in order to ensure that dairy farmers are not treated less equitably than they are treated today.

I do not think this Congress ought to allow that to happen, but unfortunately, we are not going to be allowed to try to correct the problem by the rule which is being adopted tonight.

The gentleman from Florida (Mr. PUTNAM) I notice indicated that the farm bill ought to be used to help farmers. There is one way the Committee on Rules could have done it. They could have helped dairy farmers across the country, but they chose not to do so. I regret that, which is one of many reasons I will be voting against this rule.

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

I am disappointed that the gentleman will be voting against the rule. I know his passion for America's farmers, and I know that farmers all across this land have been affected.

Perhaps it is the Floridian in me, but I would argue that this rule goes a long way towards those affected by some very substantial and unforeseen events, and the improvements that have been made would go a long way towards extending that beyond those areas affected by hurricanes. After neglecting those areas who have been dealing with a drought now for years, I know that the reservoirs are going dry.

I know that people are frustrated and they are concerned about what their livelihood will hold because of this drought issue, and frankly, that is why I think these improvements were put in there. I think it is a fiscally responsible approach to helping as many of America's farmers who have been stricken by these disasters as possible, and certainly, the dairy industry is one that has been impacted. It has been impacted in Florida when the power was lost for days at a time, and of course, America's modern agricultural system, if we cannot get power to these milking parlors, the cows go dry.

That is a legitimate problem, and we worked on a bipartisan basis as a delegation and, frankly, as a group of people who are concerned about the future of American agriculture to find ways to solve this disaster assistance problem.

Just as, 18 months ago, we were able to reach down into section 32 funds, which are traditionally designated for fruit and vegetables and marketing and nutrition programs, in providing

drought assistance to the Midwest, we are similarly using an account to reach down into and provide assistance for farmers from Florida and Georgia and the Carolinas who are desperately in need.

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

□ 1900

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Speaker, I want to thank my friend, my colleague, the gentleman from Florida (Mr. HASTINGS), for yielding me this time.

Mr. Speaker, I want us all to take a deep breath and remind ourselves of what is taking place here. This country was hit with five major storms within the last couple of months. All five of those storms made original landfall in the State of Florida. That is the first time that has happened in over 100 years. It is catastrophic in Florida and in other parts of the southeastern United States, actually, outside the southeastern United States.

We have an excellent emergency management agency in this country, in FEMA, and we get nothing but good remarks from everybody who has been hit by these storms about FEMA, and everyone has done a good job of keeping money in the FEMA pipeline. We have been able to do that under the leadership of the gentleman from Florida (Mr. YOUNG), who heads the Committee on Appropriations.

Mr. Speaker, I want to make sure I am speaking against this rule that is being brought to us under the leadership of the Committee on Rules and my colleague, the gentleman from Florida (Mr. PUTNAM), today. I am speaking against it because after those five storms that hit America, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) directed their staffs, under the leadership, and went out and did a lot of work to find out from the State, from the local governments, from the Federal agencies, the Department of Defense, the Department of Transportation, all those areas which would be affected by the storms, what the needs were, what the Federal requirements were, what those needs were as a result of those storms. That report was compiled, brought back to Congress and put in the form of a bill and actually taken down to the White House for their blessing.

During that compilation, the gentleman from Florida (Mr. YOUNG), myself, and the gentleman from Florida (Mr. MILLER) visited Pensacola Naval Air Station, where Ivan hit and completely obliterated Pensacola Beach and Perdido Key, and did major damage to one of our defense installations there. The White House turned down the committee request for the emergency bill and said they would only accept the proposal that they had

brought forward, which was about \$2 billion short.

So when the Committee on Rules met yesterday, I went and asked the Committee on Rules to allow us to introduce as an amendment, the bill the gentleman from Florida (Mr. YOUNG) held in his hands a few minutes ago when he made his presentation. I think that bill certainly more adequately reflects the needs of this Nation in response to these hurricanes, but I want to tell you the differences in those two bills.

There is \$486 million more for agriculture producers and processors, and that is not just in Florida. There is \$486 million in Ag, \$455 million for defense, \$750 million for transportation. We all saw pictures of I-10. So, Mr. Speaker, I hope we will defeat the rule.

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

Mr. Speaker, I have enjoyed certainly a very close working relationship with both of these gentlemen from Florida as we have tried to do everything we can to bring in the appropriate amount of relief for a State that is hurting. There have been heroic efforts in the State of Florida bringing the I-10 bridge back on line in a matter of days and bringing, internally, administrative relief to agriculture and those issues affected early on.

I would just say, Mr. Speaker, that it is important that we keep in mind that this is a process. As we reach the end of this congressional session, there has been a rush to pull together the adequate, the accurate and adequate damage numbers, and that is difficult to do. It is difficult to pull together the data on transportation needs. It is particularly difficult to pull together the data on agricultural needs when they are still mounting.

I would say that, 6 months from now, we will still be dealing with damages that are presenting themselves that came about as a result of the hurricanes. So for the other side to say that they would reject all of the relief for lack of marginally additional relief seems a little bit foolhardy, adding to the fact that we are to be accused of ignoring the Midwestern States when we have a proposal to do just that, to expand the relief beyond those hurricane stricken States and take care of those who have been dealing with drought.

I think we are delivering, in a number of ways, and frankly, from all of our working relationships with the chairman of the Committee on Appropriations, there is a high level of confidence that those issues will be taken care of in conference and through his additional legislation that he is filing.

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

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

Mr. DOYLE. Mr. Speaker, I rise today in strong opposition to this rule. Two weeks ago, heavy rains from hurricane Ivan inundated my district in

southwestern Pennsylvania, and many communities across Pennsylvania experienced disastrous flooding and mudslides.

This was no typical storm, Mr. Speaker. It has been estimated this was a 100-year rain, perhaps a 500-year rain, one that we will never see again in western Pennsylvania. And the damage inflicted went far beyond the federally determined floodplain. It devastated homes and businesses that were not expected to buy flood insurance.

Several of the worst hit communities were, Etna, Millvale, Sharpsburg, Carnegie and small communities along the Allegheny River. As soon as the flooding subsided, I toured the communities affected by the flooding and met with the owners of many small businesses that had been damaged.

Jane Moran got walloped by Ivan twice. Her 7-Eleven store in Etna was severely damaged, and her home nearby was damaged so badly it has been condemned. Her husband and three sons all had to move into a one-bedroom apartment with her daughter and boyfriend and, until recently, were wearing borrowed clothes.

In Millvale, 8 feet of water from Girty's Run flooded many of that municipality's businesses; 190 of the 230 businesses in Millvale suffered damage. The flood waters caused \$400,000 in damage to Jerry Kitman's furniture store. His wife Judy's business, Lasting Memories floral shop, was also completely destroyed.

Ed and Arleen Carr, the owners of Yettters Candy Store, a family business that had been in operation 75 years, saw all of their equipment and supplies completely destroyed.

Grant Street Diner and Catering, a family-owned business, was completely destroyed, and 5,000 pounds of food were ruined.

Mr. Speaker, I say this to you because these people are the embodiment of the American Dream. They worked hard and invested every penny in their businesses and they need help now. President Bush was in my district on September 23, and he told these people, we understand the Federal Government has an obligation to help, and we will.

Well, Mr. Speaker, we need your help, and what we do not need are loans. That is all that are available to these businesses right now. These mom-and-pop shops are already loaned up to their eyeballs, and they do not need another loan. What they need is a grant.

Last night, we went to the Committee on Rules and asked for a one-time grant of up to \$250,000 for these small businesses in these areas that were not in Federal flood zones and, through no fault of their own, find their businesses gone. If we do not give these businesses grants, they are not coming back, and the communities they sit in are not coming back.

What do we tell these folks? Do we tell them we have \$20 billion to rebuild schools and businesses and infrastruc-

ture in Iraq, but when it comes to American taxpayers they have to take loans? Mr. Speaker, we can do better than that. We have supported all disaster relief for Florida, for our friends on the west coast that have fires and earthquakes. People in Pennsylvania need some help. Mom-and-pop businesses are the backbone of this country, and they are asking for our help tonight.

I ask that we defeat this rule so that we can go back to the drawing board and put an amendment in there that will allow grants to small businesses so that we can restore these people's businesses and the American dream. I ask all my colleagues to support defeating this rule.

Mr. PUTNAM. Mr. Speaker, I yield 2½ minutes to the gentleman from Nebraska (Mr. OSBORNE), a tireless advocate for disaster relief and for drought relief.

Mr. OSBORNE. Mr. Speaker, I thank the gentleman for yielding me this time.

My colleagues, this is what the drought map looked like the early part of the summer. Unfortunately, that is about what the drought map has looked like for 5 years. There have been minor changes here and there, but many climatologists have said this is a 500-year drought. It is not one that is every 30 or 40, but a 500-year drought. In many cases, it has been worse than what we encountered in the 1930s.

So what we find now is that almost all of the reservoirs in this part of the country are down to 15, 20, 25 percent full, and many will be empty next year. So irrigators as well as dry land people are paying the price.

Mr. Speaker, this has been a monumental problem and a 1-year drought is bad, but when you have 5 years, the amount of crop insurance you can buy goes down each year. So as a result, crop insurance does not do it. People have lost equity each year now for 5 years, and ranchers have not had pastures. Therefore, they have had to sell their breeding herds, and as a result, many of them are in pretty desperate shape.

So it seems that nobody likes drought relief. Many people say that it is not a natural disaster. But it is as much a natural disaster as any other. You cannot stop it. You cannot predict it. It is like a hurricane, a flood or whatever.

I would prefer that we do not have any offsets. I have great admiration for the gentleman from Texas (Mr. STENHOLM) and the way he has tried to approach this. But I have made enough phone calls and done enough talking around here to realize this is the only way we are going to get it done.

So we greatly appreciate the fact that the gentleman from Texas (Mr. NEUGEBAUER) has made an effort here. The chairman of the Committee on Agriculture has done a good job here, and so we do have a possibility now to get \$3 billion out of the conservation and security program.

It appears to me this is the only workable solution we have. It may not be the perfect, but it is the workable, and therefore, I recommend that we support this rule, and we support this amendment.

Mr. Speaker, I would like to thank both gentlemen from Texas for their work in this regard as well as the chairman.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding me this time. I have such high regard for my preceding speaker, the gentleman from Nebraska (Mr. OSBORNE). He has done a great deal to advance the cause of disaster response from this Congress. But I believe he is incorrect in concluding that, what is before us in the so-called Neugebauer amendment or nothing.

If rural Republicans would hang with the Democratic Members of this chamber, we would, in bipartisan fashion, reject any other approach that did not have the Senate-type approach upon giving disaster relief without cannibalizing the farm bill. We could do it. We could do it. We do not need that many. If rural Members would stand up for their farmers and reject this cockeyed notion we ought to cannibalize the farm bill to get help to farmers now, we could, in bipartisan fashion, pass exactly what the Senate passed.

That is why the Committee on Rules did not make it in order. They know we would win. It would sure be nice to have a democracy actually have a chance in the House once in a while. This Senate passed a disaster response. Why are we not at least allowed a vote as to whether this might be the will of what the House would work? Instead, they have advanced a very different proposal. While it does offer desperately-needed disaster relief to farmers, it takes the wrong approach.

We would not even be here without the work of the gentleman from Texas (Mr. STENHOLM), ranking member on the Committee on Agriculture. By introducing his legislation, by getting 40-some other sponsors of both parties behind it, he forced an issue that has created the need of the majority to put forward this response, but the shape of their response is most regrettable. It requires dollar-for-dollar reduction out of the farm bill, taking down that conservation program.

And if my colleagues do not think that the smell of politics is not swirling around this chamber right now, after virtually being nowhere to be seen on this disaster issue, they drum up the gentleman from Texas (Mr. NEUGEBAUER), the opponent of the gentleman from Texas (Mr. STENHOLM), and have him sponsor this ill-advised alternative.

I am kind of surprised the gentleman from Texas (Mr. NEUGEBAUER) took them up on their little offer. It is opposed by virtually every agriculture

coalition: American Corn Growers, American Farm Bureau, National Cotton Council. You see, they understand that it is just wrong for farmers to have to give up their farm bill, give up the protection that the farm bill offers in order to get the disaster response they need.

I thought the gentleman from Florida (Mr. PUTNAM) offered an interesting rhetorical question: Why not use the farm bill to help farmers? Well, why should we have to reduce the farm bill's ability to help farmers in order to have it as an offset for this disaster bill? In the farm bill, we are coming in so far under what was projected; there is plenty of budget savings there. It was projected to have cost us \$50 billion by now.

□ 1915

But because of the price-support nature of the thing, it has only cost us \$35 billion.

There is savings in the farm bill without cannibalizing the farm bill. Reject this bill. Let us vote on the Senate approach.

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

The gentleman will have the opportunity to vote for \$600 million in agricultural assistance, and the gentleman will have an opportunity to vote for drought relief.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from South Dakota (Ms. HERSETH), an outstanding new Member of the House of Representatives.

Ms. HERSETH. Mr. Speaker, I rise this evening in opposition to this proposed rule. I begin by saying that I fully support the emergency spending that is contained in H.R. 5212. The people of Florida and throughout the Southeast deserve the assistance contained in that bill. The reason for my strong opposition to the rule is simple. It does not treat all disasters equally, and thereby it does not treat all deserving Americans equally.

The recent hurricanes are catastrophic weather events. They certainly do constitute emergencies, and the losses sustained should be compensated as such. However, droughts are catastrophic weather events as well, as my distinguished colleague from Nebraska pointed out. The only difference being, they are not as visually striking. They ease in gradually over the course of weeks and months and even years. They do not have names. They do not rip roofs off the buildings. They do not make good TV and, therefore, breaking-news coverage. None of the major news networks has sent reporters to Faith, South Dakota, to cover the ongoing drought.

But that does not make drought any less devastating both financially and emotionally for the people that are af-

ected. I oppose the Neugebauer amendment to this rule because it helps suffering farmers by raiding farm programs, programs that may not be favored by some but programs that as negotiated in 2002 are an important part of our national farm policy. The Neugebauer amendment would rob Peter to pay Paul, and I oppose it.

This rule should be rejected so that we can offer a fair amendment to the legislation, the proposal by my distinguished colleague from Texas (Mr. STENHOLM) that enjoys bipartisan support. I have cosponsored this legislation because I believe that it takes the correct approach, the fair approach. It would treat all weather-related disasters equally. I urge my colleagues to defeat this rule and to support the Stenholm alternative.

Beyond these prepared comments, I must say that those in South Dakota whose livelihoods depend in large measure on the weather, that are involved in farming and ranching, are sick and tired of politics being played with this important issue. They deserve better. They deserve equal treatment. They deserve emergency disaster assistance.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, really what we are here tonight about is farmers and ranchers. The farmers and ranchers do not want us to have to be here tonight. They did not ask for these droughts. They did not ask for these disasters. But, in fact, they experienced them just like the people in Florida did, and it affects farming and ranching families all across America.

Several of my colleagues have gotten up and spoken about the tremendous impact it has had on those families and those economies. What we are talking about tonight is about doing something in this House for those farmers and ranchers. I rise today in support of the rule because it is going to help them. This is not something that is new, that was invented this evening. This is something that was done for the 2001 and 2002 disaster relief program, and it was taken out of this very same program in the 2003 bill. So we are not re-inventing the wheel. We are trying to come up tonight in this House and say to the American families that make their living in farming and ranching across America, We care about you. We are trying to help you just like we did in 2001 and 2002.

One of the reasons that I introduced a new risk management crop insurance tool was to take our farm families away from having to depend on the will of the United States Congress when they have these kinds of disasters because currently a lot of our risk management tools, our crop insurance products, are not adequate to cover these losses, and so they have to come back to this Congress and say, Would you please help us.

What we need to do is to help them tonight and pass this rule.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM). When my colleague from Florida was speaking, he tried to get his attention. I do not know whether he wanted to have a colloquy or whether he wanted to make a statement.

Mr. STENHOLM. Mr. Speaker, I was going to ask the gentleman from Florida a simple question. When we are talking about offsets, the President did not request offsets. The bill before us today, the President's request, did not require offsets for the Florida disasters. I just think making a differentiation between disasters in Nebraska and South Dakota and Texas from those disasters in Florida, which I concur are very serious and should be addressed, but it really makes no real sense for us to set a precedent of deciding some disasters are worse than others.

You were making that point. I just wanted to say, we are not arguing that point. We are saying a disaster is a disaster, and the President in his request to this body did not require offsets of the disasters which you are defending and supporting, which I concur with you. What I do not understand is why the leadership on your side has suddenly decided we want a separate rule for other disasters. That makes no sense.

Mr. PUTNAM. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Brooksville, Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to express my support both for the rule and for the basic bill, H.R. 5212. Since the early weeks of August, Florida has been ravaged by an unprecedented four hurricanes. I represent northern Polk County, and the gentleman from Florida (Mr. PUTNAM) represents southern Polk County. He has some cities in his district that have been hit by all four storms, whether they came in from the east coast or the west coast. Those areas were the most hard hit. My constituents were harmed, too, but nowhere near the harm that occurred, certainly in the panhandle and in the area of the gentleman from Florida (Mr. PUTNAM).

Hurricanes Charley, Ivan, Frances, and Jeanne greeted the Sunshine State with a voracity and viciousness that has brought destruction and despair to nearly every resident. The aftermath of these storms has left Floridians very weary. Floridians face a very dire situation. There is much damage to be repaired and the road to normalcy seems long and tiring. We must answer the needs of Florida and other States hit by the hurricanes and provide the necessary relief. We should not forget our commitment to our constituents. Today, by voting for the rule and for H.R. 5212, Congress has that opportunity to bring a little light back to the Sunshine State.

This resolution provides for the assistance that these States, including

Florida, need. The Florida delegation and I have worked very closely to ensure that the trials and tribulations of Florida's residents are known by the rest of the Nation and that they are not forgotten in the bubble of the Beltway. Through a special order, my distinguished colleagues and I have worked to ensure that the needs of Florida are known and that residents' pleas for assistance are heard, respected, and, yes, answered.

In the early weeks after the initial hurricanes came ashore, the gentleman from Florida (Mr. YOUNG) certainly stepped forward, and we worked to provide a \$2 billion supplemental appropriation. Once again, we are grateful to the gentleman from Florida (Mr. YOUNG) for this additional appropriation which will help to get on the road to recovery, not just for Florida but for other States affected by the hurricanes.

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

Mr. Speaker, I urge Members to vote "no" on the previous question. Disasters know no boundaries, and they certainly know no political affiliation. But what we have created here is a system that pits disaster against disaster and States against States and that just is not right.

Mr. Speaker, I urge Members to vote "no" on the previous question. If the previous question is defeated, I will offer an amendment to the rule that will make in order an amendment by the gentleman from Texas (Mr. STENHOLM) that would add language to the bill to provide nationwide crop loss disaster assistance for weather-related losses for the last two crop years. This would help our Nation's farmers who have been hit so hard by not only hurricanes but by terrible droughts in the West and Midwest and by freezing weather in the North.

Mr. Speaker, I urge Members on both sides of the aisle to vote "no" on the previous question. A "no" vote will not stop the House from taking up the emergency supplemental appropriations bill. However, a "yes" vote will prevent the House from considering the Stenholm amendment and providing the help that is desperately needed by our farmers.

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

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, it is ironic. We cannot provide the assistance we need to provide here tonight when by a minuscule comparison of funds, this is just a little more than 1 percent of what we are spending in Baghdad.

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. PUTNAM:

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except the amendment printed in the report or the Committee on Rules accompanying this resolution and the amendment numbered 2 for printing in the Congressional Record pursuant to clause 8 of rule XVIII. Each such amendment may be offered by the Member designated in the report as the Member who submitted it for printing in the Congressional Record, shall be considered as read, shall be debatable for twenty 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.

PARLIAMENTARY INQUIRY

Mr. STENHOLM. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. STENHOLM. Am I to understand that we now have an amendment to the rule that we were considering and does this amendment also provide for 1 hour of debate as to the nature of the amendment?

The SPEAKER pro tempore. The amendment offered by the gentleman from Florida is currently pending. The gentleman from Florida is entitled to 1 hour of debate.

Mr. STENHOLM. The gentleman from Florida is entitled to 1 hour of debate and anyone who might be in opposition is entitled to no time for discussion of the amendment?

The SPEAKER pro tempore. The gentleman from Florida remains the manager of the amendment and will be recognized for debate on his motion but may move the previous question.

Mr. STENHOLM. Further requesting or asking for a parliamentary inquiry

so that I and my colleagues might further understand this most unusual procedure that we are going through tonight. I do not recall a situation like this. There is 1 hour of debate, but it is controlled by the majority who have the right to offer an amendment to the rule under the rule that we were just debating?

□ 1930

The SPEAKER pro tempore (Mr. SIMPSON). The manager of the resolution may do so.

Mr. STENHOLM. Mr. Speaker, if the majority should so choose to move the previous question on it without further discussion, they have every right to do so?

The SPEAKER pro tempore. That is correct.

Mr. STENHOLM. Mr. Speaker, I thank the Chair for his explanation.

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

Mr. Speaker, as one can tell, I drew a hot one from my inaugural first rule. But I cannot think of a better group of colleagues to work on this with than the gentleman from Florida (Mr. HASTINGS); the gentleman from Florida (Mr. BOYD); and the gentleman from Florida (Mr. YOUNG), certainly our senior delegation member.

This Emergency Supplemental Appropriation is so vitally important to rebuilding the infrastructure, the economies, and the communities of the hurricane-damaged areas throughout the Southeast, and now, with the amendment, those communities of the Midwest and far West who have suffered so greatly under the drought. I urge my colleagues to support this rule.

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

PREVIOUS QUESTION FOR H. RES. 819—RULE ON H.R. 5212 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT FOR FY05

Strike all after the resolved clause and insert:

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; (2) the amendment printed in Section 2 of the resolution, if offered by Representative Stenholm of Texas or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2.

The amendment referred to in the resolution is as follows:

AMENDMENT TO H.R. \_\_\_\_\_  
SUPPLEMENTAL APPROPRIATIONS BILL  
OFFERED BY MR. STENHOLM

Add at the appropriate place the following new title:

**TITLE \_\_\_\_\_**

**SEC. \_\_\_\_ . CROP DISASTER ASSISTANCE.**

(a) **DEFINITIONS.**—In this section:

(1) **ADDITIONAL COVERAGE.**—The term “additional coverage” has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(2) **INSURABLE COMMODITY.**—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(3) **NONINSURABLE COMMODITY.**—The term “noninsurable commodity” means an eligible crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(b) **EMERGENCY FINANCIAL ASSISTANCE.**—Notwithstanding section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)), the Secretary of Agriculture (referred to in this title as the “Secretary”) shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying crop or quality losses for the 2003 or 2004 crop (as elected by a producer), but not both, due to damaging weather or related condition, as determined by the Secretary.

(c) **ADMINISTRATION.**—The Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for the quantity and quality losses as were used in administering that section.

(d) **REDUCTION IN PAYMENTS.**—The amount of assistance that a producer would otherwise receive for a qualifying crop or quality loss under this section shall be reduced by the amount of assistance that the producer receives under the crop loss assistance program announced by the Secretary on August 27, 2004.

(e) **INELIGIBILITY FOR ASSISTANCE.**—Except as provided in subsection (f), the producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses; and

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) for the crop incurring the losses.

(f) **CONTRACT WAIVER.**—The Secretary may waive subsection (e) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(1) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501

et seq.) providing additional coverage for the insurable commodity for each of the next 2 crops; and

(2) in the case of a noninsurable commodity, to file the required paperwork and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next 2 crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(g) **EFFECT OF VIOLATION.**—In the event of the violation of a contract under subsection (f) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this section.

**SEC. \_\_\_\_ . LIVESTOCK ASSISTANCE PROGRAM.**

(a) **IN GENERAL.**—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make and administer payments for livestock losses to producers for 2003 or 2004 losses (as elected by a producer), but not both, in a county that has received an emergency designation by the President or the Secretary after January 1, 2003, of which an amount determined by the Secretary shall be made available for the American Indian livestock program under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(b) **ADMINISTRATION.**—The Secretary shall make assistance available under this section in the same manner as provided under section 806 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-51).

(c) **MITIGATION.**—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock assistance program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

**SEC. \_\_\_\_ . TREE ASSISTANCE PROGRAM.**

The Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under subtitle C of title X of the Farm Security and Rural Investment Act of 2002 to producers who suffered tree losses during the winter of 2003 through 2004.

**SEC. \_\_\_\_ . COMMODITY CREDIT CORPORATION.**

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

**SEC. \_\_\_\_ . REGULATIONS.**

(a) **IN GENERAL.**—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) **PROCEDURE.**—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) **CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.**—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

**SEC. \_\_\_\_ . EMERGENCY DESIGNATION.**

Amounts appropriated or otherwise made available in this title are each designated as

an emergency requirement pursuant to section 402 of S. Con. Res. 95 (108th Congress), as made applicable to the House of Representatives by H. Res. 649 (108th Congress) and applicable to the Senate by section 14007 of the Department of Defense Appropriations Act, 2005 (Public Law 108-287; 118 Stat. 1014). However, such amounts shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to the Congress.

Mr. PUTNAM. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment in the nature of a substitute and 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 Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on the amendment offered by the gentleman from Florida (Mr. PUTNAM), if ordered, and on the adoption of the resolution, if ordered.

The vote was taken by electronic device, and there were—yeas 216, nays 186, not voting 30, as follows:

[Roll No. 499]

YEAS—216

Aderholt	Collins	Hall
Akin	Crane	Harris
Alexander	Crenshaw	Hart
Bachus	Cubin	Hastings (WA)
Baker	Culberson	Hayes
Ballenger	Cunningham	Hayworth
Barrett (SC)	Davis, Jo Ann	Hefley
Bartlett (MD)	Davis, Tom	Hensarling
Barton (TX)	Deal (GA)	Herger
Bass	DeLay	Hobson
Beauprez	Diaz-Balart, L.	Hoekstra
Biggart	Diaz-Balart, M.	Hostettler
Billirakis	Doolittle	Hulshof
Bishop (UT)	Dreier	Hunter
Blackburn	Duncan	Hyde
Blunt	Dunn	Isakson
Boehner	Ehlers	Issa
Bonilla	Emerson	Istook
Bonner	English	Jenkins
Bono	Everett	Johnson (CT)
Boozman	Feeney	Johnson (IL)
Bradley (NH)	Ferguson	Johnson, Sam
Brady (TX)	Flake	Jones (NC)
Brown (SC)	Foley	Keller
Brown-Waite,	Forbes	Kelly
Ginny	Fossella	Kennedy (MN)
Burgess	Franks (AZ)	King (IA)
Burns	Frelinghuysen	King (NY)
Burr	Galleghy	Kirk
Burton (IN)	Garrett (NJ)	Kline
Buyer	Gerlach	Knollenberg
Calvert	Gibbons	Kolbe
Camp	Gilchrest	LaHood
Cannon	Gillmor	Latham
Cantor	Gingrey	LaTourette
Capito	Goode	Leach
Carter	Goodlatte	Lewis (CA)
Castle	Granger	Lewis (KY)
Chabot	Graves	Linder
Chocola	Green (WI)	LoBiondo
Coble	Greenwood	Lucas (OK)
Cole	Gutknecht	Manzullo

McCotter	Portman	Smith (TX)
McCrary	Pryce (OH)	Souder
McHugh	Putnam	Stearns
McInnis	Quinn	Sullivan
McKeon	Radanovich	Sweeney
Mica	Ramstad	Tancredo
Miller (FL)	Regula	Taylor (NC)
Miller (MI)	Rehberg	Terry
Miller, Gary	Renzi	Thomas
Moran (KS)	Reynolds	Thornberry
Murphy	Rogers (AL)	Tiaht
Musgrave	Rogers (KY)	Tiberi
Myrick	Rogers (MI)	Toomey
Neugebauer	Rohrabacher	Turner (OH)
Ney	Ros-Lehtinen	Upton
Northup	Royce	Vitter
Nunes	Ryan (WI)	Walden (OR)
Nussle	Ryun (KS)	Walsh
Osborne	Saxton	Wamp
Ose	Schrock	Weldon (FL)
Otter	Sensenbrenner	Weldon (PA)
Oxley	Sessions	Weller
Pearce	Shadegg	Whitfield
Pence	Shaw	Wicker
Peterson (PA)	Shays	Wilson (NM)
Petri	Sherwood	Wilson (SC)
Pickering	Shimkus	Wolf
Pitts	Shuster	Young (AK)
Platts	Simmons	Young (FL)
Pombo	Smith (MI)	
Porter	Smith (NJ)	

NAYS—186

Abercrombie	Gonzalez	Nadler
Ackerman	Gordon	Napolitano
Allen	Green (TX)	Oberstar
Andrews	Grijalva	Obey
Baca	Gutierrez	Oliver
Baird	Hastings (FL)	Ortiz
Baldwin	Herseth	Owens
Becerra	Hill	Pallone
Bell	Hinchee	Pascrell
Berkley	Holden	Pastor
Berman	Holt	Payne
Berry	Honda	Peterson (MN)
Bishop (GA)	Hooley (OR)	Pomeroy
Bishop (NY)	Hoyer	Price (NC)
Blumenauer	Inslee	Rahall
Boswell	Israel	Rangel
Boucher	Jackson (IL)	Reyes
Boyd	Jackson-Lee	Rodriguez
Brady (PA)	(TX)	Ross
Brown (OH)	Johnson, E. B.	Rothman
Brown, Corrine	Kanjorski	Roybal-Allard
Butterfield	Kaptur	Rush
Capps	Kennedy (RI)	Ryan (OH)
Capuano	Kildee	Sabo
Cardin	Kilpatrick	Sanchez, Loretta
Cardoza	Kind	Sanders
Carson (IN)	Kucinich	Sandlin
Case	Lampson	Schakowsky
Chandler	Langevin	Schiff
Clyburn	Lantos	Scott (GA)
Conyers	Larsen (WA)	Scott (VA)
Cooper	Larson (CT)	Serrano
Costello	Lee	Sherman
Cramer	Levin	Skelton
Crowley	Lewis (GA)	Smith (WA)
Cummings	Lipinski	Snyder
Davis (AL)	Lofgren	Solis
Davis (CA)	Lowey	Spratt
Davis (FL)	Lucas (KY)	Stark
Davis (IL)	Lynch	Stenholm
Davis (TN)	Maloney	Strickland
DeFazio	Markey	Stupak
DeGette	Marshall	Tanner
Delahunt	Matheson	Tauscher
DeLauro	Matsui	Taylor (MS)
Deutsch	McCarthy (MO)	Thompson (CA)
Dicks	McCarthy (NY)	Thompson (MS)
Dingell	McCollum	Tierney
Doggett	McDermott	Turner (TX)
Dooley (CA)	McGovern	Udall (CO)
Doyle	McIntyre	Udall (NM)
Edwards	McNulty	Van Hollen
Emanuel	Meehan	Velázquez
Engel	Meek (FL)	Visclosky
Eshoo	Meeks (NY)	Waters
Etheridge	Menendez	Watson
Evans	Michaud	Weiner
Farr	Miller (NC)	Wexler
Fattah	Miller, George	Woolsey
Filner	Mollohan	Wu
Ford	Moore	Wynn
Frank (MA)	Moran (VA)	
Frost	Murtha	

NOT VOTING—30

Boehlert	John	Pelosi
Carson (OK)	Jones (OH)	Ruppersberger
Clay	Kingston	Sánchez, Linda
Cox	Kleczka	T.
DeMint	Majette	Simpson
Gephardt	Millender-	Slaughter
Harman	McDonald	Tauzin
Hinojosa	Neal (MA)	Towns
Hoefel	Nethercutt	Watt
Houghton	Norwood	Waxman
Jefferson	Paul	

□ 1954

Mr. LEWIS of Georgia and Mr. RANGEL changed their vote from “yea” to “nay.”

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the amendment in the nature of a substitute offered by the gentleman from Florida (Mr. PUTNAM).

The amendment in the nature of a substitute was agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5212 and that I may include tabular material on the same.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR HURRICANE DISASTERS ASSISTANCE ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 819 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5212.

□ 1955

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5212) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, and for other purposes, with Mr. GILLMOR in the chair.

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

Under the rule, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 5212 is a bill to further respond to the devastation brought upon the State of Florida and other neighboring States by Hurricane Charley, Hurricane Frances, Hurricane Ivan, Hurricane Jeanne, and Tropical Storm Bonnie, more adverse weather than a State has seen in hundreds of years.

This is the second supplemental that the House will consider. The first supplemental was introduced on September 7, the day we reconvened. We passed that bill on September 7, the other body deemed it passed on September 7, and it arrived at the President's desk just in time to make sure that the cash flow to the needy folks in Florida would not be disrupted.

We are now reaching a similar situation. The FEMA funds are about to run out once again, and this bill will provide additional funds for FEMA and other disaster recovery and relief efforts.

I want the Members to know how I feel about this bill. This is a good bill, as far as it goes. There is nothing political in this bill, at least not yet. There are no special projects for any Member. We resisted all attempts to add to this supplemental. So this really gets to the point of recovery from five major storms.

I have lived in Florida for 58 years. I have seen the devastation of hurricanes and tornadoes. They go together. Hurricanes are large storms and hurricanes spawn tornadoes.

I have seen homes totally destroyed. I have seen mobile home parks obliterated, gone. I have seen major buildings with their roofs gone. I have seen infrastructure for cities and counties destroyed. I have seen highways, believe it or not, that have been totally destroyed, with large chunks of asphalt just lying around like parts of a jigsaw puzzle waiting to be put together. But you cannot just put them back together. You have to rebuild them.

Last week, the gentleman from Florida (Mr. BOYD) and I went to Florida to Pensacola, to the Naval Air Station; and there we were met by the gentleman from Florida (Mr. MILLER), and we reviewed some tremendous, very costly damage created by the hurricanes.

There is a lot more to be said about the tremendous pressure of living through a hurricane, and I have lived through a number of hurricanes. These five storms that I have talked about, have affected every section of Florida, and in some cases three of the storms have hit the same section.

□ 2000

Governor Jeb Bush became the manager of the recovery effort, and he has done an outstanding job. He managed the recovery effort on the part of the State. He coordinated the counties, and he coordinated the cities and all of the