

bill to reauthorize this essential law that has built the foundation for our aging network.

However, we must couple reauthorization with real resources. We know that every dollar spent providing a meal or supporting seniors so that they can remain at home and in their communities not only improves their quality of life, but saves entitlement spending on long-term care. That is the genius of the Older Americans Act. Yet we know that the Older Americans Act's purchasing power per individual has dropped by 50 percent since 1980.

It is incumbent upon all of us to step up and invest in these programs. It is one sure way to help control the cost of our growing entitlement programs. It is the right thing to do.

□ 1030

PROVIDING FOR CONSIDERATION OF H.R. 5386, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 818 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 818

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5386) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: page 73, lines 3 through 8; section 425; and title V. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of House Concurrent Resolution 376, and until a concurrent resolution on the budget for fiscal year 2007 has been adopted by the Congress, the provisions of House Concurrent Resolution 376 and its accompanying report shall have force and effect in the House for all purposes of the Congressional Budget Act of 1974 as though adopted by the Congress.

(b) Nothing in this section may be construed to engage rule XXVII.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend 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. Speaker, the resolution provides for an open rule on H.R. 5386, the Interior Appropriations Act for 2007. It provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Interior Subcommittee on Appropriations.

The rule waives all points of order against consideration of the bill, except for certain legislative provisions which are specified under the text of the rule.

For purposes of the amendment, the rule provides for priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Mr. Speaker, at this time I am pleased to stand and introduce this rule as well as the underlying legislation. I appreciate the hard work and the hard choices that have been done by the subcommittee members, specifically Chairman TAYLOR and Ranking Member DICKS, as well as the full committee under the leadership of Chairman LEWIS and many others who have played an essential role in putting this budget together, which actually comes in at \$145 million less than last year's enacted levels.

This important measure provides funding for the entire Department of Interior, except for the Bureau of Reclamation, for the U.S. Forest Service within the Department of Agriculture, for the Indian Health Service within the Health and Human Services Department, the Environmental Protection Agency, as well as other programs.

At the same time, this measure provides for a moderate increase over the President's proposed budget for the Forest Service, for the National Park Service, EPA, Environmental programs and management.

This budget provides for \$5.9 billion to programs for Native Americans, including three new health centers in underfunded and depressed areas. It provides for a fully-funded National Fire Plan, eliminating duplications, which will result in the stopping of wildfires from getting out of control and becoming more expensive and damaging to both people, as well as wildlife and the environment.

There is land acquisition, which has been reduced to \$60 million for in-holding, which is significant and important to do, but it is significant that it does not add inventory to our public land policies that are above and beyond what we can already afford.

There is one particular note of significance to me I wish to address, that this bill provides \$228 million for the Payment in Lieu of Taxes Program at the Department of Interior. This figure is \$30 million above what the President requested, and I appreciate the efforts of Chairman TAYLOR, ranking member DICKS and the entire committee in providing the restoration of funds. However, it is still below the \$332 million that was provided for in last year's budget, and significantly below the authorized level of \$350 million, which would be there today.

If one were to draw a line from Montana through New Mexico on the map, everything west of that line has 57 percent ownership by the Federal Government. Everything east of the line is 4 percent ownership by the Federal Government.

When the western States, which I live in one, entered this country under their enabling acts, there were legal commitments that were made, that in the 1950s the Federal Government unilaterally changed and since that time have been repeatedly changing. In fact, there are several amendments that have been threatened to be only the floor today which would increase that change in commitment.

No one who does not live in that area understands the significance of Federal ownership of that particular land. Chairman TAYLOR though, having a significant amount of Forest Service land in his district, is one of those that is empathetic to this situation, and we are appreciative of all his efforts in this particular area. I wish the administration were the same. In dealing at one time with an administrative official, he asked me why I was so concerned about all this Federal land; it was simply useless land and no one lived there anyway.

It has to be realized that half of the West is essentially tied up in Federal lands and is controlled by it. Payment in lieu of taxes is not charity, it is simply rent on land that is due to compensate for economic problems created by the Federal Government, created by Federal Government actions, and in contradiction to the deals that were made when these States originally came into the Union.

The Department of Interior took the concept of payment in lieu of taxes from the BLM as an effort, in their words, "to ensure appropriate emphasis," and that it would be a benefit accrued to both Congress, the Department, BLM and to the counties of the West as well.

Since that time, that has not been the case. In fact, in each of the last 2 years, the administration and the OMB have actually cut this particular program, only to have it restored by Congress, which once again I thank Chairman TAYLOR, his committee and his staff for their efforts in that area.

In like contrast though, it is unusual that even though the overall funding for the Interior Department has been

around 7 percent over the past 5 years, if my math is correct, the Department of Interior's administrative budget has increased 100 percent in that same time, from \$64 million to \$118 million today.

While I may disagree with this portion of the bill, we will be joining with other western Congressmen later on today to try to present an amendment through regular order that will address this one particular issue.

I am appreciative once again to Chairman TAYLOR and the ranking member from the State of Washington who have been understanding of this situation, empathetic of this situation, and very helpful to us, as we move forward to try and find some kind of redress with this particular situation.

Mr. Speaker, while I have a few disagreements obviously that I have just stated, overall that is only one aspect of this important underlying bill that will be presented by this rule. We will be trying to address that agreement at some other time.

Still, the overwhelming majority of this bill is very positive and it does move us forward, and it was a responsible result of a lot of bipartisan work done on the part of this particular subcommittee.

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 Utah, my friend Mr. BISHOP, for yielding me the time.

Mr. Speaker, I rise today in opposition to this rule, not because of what it allows, but rather because of what it blocks. I am also inclined to oppose the underlying legislation, not because of the process, but rather because of the lack of progress which we have made in the last year in our efforts to protect and improve our environment.

Nearly 1 year ago to the day, I stood on this floor also with the gentleman from Utah when the House considered the fiscal year 2006 Interior, Environment and related agencies appropriations bill. Under that bill, \$240 million had been cut from the Clean Water State Revolving Fund. Conservation funding was approximately \$750 million below, or less than half of what was promised when Congress passed the Conservation and Restoration Act of 2000, and, overall, EPA's budget had been cut by \$300 million.

Today, the House is being asked to consider an Interior appropriations bill that is even worse. Indeed, this is not by any fault of the Appropriations Committee, but it is the fault of the majority in this body, which has tied our hands in a knot of fiscal irresponsibility.

If this rule passes, the House will be forced to consider an Interior appropriations bill that not only includes the massive cuts from last year, but actually cuts these programs even more, so that my friends in the major-

ity can pay for their massive tax cuts to the very wealthiest 2 percent of Americans.

The underlying legislation cuts the Clean Water State Revolving Fund by another \$199 million, to a level that is more than \$660 million less than it was in 2001. The bill cuts funding for the Land Water Conservation Fund by \$28 million, to a level that is \$90 million less than it was in 2001. Overall funding for Federal land acquisition aimed at helping States preserve open spaces is cut in this bill by \$98 million, a level that is more than \$400 million less than 2001. This is an 86 percent cut in funding, Mr. Speaker; 86 percent.

Certainly it just can't be true that only Democrats care about preserving our lands so that future generations will enjoy them. Yet where is the outrage from the majority Members of the other side of the aisle?

Yesterday evening, the ranking Democrat of the Appropriations Committee submitted an amendment to the Rules Committee that restored \$800 million in funding cuts to these and other critically needed environmental programs. Mr. OBEY's amendment, most importantly, was revenue neutral and would have required not one penny of additional cuts in this or any other bill. During the hearing, however, Rules Committee Republicans, along a straight party line vote, blocked Representative OBEY from offering his amendment.

I am also troubled by language in the bill which overrules longstanding Presidential and Congressional moratoria for drilling for natural gas on the Outer Continental Shelf. This provision will permit drilling to occur as close as 3 miles to the shores of coastal States, including my home State of Florida. In doing so, the health of Florida's beaches and tourism industry, the largest industry in our State, will be in direct danger.

Let there be no mistake about it, Mr. Speaker: Drilling for natural gas on the Outer Continental Shelf will have zero impact at the gas pumps. It will not under any circumstances reduce the cost of a gallon of gasoline.

□ 1045

I say if supporters of lifting those moratoria are serious about reducing our dependence on foreign energy supplies then they should join me and others in calling for increased fuel conservation and investment in mass transit and alternative energy sources.

Mr. Speaker, while I cannot speak on behalf of every Member of Florida's delegation, I can tell you that the overwhelming majority of us in Florida and our citizens and our Governor do not want offshore oil drilling in Florida, and we intend to do whatever is necessary to strip this provision from the bill today.

Mr. Speaker, I would be remiss if I failed to mention that I am extremely grateful that under this bill Congress furthers its commitment to restoring

Florida's Everglades. This is a project that is absolutely crucial to the environment and to the potable fresh water supply of many south Florida and Treasure Coast communities in my district.

My constituents and I deeply appreciate Chairman TAYLOR and Representative DICKS' continued efforts in this area. Equally, I was also very pleased to learn that the committee has restored the President's proposed budget cut for the Office of Environmental Justice at EPA and included the limitation language that I offered last year ensuring that EPA respects the needs of the environmental justice community.

Yet despite these positive provisions, Mr. Speaker, this bill is an overall disappointment. I firmly believe that the appropriators did the best they could do with what we gave them to work with.

Nevertheless, I find it offensive that the majority of this body is more concerned today about protecting \$114,000 tax cuts for people making more than \$1 million than fully funding programs which ensure that all Americans have access to clean air and drinking water.

Enforcement is not free, and neither is environmental restoration. Everyone in America shares in the responsibility of contributing her or his own share. Is there anybody in this body who is unwilling to pay just a little more to ensure that everyone in America has clean air to breathe and safe water to drink? If given the chance, who would not be willing to pool her resources with others in her neighborhood to collectively ensure that everyone has safe drinking water, or that no child will be forced to grow up playing in backyards polluted by dangerous levels of mercury and other toxins?

If the budget is about priorities, Mr. Speaker, then appropriations bills are about fiscal reality. The fiscal reality of this bill and the appropriations bill that will soon follow are that America is in trouble with the majority at the helm. Their fiscal mismanagement has placed the wishes of wealthy individuals, and I question that. I do not know whether wealthy people have made these requests. Most wealthy people I know are willing to share their resources for the collective needs of their respective communities.

Is there something in the DNA here in the majority that allows them to decide that wealthy people ought be prioritized over the collective needs of a community? The underlying legislation is, unfortunately, only the first of 11 installments this year of the grim reality of which Democrats have warned for the last 5 years.

Mr. Speaker, I would urge my colleagues to understand that before we finish this appropriations process all of us will understand those grim realities, for the chickens are coming home to roost.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 4 minutes to the gentlemen from Maryland (Mr. GILCREST).

Mr. GILCREST. Mr. Speaker, I thank the gentlemen from Utah for yielding me time.

Mr. Speaker, I rise to support the rule and I rise to support the underlying legislation. Mr. Speaker, what I would like to speak to at this point is in the underlying bill there is a provision which states that this body, that there is a sense of Congress that we should recognize that there is an ongoing problem with the amount of carbon dioxide, CO<sub>2</sub> that is being emitted as a result of burning fossil fuel and that the United States should take steps to reduce that emission of CO<sub>2</sub>.

Now, carbon dioxide makes up a fraction of less than 1 percent of the atmosphere, and yet that one element in the atmosphere, less than 1 percent, a fraction of 1 percent, pretty much determines the heat balance or the climate of the planet.

CO<sub>2</sub> is increasing, especially over the last 100 years, as a result of burning fossil fuels. We are having a dramatic impact on the heat balance of the planet. Let us just look at some simple scientific observations.

This is data that is conclusive among the scientific community. 10,000 years ago we were at the end of the last ice age, and we can measure the amount of CO<sub>2</sub> in the atmosphere 10,000 years ago. It was 180 parts per million. 180 parts per million of CO<sub>2</sub> in the atmosphere 10,000 years ago.

Now, let us fast forward almost 10,000 years. It was 280 parts per million 100 years ago. So almost 10,000 years it took to increase CO<sub>2</sub> into the atmosphere from natural processes 100 points, from 180 parts per million to 280 parts per million 100 years ago.

Now, let us fast forward 100 years to today. It is 380 parts per million. So what took 10,000 years to increase in the last 100 years, we have done that that fast, from 280 parts per million to 380 parts per million in just 100 years.

What we are saying is that dramatic increase is attributed to human activity burning fossil fuel. That dramatic increase has resulted in glaciers receding traumatically around the planet, the warmest 10 years on record from the 1990s. Hurricanes are getting stronger and more fierce, and all we have to do is take a look at what happened in New Orleans, lower Louisiana, Katrina, Rita, Wilma, Florida, et cetera, et cetera, because the atmosphere is warming as a result of an increase in CO<sub>2</sub>.

The seas, the oceans are warming as a result of increasing CO<sub>2</sub> into the atmosphere that is directly attributed to fossil fuel burning by human activity. The polar ice cap is melting. In the last 20, 25 years it has decreased in volume by 40 percent. Twenty years ago, the amount of water running off the ice caps of Greenland was 20 cubic miles a year. Now it is 53 cubic miles a year flowing off Greenland.

If Greenland's ice cap melts, that is a 23-foot sea level rise, try to imagine that, depending on where you live. Human activity, the burning of fossil fuel, is increasing CO<sub>2</sub>, and so the idea that we should have a sense of Congress that this is an observable problem and we should take a look at it is only reasonable.

The U.S. is losing competitiveness, economic opportunities for advanced technologies unless we move forward with this. I support the underlying rule.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to my good friend and fellow member on the Rules Committee, the gentlemen from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I thank the gentlemen for yielding me time.

Mr. Speaker, I want to say to the gentleman from Maryland who just spoke that I agree with almost everything he just said, except when he said that he was going to vote for the underlying rule, because the rule specifically does not protect the global warming language.

So I do not know how the gentlemen can feel on the one hand very passionately about doing something about global warming and having us look into the issue, and on the other hand go ahead and vote for a rule that will allow anybody on this floor to strike it.

Mr. Speaker, it has been nearly a year since we considered the Interior appropriation, the last Interior appropriations bill. One year ago I joined with my colleagues in voicing my outrage at the inadequate funding levels for critical environmental and conservation programs, and last year, like this year, we were told that because of the budget allocation this was the best that we could do, we will try to do better next year.

So here we are today in the wake of having the Republican leadership ram through a martial law rule in order to take up a budget resolution that just like last year's version slashes programs in areas of education, job training, conservation, public health and medical research and social services.

Another year has gone by, but it is still the same old story. And so I rise today, sadly, in opposition to the fiscal year 2007 Interior appropriations bill. This bill is an assault against our environment and it should be defeated.

Once again, it significantly cuts funding for the Land and Water Conservation Fund and completely eliminates the Stateside Grant Program. That is right, zero dollars for the Stateside Land and Water Conservation Program. I am simply not interested in hearing the same old argument that this is simply the best we can do given the budget allocation.

The budget allocation does not just fall from the sky, this Congress voted on the budget yesterday. The Republican majority chose to slash environ-

mental programs. The Republican majority chose to eliminate the State grants for the Land and Water Conservation Fund. The Republican majority chose to pass a budget that requires a completely inadequate allocation for the Department of Interior and environmental programs.

Mr. Speaker, we have the results of those choices before us today. We could have done better. We could have chosen to move away from the deliberate policy of putting the privileges of millionaires ahead of the needs of our communities and families.

Since 1964, LWCF funding has been used to support the acquisition and maintenance of our national wildlife refuges, parks, forests and public domain lands, and the stateside program has helped to preserve open space, slow urban sprawl and given our children safe places to play.

This program has broad bipartisan support, and success stories can be found in every single State and every single community throughout this country. In fact, this year I joined with my colleagues from New York (Mr. KING) and New Jersey (Mr. HOLT) in urging the committee to restore funding to the Stateside Grant Program. One hundred fifty Members shared this concern and signed on to a bipartisan letter.

Mr. Speaker, it is all about priorities: Tax breaks for the wealthy few or open space and environmental protections for the majority of Americans. I commend Mr. TAYLOR and Mr. DICKS for the good in this bill, but the good is not enough to outweigh the bad.

The Republican majority in this House have made their choices. It is the wrong choice. I urge my colleagues to hold true to their promise to the American people and reject this bill. We must do better.

CONGRESS OF THE UNITED STATES.

Washington, DC, March 14, 2006.

Hon. CHARLES TAYLOR.

Chairman, Subcommittee on Interior Appropriations, RHOB, Washington, DC.

Hon. NORM DICKS.

Ranking Member, Subcommittee on Interior Appropriations, LHOB, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to urge the Subcommittee to restore funding to the Land and Water Conservation Fund (LWCF) state and local grant program to \$100 million for FY 2007.

The LWCF state assistance program provides matching federal grants to states and local communities to develop outdoor recreation facilities and resources. This competitive grant program provides funds to the states that choose local projects based on need and quality of the project. Unfortunately, the FY 2007 budget eliminates funding for the state assistance program. An inadequate funding level for this program has had detrimental effects on communities across America, a number of which have been unable to begin certain new projects or to complete recreational projects already begun. This lack of funding would also mean that youth sports teams trying to access more facilities to relieve the stress of overcrowded fields and resources won't be able to find such fields, or community service organizations needing public recreation resources won't have them.

The recently revised USDA/HHS Dietary Guidelines call for 30 minutes of regular physical activity to promote health, psychological well-being, and a healthy body weight. Every American needs to take this call to heart, and for most Americans, local public parks and recreation areas are the place they would most like to do their daily physical activity. Our communities need funding for this program, which will increase opportunities for adults and children to have better access to close to home health promotion and disease prevention resources.

The Land and Water Conservation Fund State Assistance program has aided local recreation projects in over 98% of all U.S. counties, and the federal investment has been matched many times over with local funds in 40,000 sports fields, community recreation facilities, and natural parks. We believe that this program is vital to assisting communities that are trying to provide close to home places for all Americans to get active and stay healthy.

The LWCF matching grants especially help those communities that are facing the problems associated with exploding growth such as a critical lack of sports fields and lack of necessary community planning. These grants also assist many small communities to build possibly their only public recreation facility, a facility or park that would not exist with out the federal funds that match their local funds and make the investment possible.

Given the national obesity crisis and the need for all Americans to have access to public places and spaces to have a place to get active and stay healthy, we strongly urge you to support an appropriation of \$100 million in FY 2007 for the LWCF state assistance program.

Sincerely,

James McGovern, Peter King, Rush Holt, Neil Abercrombie, Gary Ackerman, Thomas Allen, Robert Andrews, Brian Baird, Tammy Baldwin, Melissa Bean, Xavier Becerra, Shelley Berkley, Timothy Bishop, Earl Blumenauer, Sherwood Boehlert, Leonard Boswell, Rick Boucher, Jeb Bradley, Henry Brown, Sherrod Brown, Dave Camp, Lois Capps, Michael Capuano, Benjamin Cardin, Dennis Cardoza, Russ Carnahan, Julia Carson, Ed Case, Ben Chandler, Donna Christensen.

Wm. Lacy Clay, Emanuel Cleaver, James Clyburn, John Conyers, Jerry Costello, Joseph Crowley, Henry Cuellar, Elijah Cummings, Jo Ann Davis, Susan Davis, Tom Davis, Peter DeFazio, Diana DeGette, William Delahunt, Rosa DeLauro, John Dingell, Lloyd Doggett, Michael Doyle, Rahm Emanuel, Eliot Engel, Anna Eshoo, Lane Evans, Mike Ferguson, Michael Fitzpatrick, Harold Ford, Jeff Fortenberry, Vito Fossella, Barney Frank, Wayne Gilchrest, Charles Gonzalez.

Bart Gordon, Gene Green, Raul Grijalva, Luis Guitierrez, Jane Harman, Alcee Hastings, Brian Higgins, Tim Holden, Darlene Hooley, Jay Inslee, Steve Israel, William Jefferson, Tim Johnson, Sue Kelly, Dale Kildee, Ron Kind, Dennis Kucinich, John Kuhl, James Langevin, Tom Lantos, Rick Larsen, John Larson, Barbara Lee, Sander Levin, John Lewis, Daniel Lipinski, Frank LoBiondo, Stephen Lynch, Carolyn McCarthy, Betty McCollum.

Thaddeus McCotter, Jim McDermott, Mike McIntyre, Cynthia McKinney, Michael McNulty, Carolyn Malone, Ed Markey, Jim Marshall, Jim Matheson, Doris Matsui, Mike Michaud, Juanita Millender-McDonald, George Miller, Dennis Moore, Jerrold Nadler, Grace Napolitano, Richard Neal, James Oberstar, Solomon Ortiz, Tom Osborne, Frank Pallone Jr., Donald Payne, David Price, Nick Rahall II, Silvestre Reyes, Tom Reynolds, Mike Ross, Tim Ryan, John Salazar, Bernie Sanders.

Jim Saxton, Janice Schakowsky, Adam Schiff, Allyson Schwartz, John J. H. Schwarz, David Scott, Robert Scott, Christopher Shays, Brad Sherman, Rob Simmons, Ike Skelton, Louise Slaughter, Adam Smith, Vic Snyder, Mark Souder, John Spratt, Pete Stark, Ted Strickland, Bart Stupak, Ellen Tauscher, Lee Terry, John Tierney, Edolphus Towns, Stephanie Tubbs-Jones, Mark Udall, Tom Udall, Chris Van Hollen, James Walsh, Diane Watson, Melvin Watt, Henry Waxman, Jerry Weller, Lynn Woolsey.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS), my good friend, the ranking member of the relevant subcommittee.

Mr. DICKS. Mr. Speaker, I appreciate the gentleman from Florida for yielding me time.

Mr. Speaker, I rise in opposition to this rule for the consideration of H.R. 5386, the fiscal year 2007 Interior and Environmental appropriations bill.

Mr. Speaker, while I appreciate that this is an open rule, I am deeply disappointed that the Rules Committee did not protect a provision for which I specifically asked for such protection. I also strongly oppose the self-enacting clause which puts into place the cuts contained in the budget resolution passed on a strictly partisan basis last night.

Mr. Speaker, the provision I sought for, section 425 of the bill, results from an amendment I successfully offered in the Appropriations Committee that simply expresses the sense of the Congress that global climate change is in part due to human activity. I think that is pretty self-evident.

□ 1100

The provision also stated that this reality of climate change may result in a comprehensive and mandatory program to reduce the impact of human activity on global warming.

Let me repeat. The provision was nonbinding. The provision would have resulted in no change in spending by the agencies funded by the Interior and Environmental Appropriations Subcommittee. This provision authorizes nothing. In fact, it was the same language that the other body adopted last year during consideration of the energy bill that was dropped during conference.

I still think it is important that the House go on record as acknowledging that we are in part responsible for the recent increases in global air and ocean temperatures. And I want to associate myself with the remarks of the gentleman from Maryland. Although the amendment I offered and the Appropriations Committee accepted would not lead directly to any actions by the Federal Government, it remains an important first step. At least the House Appropriations Committee is on record as facing the truth on climate change. I see that as a victory. But we still have the responsibility to go beyond a sense of the Congress resolution and

launch the necessary comprehensive program the United States must take to lead the world in reversing the threat of global warming.

I am also let down that the Rules Committee chose not to protect the provision accepted by the Appropriations Committee that seeks to correct an undue windfall being reaped by the oil and gas industry due to erroneously written contracts by the Mineral Management Service. These faulty contracts could cost the Federal Government \$7 billion in royalties between now and 2011. Because of these shortcomings in the rule and the self-enacting clause, I will have to vote "no" on its passage.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield to the distinguished ranking member of the Appropriations Committee, my very good friend, Mr. OBEY from Wisconsin, 4 minutes.

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

Mr. Speaker, today, the House of Representatives enters the land of make believe. Since April, the majority party has been trying to pass its misbegotten budget resolution, and they have had a very difficult time doing that because their more moderate Republican brethren in the Senate have regarded the budget pushed by the majority party as being extreme, and it is something that they don't want to take home to their constituents.

Last night, in a very interesting kabuki dance, the majority party managed to finally find the votes some more than a month late to pass their budget resolution in this House. But it still has not been passed by the Senate, and I think objective observers feel it is not likely to ever pass the Senate.

So now we have a problem. The appropriations bills are not supposed to move forward until we have a budget resolution passed by both chambers in place. So what do our friends on the majority side of the aisle decide to do? They use this rule to deem as passed the budget resolution which they have not been able to pass. In other words, the rule says "Let us pretend that in spite of the fact that the Congress hasn't passed its budget, it has." That is what we are doing.

And so I think that is reason enough to vote against this bill and this rule. Unless, of course, you think it is right to provide \$40 billion in tax cuts to people who make over \$1 million a year, while at the same time we are cutting needed domestic programs such as education, health care, science, and environmental protection by \$13 billion below the current service level. Unless you think, of course, that it is perfectly justifiable to cut the clean water revolving fund by 50 percent, as this bill will do, at the same time that you are giving the wealthiest 1 percent of people in this country who make over \$400,000 a year \$64 billion in tax cuts. The average person making over \$1

million a year will get a tax cut well over \$100,000.

If you make \$42,000 a year, the tax break that you are going to get in the bill that the majority passed last week is about 80 cents a week; but if you make over \$1 million, your tax cut is going to be as large as the entire salary of that person who made \$42,000. I don't think that is the kind of budget that I want to take home to my constituents.

So I would say the underlying bill itself is bad enough with what it does to the clean water revolving fund, the way it shreds land acquisition programs, the way it hems in EPA's ability to enforce the law against polluters, it is bad enough to vote against as is. But when you add to it this "Let's Pretend" fiction that the House has passed a budget which it hasn't passed, it therefore becomes an endorsement of that budget. I don't think the American people want that budget. I certainly don't want that budget. I intend to vote "no."

Mr. BISHOP of Utah. Mr. Speaker, I am going to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield to my good friend from West Virginia (Mr. RAHALL) 3 minutes.

Mr. RAHALL. I thank the distinguished gentleman from Florida for yielding me the time.

Mr. Speaker, I rise in opposition to this rule, and I want to address that portion of the pending appropriations bill concerning the Office of Surface Mining, and specifically the Abandoned Mine Reclamation Fund.

In regard to the Abandoned Mine Reclamation Fund, there exists an unexpended balance in the AML trust fund approaching \$2 billion, and it is my hope that in conference this particular appropriation will be increased.

With respect to the Office of Surface Mining, I would observe that just yesterday news emerged that the President intends to nominate John R. Correll to serve as the agency's director. I have not met the gentleman, and I look forward to doing so. But what immediately catches the eye is that, since 2002, Mr. Correll served as the deputy assistant secretary of labor and was responsible, according to the administration's press release yesterday, of all aspects of the mine's safety health administration.

Now, it is no secret that 26 coal miners have perished this year, a rate that this Nation has not witnessed in recent memory. It is also no secret that many of these fatalities could have been avoided if MSHA had been doing its job. Mr. Correll had been part of the leadership of MSHA during the time when the policy floor fell out. Under his leadership, the philosophy at MSHA changed from one of oversight and compliance to one of partnership and complicity. Rule-makings were abandoned, opportunities to improve coal mining safety were closeted away, and Mr. Correll and others within the Bush Labor Department advocated partner-

ing with industry to address safety concerns rather than to enforce the law. In fact, in 1998 Mr. Correll testified before the House Committee on Education and Workforce, Subcommittee on Workforce Protection, advocating fewer inspections, incentives over penalties, and cooperation over regulation.

While other nations have soared ahead in mine safety, incorporating new technologies to ensure and improve protections for their most precious mining resource, their workers, this Nation through a cultural shift at MSHA remained at the dust. It has been a shameful record that I would be loathe to see carried over to OSM.

The health and safety of the residents in our mining communities should not be gambled on in the way that the health and safety of our mine workers has been. It is time that concern and compassion and correctness for our miners take precedent over loyalty to industry and loyalty to this administration.

So it is passing strange, to say the least, that the Bush administration would nominate as OSM director a person who presided over MSHA during the worst rash of coal miner fatalities in recent times. One must wonder if this person will bring the same philosophy to overseeing the environmental protection of coalfield citizens.

I urge opposition to this rule for many other reasons that have been stated by my colleagues.

Mr. BISHOP of Utah. Mr. Speaker, I want to reserve one more time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to the gentleman from North Dakota, my classmate and friend, Mr. POMEROY.

Mr. POMEROY. I thank the gentleman for yielding.

Mr. Speaker, it has only been a few hours since we resolved the vote on the budget. To the disappointment of many of us, the budget was passed, and the fifth debt limit increase, the second since March of this year alone, has now been authorized.

But there are other features in this budget passed last night that many of us found objectionable, including those steep, steep cuts in nondefense discretionary spending in order to pay for those tax cuts disproportionately benefiting the wealthiest people in this country. Those who need the help the least get the most help in terms of huge tax cuts, and vital programs to this country get savaged under the spending cuts moved forward.

I want to elaborate on the earlier debate carried by our ranking member, DAVE OBEY, in the Appropriations Committee, because in this rule there is language which incorporates the spending limits of the House-passed budget last night. I want to make this point very clear, because there were 12 Members of the majority that voted against that budget. There was another group that got nonbinding language saying

some of the money may somehow, somewhere, possibly be put back. Well, now we know that nonbinding language means nothing at all. The rule carries forward enforcement of these cuts.

And so if you are a moderate Republican or a member of the minority that believes going down this path is unwise and sells out priorities of the American people, then you should not vote for this rule today. Anyone voting against that budget with concerns about these devastating cuts in nondefense discretionary spending should vote against this rule. It imposes the cuts on the appropriations process.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Pennsylvania (Mr. PETERSON) to try to correct an inaccuracy that was stated a little bit earlier.

Mr. PETERSON of Pennsylvania. I thank the gentleman for yielding, and I rise to support the rule. I would like to commend the committee and staff for good work in tough times.

Mr. Speaker, I think this House better get used to tough budgets if we are going to get a handle on the Federal deficit. We are not going to have a lot of surpluses, we are going to have to pass budgets and appropriations bills that leave us all a little painful because it is important that we get a handle on the fiscal affairs of this country.

In this bill there is a provision that was mentioned by the gentleman from Florida that removes the congressional moratorium for producing energy on the outer continental shelf. Now, why would I propose that in the committee? I am pleased to tell you why.

The industries of this country that provide the very best jobs we have left in America are being made non-competitive and have been non-competitive for several years because of high natural gas prices. Five years ago, the price of natural gas in America averaged \$2. Last year, the average price was \$9.50. You don't have to be very good in math to know that was a huge, huge increase. If it was gasoline at the pump, it would be \$7 gasoline to fill our cars.

This is preventing Americans from being warm in their homes, it is preventing Americans from being warm in their businesses. I was at a lot of businesses where it was 60 degrees and they were wearing jackets running their retail businesses. America cannot afford to be warm with energy prices increasing that fast.

Businesses, the petro-chemical industry, 55 percent of their cost is natural gas both as an ingredient and a fuel. Fertilizer, as high as 70 percent to make nitrogen fertilizer, the cost of natural gas. The steel industry, the aluminum industry, the glass industry, the brick industry will not remain in America unless we provide affordable natural gas.

Now, here is the tragedy. What people don't realize, when we pay \$75 for oil, the whole world does. When we paid

\$9.50 for gas last year and for 4 months it was \$14 and \$15, Europe was at \$6, China and Taiwan was at \$3.50, South America at \$1.80, Russia and North Africa at 90 cents.

Folks, we are driving the best blue collar working people jobs out of this country because they cannot afford to stay here. We have lost between three and five paper mills since the first of the year because of energy costs, and some of them put in new units within the last 1½ years.

□ 1115

Energy can make a company non-competitive overnight because of the use of energy. This government is the reason we are in trouble. We expanded the use of natural gas 10 or 12 years ago before I got here to make electricity.

Now a huge amount of our natural gas makes electricity, close to 20 percent. We did not open up supply. We are the only country in the world that has locked up the Outer Continental Shelf. I had a visitor from the U.K. yesterday. He said, Why do you people not produce in the OCS? Everybody does. Canada does right off the coast of Maine, right off the coast of Washington. Canada has been drilling for gas in Lake Erie since 1913 and selling the gas to us currently because we buy 17 percent of our gas this year from Canada.

Natural gas we are rich with. We have chosen to lock it up, and caused our homeowners to pay double and triple heating costs, our small businesses to become nonprofitable, and our large corporations to literally move away. We have lost several million jobs already because of energy costs, and we are going to lose millions more.

What I am going to tell you is it will not be the America we grew up in with lots of opportunity. The America we are going to leave is an America that decided to starve itself on the cleanest fuel known to man, the cleanest fossil fuel. Natural gas is the least polluting fuel, and those who today were talking about CO<sub>2</sub> and global warming, it produces much less CO<sub>2</sub> than all the other fossil fuels.

So, if we had the price down, it can become a major player in our transportation system. Not 5 years down the road, tomorrow. Every gasoline engine can run on natural gas. Our buses, our short-haul trucks, our construction vehicles could all be on natural gas with a modest change.

Natural gas can be the bridge to all the alternatives that are slowly moving forward. It can quadruple the savings that we can do with CAFE, and I am probably going to support that this time, but it is an immediate thing. Natural gas is what can keep America competitive until we get a handle on the other energies that can replace oil.

I urge you to not remove the moratorium. It does not threaten our coastline. We still have a presidential moratorium. We still have a 5-year plan that takes 2 years to implement and it is

not the end of that. It is the first step in saying we are going to deal with natural gas and energy in this country.

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

I would urge my colleague from Pennsylvania to understand that tourism is the major industry in Florida, and offshore gas drilling is nothing but the nose under the tent. There is no such thing as just gas drilling, and I do not have enough time, if you could get some time from Mr. BISHOP, I would be happy to engage you ad nauseam on this subject, but when Mr. PETERSON says that it is not going to be environmentally harmful, offshore gas drilling routinely dumps into the ocean spent drilling muds containing vast quantities of mercury and other toxins, contaminated produced waters that often contain radium and other dangerous substances, and additional harmful marine discharges that include benzene, toluene, lead, cadmium, and zinc.

Maybe Pennsylvania does not have the tourist industry that we do because that is right, you do not have an offshore. We do in Florida, and we are going to protect it.

Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from Indiana (Ms. CARSON), my good friend.

Ms. CARSON. Mr. Speaker, certainly I am very grateful to my dear friend from the State of Florida (Mr. HASTINGS).

Mr. Speaker, I rise in opposition to this rule, which does not protect the language added in committee regarding global climate change.

Global climate change is one of the most serious environmental threats of our time. Yet, this House has failed repeatedly to act on this issue or even acknowledge the bleak outlook voiced by many scientists.

Global temperatures are rising. This fact is indisputable. As we speak, sea levels are rising, glaciers are melting, and polar bears are drowning in the Arctic. There is a growing scientific consensus that human activities, primarily the burning of fossil fuels, have contributed to greenhouse gas accumulation in the atmosphere.

The effects of global warming are devastating. Approximately 160,000 people die each year from the side effects of global warming, which range from malaria to malnutrition to heat exhaustion in our seniors. If temperatures continue to rise, coastal flooding and drought could occur, and the intensity of hurricanes could increase.

In my neighborhood alone in Indianapolis, Indiana, we have finally got the EPA to look at the fact that it is the environment that is snapping away people's lives prematurely.

We have seen that voluntary limits on greenhouse gas emissions simply do not work. This bill currently includes language that recognizes our responsibility to establish a national program of mandatory, market-based limits and

incentives on emissions of greenhouse gases.

Mandating reductions in carbon emissions will spur innovation and help slow this moving trend. We have a moral imperative, Mr. Speaker, to future generations to address this threat because the cost of inaction is too high. We cannot let our legacy be one of destruction.

Thank you very much for your attention and your consideration. Vote against the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentlewoman from New York (Mrs. MALONEY), my very good friend.

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for his outstanding work on this issue and so many others.

I rise in strong opposition to this rule. In this rule, the Rules Committee failed to report out important amendments that were approved by the Appropriations Committee, including the important Dicks-Obey language expressing the need to address global climate change. Why in the world can you not include that important issue in this bill?

This bill is woefully underfunded at \$800 million below the level needed to maintain current services, and I must say that a very important amendment that would save taxpayers money, the Hinchey amendment, was not included, although the committee supported it. His amendment would suspend the royalty relief program and authorize the Secretary of the Interior to renegotiate existing leases.

This would save taxpayers dollars. It would save dollars in our Treasury. Right now, in New York and L.A. and across this country, a gallon of gas costs more than \$3, while the oil and gas companies continue to make record profits. All of this is happening while the taxpayers are losing out in billions of dollars in royalty payments from oil and gas taken from land owned by the American people.

Earlier this year, the New York Times reported that the Federal Government will lose at least \$7 billion over the next 5 years in undercollected royalty payments. Why in the world will the majority not correct this program that would put money into the budget for student loans, to help the disadvantaged, to help our seniors? Yet, they would not include it and the underpayment continues, and that money rightfully belongs to the American people.

We are talking about oil and gas extracted from land owned by the American people with rip-off leases to the oil and gas companies where they are reporting record profits. What is wrong with having those leases negotiated to express fair market value so that the taxpayers and the Federal Government can have that money for the services that the people need?

It is a really terrible rule. They did not even include amendments that were passed out by the Appropriations Committee. Please vote "no."

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

Mr. Speaker, I will be calling for a "no" vote on the previous question. If the previous question is defeated, I will amend the rule so we can consider Mr. OBEY's amendment to restore vital funding to the Interior appropriations bill, the amendment that was rejected in the Rules Committee last night on a straight party-line vote.

I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, the Interior appropriations bill is currently funded at \$145 million below the fiscal year 2006 level and \$800 million below the level that is needed just to maintain current services. These shortfalls will negatively impact our national parks and forests, critical environment and conservation programs, clean water programs, and services for Native Americans.

Mr. Speaker, the Obey amendment would restore \$800 million to the bill to ensure that these vital programs and services are able to continue at current levels, and that amendment is fully paid for by reducing the tax break given to those fortunate individuals among us with incomes more than \$1 million annually. Their generous tax savings, which average \$114,000, would be reduced by \$2,000, certainly a small sacrifice to maintain these essential programs and services.

I want to assure my colleagues that a "no" vote will not prevent us from considering the Interior appropriations bill under an open rule, but a "no" vote will allow Members to vote on Representative OBEY's amendment. However, a "yes" vote will block consideration of this amendment to restore severe funding shortfalls in this bill.

Vote "no" on the previous question.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I find these opportunities exhilarating to say the least. There are a couple of things that I would like to point out.

We have spent a great deal of time talking about one of the provisions that is in this bill that deals with the drilling of natural gas, which is far different than the drilling of oil would be. It seems in Congress sometimes that we talk so much about the problem of heating in winter. We appropriate billions of dollars for the LIHEAP program so that Federal money can go directly through an individual over to

the utility companies, when it would seem logical or at least rational to try to explore in some way a way of increasing the availability so that all people have to pay less for heat for their homes in the winter, and that instead of trying to subsidize the poor, we try to solve the problem at its root.

It is difficult to sometimes be here and have people criticize the lack of natural energy, wanting to consume more without producing more, at the same time being critical of any efforts to actually increase that consumption possibility. Not only is this an issue that hits individuals in trying to heat their homes, but it also hits businesses, much of which runs on natural gas.

I have farmers in my constituency that cannot fertilize this year because there is not enough fertilizer being produced and because natural gas becomes a critical element in its production and its distribution form. Industries are not being able to operate because of that.

I do, though, want to thank Mr. HASTINGS for the very end talking about increasing fund because this is, after all, a funding bill. I do want to also talk about two issues that were raised in defense of the bill and defense of the position of the Rules Committee.

Section 2 of the resolution says that it is essential to allow the House to have the so-called deeming resolution, which means we deemed the budget resolution which was passed by the House last night as having force and effect until we can get a conference report. It is essential to move that forward if there is to be any kind of parameters and discussion over the debate. If we do reject this rule and subsequent rules on appropriations items which do that, we simply have the net effect of this body of postponing any rational discussion in a logical and determined way of any of the appropriations items.

□ 1130

We might as well just dust off the old omnibus bill, because that will be the end result of not moving forward in a rational and logical approach on each and every one of these budget areas. I don't think that is the appropriate tact that we as a body wish to take.

Secondly, I want to talk also about a couple of other provisions that have been criticized. In section 2 clause b it says: "A provision changing existing law may not be reported in a general appropriations bill." Over in rule 4 it says, "A bill or joint resolution carrying an appropriations may not be reported by a committee not having jurisdiction to report the appropriations."

What it basically means is that appropriation bills are supposed to be appropriating, authorizing bills should be for authorizing, and the function of the Rules Committee is to try and make sure those distinctions are clear. To be honest, we sometimes will fudge on that and put authorization language in

an appropriation bill if the authorizing committee agrees and does not object. In this particular situation, the Rules Committee did what it was supposed to do and simply said, where an authorizer objects to a provision in an appropriation bill they will have the opportunity to come forward and do just that.

One of the speakers said we pulled out certain amendments, or that we did not allow certain amendments to be in the bill. No, they are still in the bill. We did allow an authorizer to come in and exercise his right under the rules to protest that authorization language in an appropriation bill, and then we will deal with that issue when the time comes.

I am telling you that what I think the Rules Committee has done here with this open rule, so that any amendment that actually deals with the appropriation side is legitimate, is to protect the process as written in our rules. And if appropriators wish to be authorizers and authorizers wish to be appropriators, maybe they should look at trying to rearrange their committee schedules to accommodate that process.

This rule is a good rule because it follows the rules, it defends the process that we have, and it moves us forward in the debate. I feel comfortable with that. I feel comfortable with much of the actual appropriations in this particular bill.

I did have times when I was given a kind of start. As an old teacher, every time they said the word education my ears perked up, because I was wondering where education fits into this bill. And then I realized we are debating a whole lot of other issues not necessarily related to this appropriations process.

I do want to say something that is extremely personal to me as it deals with potential taxes. The last time my party did not control the House and the Senate and the Presidency, the solution to our budget situation was the largest tax increase in the history of this country, and it started out with the concept of taxing the rich. I was a school teacher. My taxes increased at a greater percentage and with a greater dollar amount than ever in my lifetime. My wife had just taken a part-time job that year. Everything she made in that part-time job went to pay for the tax increase, supposedly on the rich.

I guess I should be grateful to the Congress that at that time, as a school-teacher, I was labeled as one of the rich in this country. But that was the reality. And if indeed we never go back to those days again, I will be grateful and I will be happy.

Mr. Speaker, this is a good rule. This is a good bill. It will be talked about at length today, and I am sure will be amended in appropriate ways as time goes on, but it is still a good bill and I urge the adoption of the rule.

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

PREVIOUS QUESTION FOR H. RES. 818—RULE FOR H.R. 5386 THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FY2007

At the end of the resolution, add the following new sections:

“SEC. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order without intervention of any point of order and before any other amendment if offered by Representative Obey of Wisconsin or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 4. The amendment referred to in section 3 is as follows:

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

**TITLE VI—ENHANCED APPROPRIATIONS FOR CONSERVATION, RECREATION, THE ENVIRONMENT, AND NATIVE AMERICANS**

SEC. 601. In addition to the amounts otherwise made available by this Act, the following sums, to remain available until expended, are appropriated:

(1) \$300,000,000 for clean air and water programs administered by the Environmental Protection Agency as follows:

(A) \$250,000,000 for the Clean Water Act Revolving Fund, as authorized by title VI of the Federal Water Pollution Control Act.

(B) \$50,000,000 for clean diesel and homeland security programs, as requested in the President's budget.

(2) \$300,000,000 for protection of Federal lands administered by the Department of the Interior and the United States Forest Service as follows:

(A) \$100,000,000 to address maintenance backlogs within the national parks, refuges, forests, and other lands of the United States.

(B) \$150,000,000 for acquisition and preservation of priority lands within the national parks, refuges, and forests when such lands are threatened by development activities that could restrict access to such lands in the future by the American people.

(C) \$50,000,000 to address staffing shortages for visitor services at national parks and national wildlife refuges.

(3) \$30,000,000 for grants to States administered by the National Park Service for support of conservation and recreation programs within the States.

(4) \$20,000,000 for the State and Tribal Wildlife Grants program administered by the United States Fish and Wildlife Service.

(5) \$50,000,000 for “Payments in Lieu of Taxes” as administered by the Secretary of the Interior and as authorized by sections 6901 through 6907 of title 31, United States Code.

(6) \$50,000,000 for “Indian Health Services” for support of expanded clinical health services to Native Americans.

(7) \$50,000,000 for “Bureau of Indian Affairs—Operation of Indian Programs” for support of educational services to Native Americans.

SEC. 602. In the case of taxpayers with income in excess of \$1,000,000, for calendar year 2007 the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 1.94 percent.

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 Republican 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 Republican 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 Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule \* \* \* When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

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 Republican majority's agenda to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and, with gratitude that we are done at this point, 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 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 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. 818, if ordered; and motion to suspend the rules on H. Res. 795.

The vote was taken by electronic device, and there were—yeas 218, nays 191, not voting 23, as follows:

[Roll No. 160]

YEAS—218

Aderholt	Gilchrest	Ney
Akin	Gillmor	Northup
Alexander	Gingrey	Norwood
Baker	Gohmert	Nunes
Barrett (SC)	Goode	Nussle
Bartlett (MD)	Goodlatte	Osborne
Barton (TX)	Granger	Otter
Bass	Graves	Oxley
Beauprez	Green (WI)	Paul
Biggart	Gutknecht	Pearce
Bilirakis	Hall	Pence
Bishop (UT)	Harris	Peterson (PA)
Blackburn	Hart	Petri
Blunt	Hastings (WA)	Pickering
Boehrlert	Hayes	Pitts
Boehner	Hefley	Platts
Bonilla	Hensarling	Poe
Bonner	Hergert	Pombo
Bono	Hobson	Porter
Boozman	Hoekstra	Price (GA)
Boustany	Hostettler	Pryce (OH)
Bradley (NH)	Hulshof	Putnam
Brown (SC)	Hunter	Radanovich
Brown-Waite,	Hyde	Ramstad
Ginny	Inglis (SC)	Regula
Burgess	Issa	Rehberg
Burton (IN)	Istook	Reichert
Buyer	Jenkins	Renzi
Calvert	Jindal	Rogers (AL)
Camp (MI)	Johnson (CT)	Rogers (KY)
Campbell (CA)	Johnson (IL)	Rogers (MI)
Cannon	Johnson, Sam	Rohrabacher
Cantor	Jones (NC)	Ros-Lehtinen
Capito	Keller	Royce
Carter	Kelly	Ryan (WI)
Castle	Kennedy (MN)	Ryun (KS)
Chabot	King (IA)	Saxton
Chocola	King (NY)	Schmidt
Coble	Kingston	Schwarz (MI)
Cole (OK)	Kirk	Sensenbrenner
Conaway	Kline	Sessions
Crenshaw	Knollenberg	Shaw
Cubin	Kuhl (NY)	Shays
Culberson	LaHood	Sherwood
Davis (KY)	Latham	Shimkus
Davis, Jo Ann	LaTourette	Shuster
Deal (GA)	Lewis (CA)	Simmons
DeLay	Lewis (KY)	Simpson
Dent	Linder	Smith (NJ)
Diaz-Balart, L.	LoBiondo	Smith (TX)
Diaz-Balart, M.	Lucas	Sodrel
Doolittle	Lungren, Daniel	Souder
Drake	E.	Stearns
Dreier	Mack	Sullivan
Duncan	Manzullo	Sweeney
Ehlers	Marchant	Tancredo
Emerson	McCaul (TX)	Taylor (NC)
English (PA)	McCotter	Terry
Everett	McCrery	Thomas
Feeney	McHenry	Thornberry
Ferguson	McHugh	Tiahrt
Fitzpatrick (PA)	McKeon	Tiberi
Foley	McMorriss	Turner
Forbes	Mica	Upton
Fortenberry	Miller (FL)	Walden (OR)
Fossella	Miller (MI)	Walsh
Fox	Miller, Gary	Wamp
Frelinghuysen	Moran (KS)	Weldon (FL)
Gallegly	Murphy	Weller
Garrett (NJ)	Musgrave	Westmoreland
Gerlach	Myrick	
Gibbons	Neugebauer	

Whitfield Wilson (NM) Young (AK)  
Wicker Wilson (SC) Young (FL)

NAYS—191

Abercrombie Green, Al Oberstar  
Ackerman Green, Gene Obey  
Allen Grijalva Olver  
Andrews Gutierrez Ortiz  
Baca Harman Owens  
Baird Hastings (FL) Pallone  
Baldwin Herseht Pascrell  
Barrow Higgins Pastor  
Bean Hinchey Payne  
Becerra Holden Pelosi  
Berkley Holt Peterson (MN)  
Berman Honda Pomeroy  
Berry Hoooley Price (NC)  
Bishop (GA) Inslee Rahall  
Bishop (NY) Israel Rangel  
Blumenauer Jackson (IL) Reyes  
Boren Jackson-Lee Ross  
Boswell (TX) Rothman  
Boucher Jefferson Roybal-Allard  
Boyd Johnson, E. B. Ruppertsberger  
Brady (PA) Jones (OH) Rush  
Brown (OH) Kanjorski Ryan (OH)  
Brown, Corrine Kaptur Sabo  
Butterfield Kildee Salazar  
Capps Kilpatrick (MI) Sánchez, Linda  
Capuano Kind T.  
Cardoza Kucinich Sanchez, Loretta  
Carnahan Langevin Sanders  
Carson Lantos Schakowsky  
Case Larsen (WA) Schiff  
Chandler Lee Schwartz (PA)  
Clay Levin Scott (GA)  
Cleaver Lewis (GA) Scott (VA)  
Clyburn Lipinski Serrano  
Conyers Lofgren, Zoe Sherman  
Cooper Lowey Skelton  
Costa Lynch Slaughter  
Costello Maloney Smith (WA)  
Cramer Markey Snyder  
Crowley Marshall Solis  
Cuellar Matheson Spratt  
Davis (AL) Matsui Stark  
Davis (CA) McCarthy Strickland  
Davis (FL) McCollum (MN) Tanner  
Davis (IL) McDermott Tauscher  
Davis (TN) McGovern Taylor (MS)  
DeFazio McIntyre Thompson (CA)  
DeGette McKinney Thompson (MS)  
Delahunt McNulty Tierney  
DeLauro Meehan Towns  
Dicks Meek (FL) Udall (CO)  
Dingell Meeks (NY) Udall (NM)  
Doggett Melancon Van Hollen  
Doyle Michaud Velázquez  
Edwards Millender-Visclosky  
Emanuel McDonald Wasserman  
Engel Miller (NC) Schultz  
Eshoo Miller, George Waters  
Etheridge Mollohan Watson  
Farr Moore (KS) Watt  
Filner Moore (WI) Waxman  
Ford Murtha Weiner  
Frank (MA) Nadler Wexler  
Gonzalez Napolitano Woolsey  
Gordon Neal (MA) Wu

NOT VOTING—23

Bachus Franks (AZ) Moran (VA)  
Brady (TX) Hayworth Reynolds  
Cardin Hinojosa Shadegg  
Cummings Hoyer Stupak  
Davis, Tom Kennedy (RI) Weldon (PA)  
Evans Kolbe Wolf  
Fattah Larson (CT) Wynn  
Flake Leach

□ 1158

Mr. BRADY of Pennsylvania, Ms. DEGETTE, Mr. HINCHEY, Ms. BALDWIN and Messrs. THOMPSON of Mississippi, HOLT, and JACKSON of Illinois changed their vote from “yea” to “nay.”

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

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 160, had I been present, I would have voted “nay.”

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

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 192, not voting 22, as follows:

[Roll No. 161]

AYES—218

Aderholt Akin  
Alexander Goodde  
Bachus Goodlatte  
Baker Granger  
Barrett (SC) Graves  
Bartlett (MD) Green (WI)  
Barton (TX) Gutknecht  
Bass Hall  
Beauprez Harris  
Biggett Hart  
Bilirakis Hastings (WA)  
Bishop (UT) Hayes  
Blackburn Hefley  
Blunt Hensarling  
Boehlert Herger  
Boehner Hobson  
Bonilla Hoekstra  
Bonner Hostettler  
Bono Hulshof  
Boozman Hunter  
Boustany Hyde  
Bradley (NH) Inglis (SC)  
Brown (SC) Issa  
Brown-Waite, Istook  
Ginny Jenkins  
Burgess Jindal  
Burton (IN) Johnson (CT)  
Buyer Johnson (IL)  
Calvert Johnson, Sam  
Camp (MI) Jones (NC)  
Campbell (CA) Keller  
Cannon Kelly  
Cantor Kennedy (MN)  
Capito King (IA)  
Carter King (NY)  
Castle Kingston  
Chabot Shaw  
Chocola Kline  
Coble Knollenberg  
Cole (OK) Kuhl (NY)  
Conaway LaHood  
Crenshaw Latham  
Cubin LaTourette  
Culberson Lewis (CA)  
Davis (KY) Lewis (KY)  
Davis, Jo Ann Linder  
Deal (GA) LoBiondo  
DeLay Lucas  
Dent Lungren, Daniel  
Diaz-Balart, L. E.  
Diaz-Balart, M. Mack  
Doolittle Manzullo  
Drake Marchant  
Dreier McCotter  
Duncan McCreery  
Ehlers McHenry  
Emerson McHugh  
English (PA) McKeon  
Everett McMorris  
Ferguson Mica  
Fitzpatrick (PA) Miller (FL)  
Foley Miller (MI)  
Forbes Miller, Gary  
Fortenberry Moran (KS)  
Fossella Murphy  
Foxy Musgrave  
Frelinghuysen Myrick  
Gallegly Neugebauer  
Garrett (NJ) Ney  
Gerlach Northup  
Gibbons Norwood  
Gilchrist Nunes  
Gillmor Nussle

NOES—192

Abercrombie Barrow Bishop (NY)  
Ackerman Bean Blumenauer  
Allen Bercerra Boren  
Andrews Berkley Boswell  
Baca Berman Boucher  
Baird Berry Boyd  
Baldwin Bishop (GA) Brady (PA)

Brown (OH) Inslee  
Brown, Corrine Israel  
Butterfield Jackson (IL)  
Capps Jackson-Lee  
Capuano (TX)  
Cardoza Jefferson  
Carnahan Johnson, E. B.  
Carson Jones (OH)  
Case Kanjorski  
Chandler Kaptur  
Clay Kildee  
Cleaver Kilpatrick (MI)  
Clyburn Kind  
Conyers Kucinich  
Cooper Langevin  
Costa Lantos  
Costello Larsen (WA)  
Cramer Lee  
Crowley Levin  
Cuellar Lewis (GA)  
Davis (AL) Lipinski  
Davis (CA) Lofgren, Zoe  
Davis (FL) Lowey  
Davis (IL) Lynch  
Davis (TN) Maloney  
DeFazio Markey  
DeGette Marshall  
Delahunt Matheson  
DeLauro Matsui  
Dicks McCarthy  
Dingell McCollum (MN)  
Doggett McDermott  
Doyle McGovern  
Edwards McIntyre  
Emanuel McMurry  
Engel McNulty  
Eshoo Meek (FL)  
Etheridge Meeks (NY)  
Farr Melancon  
Fattah Michaud  
Filner Millender-  
Ford McDonald  
Frank (MA) Miller (NC)  
Gonzalez Miller, George  
Gordon Mollohan  
Green, Al Moore (KS)  
Green, Gene Moore (WI)  
Grijalva Murtha  
Gutierrez Nadler  
Harman Napolitano  
Hastings (FL) Neal (MA)  
Herseht Oberstar  
Higgins Obey  
Hinchey Olver  
Hinojosa Ortiz  
Holden Owens  
Holt Pallone  
Honda Pascrell  
Hooley Pastor

NOT VOTING—22

Brady (TX) Hayworth Moran (VA)  
Cardin Hoyer Reynolds  
Cummings Kennedy (RI) Shadegg  
Davis, Tom Kolbe Stupak  
Evans Larson (CT) Wolf  
Feeney Leach Wynn  
Flake McCaul (TX)  
Franks (AZ) McKinney

□ 1207

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.

CONDEMNING IN THE STRONGEST TERMS THE TERRORIST ATTACKS IN DAHAB AND NORTHERN SINAI, EGYPT, ON APRIL 24 AND 26, 2006

The SPEAKER pro tempore (Mr. BONNER). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 795.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. MCCOTTER) that the House suspend the