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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WELCH of Vermont).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

HOUSE OF REPRESENTATIVES,
Washington, DC, July 26, 2007.

I hereby appoint the Honorable PETER WELCH to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker, House of Representatives.

PRAYER

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

Lord God, Your law and Your prophets lead Your people to You. To follow them and discover enlightened truth only about the present age is to end up in a blind alley.

May all lawmakers this day know Your presence and seek Your guidance, that they may lead to true justice and lasting peace. Otherwise, Your people are left to flounder.

Without You we are left with nothing and accomplish only a mayhem of action without focus or direction.

You are the way, the truth, and life, now and forever. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. BARRETT) come forward and lead the House in the Pledge of Allegiance.

Mr. BARRETT of South Carolina led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 190. Concurrent resolution authorizing printing of the brochure entitled ''How Our Laws Are Made'', the document-sized, annotated version of the United States Constitution, and the pocket version of the United States Constitution.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1642. An act to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

S. 1716. An act to amend the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, to strike a requirement relating to forage producers.

S. 1877. An act to amend title 4, United States Code, to prescribe that members of the Armed Forces and veterans out of uniform may render the military salute during hoisting, lowering, or passing of flag.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 1-minute speeches on each side of the aisle.

THE FARM BILL AND REFORMING CROP INSURANCE

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

Mr. COOPER. Mr. Speaker, the one thing that we should all be able to agree on in this House regarding the upcoming farm bill is the need to reform crop insurance. The folks back home are demanding that we cut Federal spending, and this is not only a great way to do it, it is probably the best way to do it.

There are only 16 crop insurance companies in America, but, sadly, each one is addicted to corporate welfare from Washington. Reforming these companies can save at least $2 billion a year without hurting a single farmer. Let's stop these middlemen from taking 40 cents out of every dollar the taxpayers offer to help the American farmer.

The Cooper-Waxman-McGovern amendment unites this House, from conservative Blue Dogs to progressive Members. It is a bipartisan approach. We simply adopt the reform proposals of the Bush administration. That is all we do. These are not radical ideas; these are USDA approved. But these ideas will save over $2 billion a year. It won't kill the industry; it will just trim back the massive subsidy flows.

Farm bill supporters should also endorse these because they reduce the

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need for new revenue, and the Agriculture Committee itself recognizes the need for reform. They just want to do it in the next farm bill.

THE GLOBAL WAR ON TERROR

(Mr. DAVID DAVIS of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, being from Tennessee, the Volunteer State, I volunteered to visit the men and women in uniform in Iraq this past weekend. I wasn't disappointed. Our troops are well trained, well motivated, and successful.

During my visit to Iraq, I visited Ramadi, which until just a few months ago was a killing field overrun by al Qaeda. For the past 4 years, the people of Ramadi were caught in a decision-making battle of which group, us or the extremists, offered them the best chance for a normal and free existence.

The insurgent extremists chose to win the local people over with the use of force, force against our American troops and against any local who did not support their radical agenda. Our troops, on the other hand, have reached out with friendship and support.

The local people, seeing the difference, have chosen to have their lives return to normal and live in freedom. Ramadi has gone from a city of death and destruction to one of rebuilding and hope. I was able to see it firsthand.

The cost to the American family is just too great to allow any other outcome than success in the global war on terror. We must win this war to protect our American way of life, now and into the future.

A QUOTE FROM DWIGHT D. EISENHOWER

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

Mr. MCDERMOTT. Mr. Speaker, a man from Kansas said, ''Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, and the hopes of its children. This is not a way of life at all in any true sense. Under the clouds of war, it is humanity hanging on a cross of iron.'' Dwight David Eisenhower, April 16, 1953.

I ask that the rest of my time be in silence for those who have died in Iraq, Americans and Iraqis.

AL QAEDA IN IRAQ

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

Mr. WILSON of South Carolina. Mr. Speaker, some Members of Congress are proposing legislation that would attempt to develop a new military strategy for our troops in Iraq. This meddling by politicians ties the hands of our capable military. We should trust in the leadership of GEN David Petraeus and not second-guess his efforts to protect American families.

Senator JOE LIEBERMAN, former Democratic Vice Presidential candidate, recently said, ''The fanatics . . . who exhort the tens of thousands to shout 'Death to America' . . . don't distinguish between Republicans and Democrats . . . and we should have the common sense, let alone the sense of responsibility to our country, to come together to defend our Nation against those who want to destroy us.''

Failing to secure Iraq will provide a fertile ground for terrorist safe havens, threatening America and our allies. Osama bin Laden and Zawahiri have both stated that Iraq is a central front in the global war on terror. We must stop the terrorists overseas and not face them again in the streets of America.

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

AL QAEDA

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, last week the National Intelligence Estimate report stated that al Qaeda is the most serious threat to the U.S. homeland.

On Tuesday President Bush flew to my home State of South Carolina to speak to troops in Charleston. In his speech he reminded the Nation of the threat that al Qaeda poses to our Nation and the stability of Iraq. The threat is real.

I would like to share with you a Fourth of July blog entry from Lieutenant Colonel Clarence Bowser, who is currently serving with the South Carolina National Guard in Kandahar, Afghanistan:

''I am so proud of my service here and to this Nation. I don't know the politics; I'll leave that to the politicians. But it is my prayer for their leadership and that we as a Nation do the right thing for this country and Iraq.''

Mr. Speaker, my hope and my prayer is that we as politicians have the courage to do the same: win this fight.

THE FARM BILL: URGING SUPPORT FOR THE KIND-FLAKE AMENDMENT

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

Mr. BLUMENAUER. Mr. Speaker, there is a bipartisan instinct in Congress that has been evident for years. We all want to reform our farm policies in the ''next'' farm bill. That is why the bill that is coming forward from the Agriculture Committee couldn't find any way to reform the crop insurance program. Luckily, it looks as though the Rules Committee will make in order a rule that will force that upon the committee, saving up to 40 cents on the dollar.

There are no meaningful limitations on extraordinarily wealthy farmers. They talk about reform, but the limitation raises only $46 million a year from 3,175 farmers. And if the farmer can't get their adjusted gross income under $1 million, they ought to get a new CPA.

I strongly urge my colleagues to just read some of the news accounts like this morning's Washington Post that talks about what is in this bill. And if you do, I think you will join with us in supporting the Kind-Flake amendment.

URGING SUPPORT FOR THE STEARNS-BLACKBURN AMENDMENT

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

Mrs. BLACKBURN. Mr. Speaker, I rise to address the concerns of many of our small businesses in the Seventh District of Tennessee. The ongoing debate over illegal immigration has brought many issues to light. While this issue is trudging its way through Congress, small businesses are stuck trying to figure out how to confront the problems of illegal immigration that are created at the local level.

For instance, these businesses should have the right to refuse to hire or fire a person who cannot speak English. An employer who signs the paycheck and pays payroll taxes, and their customers, should be able to communicate with an employee. But under current law that small businessman can be sued by the Federal Government for refusing to hire or in some cases firing a person who cannot communicate in English. As ridiculous as this sounds, it is true.

That is why today I will offer a commonsense amendment to the Commerce-Justice-State approps bill that will close the ridiculous loophole and offer some protection to the businesses that drive our economy and employ our citizens.

I urge all of my colleagues to join this effort to protect our mom-and-pop businesses, not because it is a hard line against illegal immigration, but because it is the right thing to do.

□ 1015

LET'S NOT ALLOW GENOCIDE TO CONTINUE

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

Mr. MORAN of Virginia. Mr. Speaker, the words ''never again'' ring hollow today. It was exactly 3 years ago that we declared that what was happening in Darfur was genocide, and yet we have basically stood on the sidelines for these last 3 years. Lots of words, but no meaningful action.

What we said was that we would deny the Government of Sudan access to oil revenues and extend American business sanctions on Sudan. But we haven't done either in any meaningful way. Hundreds of thousands of people, innocent people, killed; millions made homeless while we have sat on our hands.

Oil accounts for 70 percent of Sudan's total exports. And do you know that 70 percent of Sudan's oil profits fund their military? And China buys much of their oil.

In fact, China is Sudan's largest trading partner. We could have enormous leverage over China if we chose to use it, but we choose not to. So when the Chinese Premier goes over to Sudan, instead of telling him this is wrong, he offers to build more palaces for President Bashir. Let's get serious. Let's not allow genocide to continue in the 21st century.

NEW TEXAS SHERIFF IN TOWN

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

Mr. POE. Mr. Speaker, in Bastrop County, Texas, there is a new sheriff in town. Over a dozen candidates were interviewed, and at the end, the last man standing was a woman. Becoming the third female sheriff in Texas, Rosanna Abreo became the first female sheriff in county history.

Rosanna is anything but an ordinary candidate. She has 17 years of experience in Texas law enforcement. Throughout her law enforcement career, she served at the Lubbock Police Department in west Texas and the Texas Department of Public Safety, where she served as a State trooper, a special crimes investigator, and a member of the DPS SWAT team, rising to the rank of lieutenant.

This Texas lawwoman is educationally accomplished as well, achieving a bachelor's degree, a master's degree and now a law degree, having passed the bar exam last May. Criminals and outlaws should be aware of this new Texas sheriff that is the enforcer of the law in her county.

Today, I congratulate Sheriff Abreo on her sound dedication to public safety, making her a role model for all peace officers in our State. Texas is proud of its new Lone Star sheriff.

And that's just the way it is.

WE NEED TO WIN THE WAR ON DRUGS

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

Mr. COHEN. Mr. Speaker, last night, this House had a proposal before it to prohibit the DEA from enforcing Federal laws on medical marijuana patients in the 12 States where the public has legalized medical marijuana. Unfortunately, it failed.

I voted for the proposal. Why did I vote for the proposal? Yes, I'm compassionate about people who have multiple sclerosis and AIDS and cancer who can benefit, Parkinson's disease and glaucoma who can benefit from medical marijuana. Yes, I voted for it because I believe in States' rights and I believe in Justice Brandeis and the laboratories of democracy and to see how things work in other States and be able to adjust and see how they should work in other States, but also because I believe the DEA shouldn't be busting medical marijuana houses and stores in Los Angeles. They should be working in my community to eliminate and eradicate methamphetamine, crack and other drugs that are ravaging my community and causing a crime problem in Memphis, Tennessee, and throughout this country.

The DEA has not been effective at controlling the war on drugs. We need to win it. I would like that to happen.

IN SUPPORT OF H.R. 3026, THE MILITARY SPOUSES MEMORIAL ACT

(Mrs. DRAKE asked and was given permission to address the House for 1 minute.)

Mrs. DRAKE. Mr. Speaker, I come today to honor those who have sacrificed so much in the defense of the freedoms we Americans often take for granted.

We are all appreciative of the heroic sacrifices made by our men and women in uniform. However, there was little recognition given to the military spouses who provide the backbone of our armed services.

Recently, I introduced H.R. 3026, the Military Spouses Memorial Act of 2007, which provides the authority to establish in our Nation's Capitol a memorial commemorating the selfless sacrifice of military spouses from 1776 to the present day. This memorial will honor the husbands and wives that tend to the home front and lend our servicemembers the support they need as they serve in the defense of freedom.

I encourage all my colleagues to lend their support to H.R. 3026 and ensure that the sacrifices of our military spouses are recognized.

WE MUST SAVE DARFUR

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, 3 years ago this week, Congress formally declared that genocide was taking place in Darfur, and Congressman DON PAYNE is owed a debt of gratitude for leading this effort.

While much has been done since then to push pressure on Khartoum, the genocide still rages. Our young people and the faith community have tirelessly reminded us of this.

I was in Darfur earlier this year for the third time, and let me tell you, it is getting worse. We passed a number of bills in Congress imposing sanctions urging our allies like China and the League of Arab States to get involved, but we must do more.

Today, with the help of our good friend and great leader, Chairman BARNEY FRANK, the Financial Services Committee Chair, we will take another step toward marking up my bill, H.R. 180, the Darfur Accountability and Divestment Act, which authorizes States to divest from Sudan and bans new Federal contracts with companies doing business with the genocidal regime in Khartoum. We must keep the pressure on President Bashir and insist on unfettered access for the United Nations and African Union, and we must save Darfur.

PRESIDENT BUSH, PARDON COMPEAN AND RAMOS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise in support of border agents Ramos and Compean, and I believe we should know why U.S. Attorney Johnny Sutton has thumbed his nose at a House panel and refuses to testify on why he protected a Mexican drug smuggler over our own border agents.

Johnny Sutton gave a confirmed drug runner free access to cross our border on condition he would not smuggle drugs again, but he has. Johnny Sutton found out the witness was running drugs, but still let him testify as an innocent victim. By allowing the drug runner to testify, Johnny Sutton let a known liar testify against our own border agents. Johnny Sutton must testify under oath why he did this.

In view of this new evidence, President Bush should pardon Compean and Ramos today. They did not get a fair trial, and the punishment did not fit the crime. This case is a travesty to our justice system. Fix it, Mr. President.

COMMEMORATING THIRD ANNIVERSARY OF CONGRESSIONAL DECLARATION OF GENOCIDE IN DARFUR

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

Mr. CAPUANO. Mr. Speaker, I rise today to commemorate the third anniversary of the congressional declaration of genocide in Darfur. It's not a happy occasion; it's a sad one. And I hope we don't have to do this again next year or any time after that.

I also want to thank the American people, the American taxpayers and the American activists in this country who have kept the pressure on us, on the administration, on the United Nations and on the world to try to stop this genocide.

I have been to Darfur, and I will tell you that as an American taxpayer you can't be more proud than when you look out, and unfortunately these poor people have been chased out of their homes, and families killed and massacred, but at least when you look out, all of their shelters are covered with U.S. flags. Now, it's because we have to send all the aid to feed and take care of them. But those shelters are made out of the bags that carry the wheat and the rice that feeds them.

The American people are doing our job. The administration is doing something, but not enough. The U.N. is doing way too little. And I hope that next year we won't have to come back and do this.

FARM BILL DOES DISSERVICE TO AMERICANS

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

Mr. PENCE. Mr. Speaker, as a Member of Congress from the heartland, I have supported the farm bill in the past. Regrettably, the 2007 farm bill that we will consider this week is a deeply flawed piece of legislation. It combines traditional agricultural programs with the misplaced priorities of the Democratic Congress. Tax increases, budget gimmicks, workplace restrictions, and a public union provision that offends States' rights, and I cannot support it.

This farm bill is a disservice to American farmers and an attack on hurting families in the State of Indiana.

At the behest of one of the Nation's largest public employee unions, the Democrat Congress added language to this bill that will prohibit States from working with private companies to improve the administration of welfare services. Since Indiana is leading the Nation in improving welfare services through these partnerships, this bill is bad for Indiana, bad for hurting families, and bad for Hoosier taxpayers.

In the interest of federalism, it's imperative that Congress give State governments the freedom to innovate in the delivery of food stamps and other welfare programs to benefit recipients and improve services.

I will vote against this farm bill because it raises taxes, busts the budget, and does a great disservice to our most hurting Americans.

LET THIS BE LAST TIME WE MARK ANNIVERSARY OF GENOCIDE IN DARFUR

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, 3 years ago, the Congress named the humanitarian crisis in Darfur as genocide. Naming is really important, because once we've acknowledged the hundreds of thousands of innocent lives that have been lost there, we have a responsibility to act. And yet the disastrous crisis continues on today.

I visited Darfur. I've seen the situation on the ground. And now the high-tech GPS satellites and mass media allow everyone to bear witness to the tragedies in Darfur; the burnt holes where villages used to be, the mass migrations of internally displaced, starving children, victims of rape.

I want to thank the student groups, the faith organizations and the Americans around the country who have worked to raise this issue's profile and to keep Darfur on the agenda.

Last month, the Sudanese Government allowed a combined U.N.-African Union peacekeeping force. The Democratic majority approved $949 million in humanitarian aid, but we have to go further. Let this be the last time we mark the anniversary of genocide.

RECOGNIZING JIM NUSSLE'S NOMINATION AS DIRECTOR OF OMB

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

Mr. SESSIONS. Mr. Speaker, I am pleased that President Bush has selected a man of great integrity and one of our former colleagues who served in this Congress to lead the Office of Management and Budget, Jim Nussle. His chairmanship of the House Budget Committee gave us an opportunity to witness the expertise and responsible use of taxpayer dollars that he will bring to the OMB.

During his tenure in this body, Chairman Nussle's work made a positive impact on countless Americans. Without his hard work and leadership, the Family Opportunity Act, which provides badly needed medical care to children with disabilities, would never have become law.

To recognize Chairman Nussle's incredible talents, one should look no further than the very kind comments made by Chairman Nussle's former colleague across the aisle, my friend, Chairman JOHN SPRATT. He said, ''Jim was a fair and honorable chairman. In selecting Jim Nussle to succeed Rob Portman, the President is replacing one able and knowledgeable man with another.''

I congratulate President Bush on this astute choice. I wish Chairman Nussle the very best during his confirmation hearing today at the Senate Budget Committee.

ANNIVERSARY OF DECLARATION OF GENOCIDE IN DARFUR

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

Mr. DOYLE. Mr. Speaker, 3 years ago, Congress declared the atrocities in Darfur to be acts of genocide. Since acknowledging this genocide, we have implemented unilateral sanctions against the Sudanese Government. We've authorized funds for peacekeeping and humanitarian assistance in the region. We've called for concerted international action to end the abominations in Darfur, yet the genocide continuous.

There have been 400,000 people killed, 2.5 million have been forced out of their homes, and 1 million continue to live under the constant threat of bombing, rapes, murder and torture by government troops and the janjaweed militias.

International diplomacy has failed to force Sudanese President al-Bashir to stop pursuing his genocidal policies.

We cannot afford to fail anymore. Every possible means must be employed to pressure the Sudanese Government to allow the rapid deployment of an international peacekeeping force large enough to protect the civilian population in Darfur.

EXPRESSING OUTRAGE AT CONTINUED VIOLENCE AND GENOCIDE IN DARFUR

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

Mrs. LOWEY. Mr. Speaker, I would like to put a statement in the RECORD expressing outrage at the continued violence and genocide in Darfur.

Mr. Speaker, I rise today burdened by many emotions—sadness, disappointment, frustration and most of all, anger. Anger because it has been three years since Congress declared the atrocities occurring in Darfur to be genocide—and yet the violence continues. Anger because 2.5 million people are still displaced—living in camps, unable to return to their homes. Anger because humanitarian workers are even more endangered today—unable to deliver vital services to large swathes of the population. And anger because not a single individual has been brought to justice for these crimes.

The crisis in Darfur requires sustained diplomatic action—including international pressure on those nations that support the Sudanese regime and allow President Bashir to equivocate on his promises.

It is unacceptable that 3 years have passed and there is still insufficient protection for civilians on the ground.

The AU/UN force must be deployed immediately. There is no time to waste. The people of Darfur have waited long enough.

□ 1030

METHAMPHETAMINE KINGPIN ELIMINATION ACT OF 2007

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

Mr. SMITH of Nebraska. Mr. Speaker, I rise today as we consider the Commerce, Justice, Science, and Related

Agencies Appropriations Act. According to the DEA, 33.3 kilograms of methamphetamine were seized in my home State of Nebraska in 2006. For this reason, I would like to commend the leadership and Appropriations Committee for including $85 million in funding for grant projects to address the manufacture, sale and use of methamphetamine. However, we must send a stronger message to those who are smuggling and distributing the drug, which is why I have introduced the Methamphetamine Kingpin Elimination Act of 2007.

The number of methamphetamine labs in the U.S. has declined since Congress enacted the Combat Methamphetamine Epidemic Act last year to restrict the sale of pseudoephedrine, the key ingredient in methamphetamine. Unfortunately, a reverse trend has occurred south of our border.

Mexico is the largest foreign supplier of methamphetamine destined for the U.S. It is estimated that as much as 80 percent of the methamphetamine on U.S. streets comes from Mexico. Unlike the small U.S. kitchen labs, Mexican drug cartels are creating superlabs, which produce huge quantities of cheap methamphetamine and then smuggle it north to U.S. users.

Mr. Speaker, it is time we stop this flood of methamphetamine coming across our border.

The "Meth Kingpin Elimination Act of 2007," increases penalties for meth kingpins. The bill also authorizes $20 million for multi-jurisdictional methamphetamine task forces.

Meth devastates not only those who abuse the drug, but their families and their communities as well. The drug has a phenomenal rate of addiction, with some experts saying users often get hooked after just one use. Recent studies have demonstrated that methamphetamine causes more damage to the brain than heroin, alcohol, or cocaine.

Mr. Speaker, I ask you to join me in keeping this destructive drug off America's streets and ensuring that meth kingpins and traffickers receive harsher penalties.

Mr. Speaker, we must work together to address this severe problem.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 562 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3093.

□ 1032

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. SNYDER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, July 25, 2007, the amendment by the gentleman from New York (Mr. HINCHEY) had been disposed of and the bill had been read through page 85, line 24.

AMENDMENT NO. 1 OFFERED BY MR. STEARNS

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

The Clerk read as follows:

Amendment No. 1 offered by Mr. STEARNS:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act to the Equal Employment Opportunity Commission may be used for litigation expenses incurred in connection with cases commenced after the date of the enactment of this Act against employers on the grounds that such employers require employees to speak English.

Mr. STEARNS. Mr. Chairman, as mentioned, the EEOC, which is the U.S. Equal Employment Opportunity Commission, has accused the Salvation Army of allegedly discriminating against two of their employees in a Boston area thrift store for requiring them to speak English on the job.

Mr. Chairman, the amendment would prevent the EEOC from using any appropriated funds to initiate a civil action or file a motion in any courts on the grounds that the organization, in this case the Salvation Army, requires an employee to speak English while engaged in work.

The question I have is, how do you discriminate against a person who speaks English on the job? This amendment was prompted by this lawsuit filed in April by the EEOC against the Salvation Army, which has helped thousands of people in countries all over the world. Can't you hire people today who speak English? The two employees were given 1 year to learn English in order to speak the language you and I are speaking in the House today and the language spoken by our coworkers; however, these folks failed to try to learn even some basic English and were fired.

Even though the Salvation Army clearly posted the rule and gave the two employees a year to learn English, the EEOC lawyers filed a lawsuit seeking hundreds of thousands of dollars in monetary damages to compensate the employees for ''the emotional pain, suffering and inconvenience'' they suffered by being asked to speak English to the best of their ability while on the job.

In 2003, a Federal judge in Boston upheld the Salvation Army's policy requiring workers to speak English while on the job. However, the EEOC did not like this ruling, so they are continuing to harass the Salvation Army.

Now, the Salvation Army, as we all know, is a Christian evangelical organization whose sole mission is to help the downtrodden, the blind, the sick and anyone else in need. Their personnel standing on cold street corners during Christmastime is something to behold, ringing a bell on behalf of the poor. They collect and sell donated clothes and household items in their thrift stores to raise money for the poor, operate soup kitchens, and hire people that no one else will.

Since 1865, this organization has lived by Christ's teaching that as we do unto the least of our people, we do unto the Lord. Now this organization is in trouble for insisting its employees learn to speak English in order to better serve these lofty goals. Remember, the Salvation Army was trying to help their employees by encouraging them to simply learn the English language.

EEOC has crossed the line in its overzealous pursuit of companies that require English in the workplace. Only Congress can bring this organization back to its intended mission. If we don't, the continued proliferation of English-related lawsuits will cause employers facing close hiring decisions to hire defensively, to the detriment of new immigrants with marginal English proficiency. While the children of immigrants typically learn English in our school system, adult immigrants are most likely to learn or improve language skills for work-related reasons often through programs that are simply hosted by the employers themselves.

This arrangement is ordinarily a win-win situation. The immigrant is encouraged to gain a full knowledge skill that improves his work efforts and civic engagement, and the employer benefits from having employees that can communicate with one another. So the EEOC's policy takes a mutually beneficial situation and injects the constant fear of litigation on employers. Most importantly, since the EEOC's funds are fungible, every dollar it uses to pursue these cases is a dollar not being spent on pursuing the kind of discrimination that the EEOC was originally created to combat.

These are our tax dollars, my colleagues, yours and mine, paying the salaries of the EEOC lawyers, who file endless lawsuits, while the Salvation Army must use its own funds, funds that would be better used helping the poor, instead of hiring more attorneys to fight these kinds of cases in court. The EEOC should instead focus its limited resources on the current backlog of 54,265 complaints, instead of wasting time and taxpayer money on policies that serve to achieve unity in our country.

I encourage my colleagues to support this amendment and help protect the charities like the Salvation Army.

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

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

Mr. OBEY. Mr. Chairman, I think everybody ought to speak English in this country, and I think we ought to have

policies that encourage it. What I don't believe is I don't believe that the Congress of the United States has any business whatsoever predeciding a court case, and when the Congress ahead of time tells the EEOC that they cannot even bring a suit, that means that Congress is substituting political judgment for legal judgment on an issue that ought to be decided in a court of law.

Congress has the right to pass legislation saying whatever it wants about immigration and about who is going to get Federal aid, things like that. But it is dead wrong, it is wrong morally, it is wrong constitutionally, for the Congress to prejudge what the outcome of a court case is going to be. And if they deny funds to the Equal Employment Opportunity Agency in this government, the agency that is supposed to enforce civil rights laws, if they deny funds to that agency on a hit-or-miss basis based on what can get a majority on this House floor, God help us all.

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

Mrs. BLACKBURN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Chairman, I do rise in support of the Stearns-Blackburn amendment to protest the actions of a rogue government agency that really is out of control, and I thank Mr. STEARNS for his good work and his good efforts on this with us.

The EEOC, as we have heard, it is taxpayer funded, and it is tasked with eradicating discrimination in the workplace. Now, unfortunately, the organization's actions are speaking louder than their words, and certainly they are not in step with the mission that they are instructed to meet. What we see is an agency that is waging war against private employers who have English-speaking policies and English-only language policies in their workplace and with their workforce.

Now, as my colleague from Florida has said, the situation we have discussed is in 2004, we had two employees from a Massachusetts Salvation Army Thrift Store. They were instructed to learn English within 1 year to comply with that organization's English-only language policy on the job. The employees refused to comply or even to make a good-faith effort. I think that everyone would like to see them make a good-faith effort to learn the language. And they were summarily dismissed in December of 2005. So they had that full year.

Interestingly enough, the two employees were able to navigate their way through the bureaucratic system and get the EEOC to file a discrimination lawsuit against the Salvation Army in April 2007, despite their limited command of the English language. The turn of events would be laughable if it were not true, and if the consequences were not as grave as they are.

Yet, in 2006 alone, roughly 200 charges were filed alleging discrimination due to English-language-only policies in different workplaces. This explosion of claims against workplace English is a 612 percent increase since 1996.

Mr. Chairman, I think that is one of the things that is of concern to us; 612 percent. That is the increase in these claims against American small businesses, against the businesses that are employing our citizens. We have gone from 32 cases in 1996 to 228 in 2002, according to the EEOC alone, and what we see is those misplaced priorities of the EEOC.

As my colleague previously mentioned, the U.S. Equal Employment Opportunity Commission has a backlog of 45,265 cases right now. They expect that that backlog will grow to 67,108 complaints in fiscal year 2008.

Mr. Chairman, it does not take an organizational genius to figure this out. What we see is people are not getting their workload done. What we see is the EEOC is putting their energy on something that they don't need to be putting it on, and they have those misplaced priorities, so therefore the items that they are supposed to be addressing in order to meet their mission are languishing in their in-box. They are never getting around to addressing those files. So those are continuing to pile up.

What we see is that they should be taking their resources; they have plenty of employees, they have plenty of funds. This is not an issue of them having more money or more resources. This is an issue of them putting their work and making their priorities where they need to be, of addressing these problems, kind of getting their nose to the grindstone, if you will, and getting in behind those cases and getting them done not over here suing U.S. small businesses that are employing our citizens, not over here suing the mom-and-pops who have the right, because they are signing the paycheck, they are paying the payroll taxes, they establish their workplace policies.

□ 1045

And they have the right to say we would like you to learn English. We should be incentivizing them to insist on having those employees learn English so that they better communicate with their employer and so they know how to communicate and they are learning by that interaction with those customers.

We know so well, those of us who have so many small businesses in our districts, many of these small businesses see these people as true friends.

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

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, the policy that this amendment addresses is obviously authorizing the policy that the EEOC has followed in this area through Democratic and Republican administrations. They have had a consistent position on the employer English-only policies throughout both Democratic and Republican administrations. This amendment would undermine that long standing policy. If the gentlelady and the gentleman want to change that, they ought to take it to the authorizing committee where they can have hearings and have a full-blown discussion, rather than trying to change this policy that has been in place for a long period of time, through both Democratic and Republican administrations. The amendment should be opposed.

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

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

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I rise in support of the Stearns amendment. In the interest of transparency, for a dozen years I was on the board of the Morristown Salvation Army in New Jersey, and anybody who has been associated with this organization knows that they work in the trenches for the poorest of the poor. They do a remarkable job, and they work with those that are English speakers as well as those who would not speak English.

It seems to me that the EEOC has been somewhat shopping for another venue here, while the Salvation Army, I think, is truly doing the Lord's work. And for them to expend, as apparently they have, tens of thousands of dollars in some sort of a lawsuit as a result of this EEOC litigation, I think quite honestly is an absolute travesty.

I am pleased to yield to the gentleman from Florida (Mr. STEARNS), the sponsor of the amendment, and I commend him and others for supporting this amendment.

Mr. STEARNS. I thank the distinguished chairman, and let me answer some of the criticism from that side of the aisle.

The gentleman from West Virginia (Mr. MOLLOHAN) talked about that this is not a recent problem, that all administrations before with regard to the EEOC have been following this pattern, and that is not true. The gentlelady from Tennessee pointed out there has been a 612 percent increase since 1996. In fact, there has been a large increase just recently. So this is not something that has been going on for the past 40 years; it is a more recent phenomenon.

So we here in Congress should realize that we have every right to prejudge. We have three equal branches of government. We have the executive, judicial and the legislative or Congress. We have the right to say to the EEOC, which is a government agency, the priorities you are establishing are wrong. I mean, as I pointed out earlier, this particular agency has a 54,000-case backlog, and it looks like it is going to

go to 64,000. It is going to be a 10,000-case increase.

Should they be spending all of their time trying to intimidate employers? Employers simply want to hire employees that speak English. Are the employees going to be so scared that when they hire this employee they are going to be sued by the EEOC because they are saying to the employee, ''We think it will be helpful for you to speak English to our customers''?

But as the Salvation Army did, they said, We will send you to a class for 1 year and you can learn English. So we will hire you, let you be trained, and hopefully after a year you will be conversant in English. These people didn't follow through and didn't even go to the classes. So what did the Salvation Army do, they simply said, We will have to fire you.

They talked to them, they counseled them, and then they said, We will have to let you go because you are not speaking English proficiently enough so that our customers can understand you, and we are an organization that simply has a mission to help and serve people, and we can't communicate with these people because you cannot speak English. So please go to this class that we are going to pay for and help you with this training. These people would not go, and so they were fired.

So now the EEOC lawyers are saying to its agency this case is of the highest priority. We are going to forget these 54,000 cases backlogged in America, and we are going to go after the Salvation Army.

''God help us'' is the words that Mr. OBEY used. I say God help us if employers in this country cannot hire employees who speak English. We have every right to judge. This is not morally wrong, as Mr. OBEY said, or constitutionally wrong. This is simply Congress saying set your priorities EEOC. Let the employers hire people who speak English. And we support the concept of what the EEOC is trying to do, to enact civil legislation against people who are discriminated against in the workplace. We understand that. We accept that. But this is a case of priorities. This is a case where Congress has every right as an equal branch to say this is wrong. I commend the chairman from New Jersey for his support.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

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

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

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

AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act may be used for the Lobster Institute at the University of Maine in Orono, Maine.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' is hereby reduced by $200,000.

Mr. FLAKE. Mr. Chairman, this amendment would strike funding for the Lobster Institute at the University of Maine. We will be debating later today subsidies for corn, cotton, rice and sugar. This is about subsidizing lobsters. I frankly think we subsidize corn, cotton and sugar far too much, but lobster subsidies seem to be out of line as well.

I think taxpayers are already feeling the pinch, if you will, with high gas prices and huge deficits, and all of the other things that they are asked to pay for. But providing hard-earned taxpayer dollars to the lobster industry should make Members of this body a little red in the face.

According to the bill, the New England lobster industry will be receiving $200,000 in Federal taxpayer dollars. The certification letter does not offer much in explanation of what it would be used for except to provide resources for the New England lobster industry. What kind of resources, I think we are justified in asking. This is a private industry that makes millions and millions of dollars annually. What possible support should the Federal taxpayer be offering to this particular industry?

Again, this is one area where Congress, through earmarking, is circumventing the regular process that we typically go through. It is a process that I don't like very much. I don't think we ought to be providing funding to the Federal agencies to give subsidies this way either. But there are programs at the Federal agencies, programs that are usually open to competitive bidding where people will submit grant proposals. But through earmarking like this, we circumvent that process and we say we know better what we're going to give what amounts to. It seems like a no-bid contract to a particular industry or business or group of industries.

So I would think that this simply isn't the way to go. I would submit that no amount of drawn butter can make this kind of subsidy taste any better. We simply shouldn't be doing this kind of thing. We need to get rid of these kinds of earmarks, again, when we know so very little about what it will go to. We are just told it will provide resources for the New England lobster industry. This is an industry, like some of the others we will be discussing later today, that do quite well on their own. They make millions and millions of dollars. What possible justification can we have for using Federal taxpayer dollars to subsidize or to support an industry like this?

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

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

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

Mr. ALLEN. Mr. Chairman, I rise in strong opposition to the amendment offered by Mr. FLAKE. This amendment would strike funding for the Lobster Institute CORE Initiative for the University of Maine, a program vital to the continuation of the lobster industry.

I will say a few words in a moment about the importance of the lobster industry, not just to Maine, but to New England and to the entire Northeast, but I want to go straight to this particular program.

The Lobster Institute's CORE Initiative provides for conservation, outreach, research and education in order to sustain the lobster. This is one of the most successfully managed fisheries along the Atlantic coast. When you look at this from the point of view of the private sector, this is not a case of a big corporate fishery. The lobster industry is primarily a small fishery with individual lobstermen who cannot possibly afford to do the research on the scale that this institute does. I would say that the institute is funded primarily by contributions from the industry itself, some people who are contributing to the research, and through private donations by the Friends of the Lobster Institute.

But fundamentally, this kind of research done by our land grant universities is absolutely essential. The University of Maine does work on wild blueberries. It does work on potatoes. The industry itself could not possibly sustain industrywide research because those industries, like the lobster industry, are made up primarily of small businessmen and -women.

Frankly, it is exactly this kind of public-private partnership that makes our economy stronger than it ever could be without this support.

Let me give you some examples. The CORE program aims to establish a unified logical progression of research to address lobster health, stock assessment and environmental monitoring issues. For example, in southern New England, we have some very serious disease issues with some lobsters. We have to be able to track those diseases and make sure that we understand what is going on.

The program will also develop infrastructure to support lobster health and habitat research.

□ 1100

The information that is gathered by the institute is communicated to the public in many ways. Outreach education conducted by faculty, students and industry members, as well as conferences, seminars and workshops

throughout the region spreads information developed by the institute. The institute is also home to a lobster library which holds nearly 2,000 journal articles, research reports and informational pamphlets.

Basically, what we're saying is that one of the reasons the lobster industry is one of the most successfully managed fisheries in the Northeast is precisely because of this research. And some Federal contribution, a small contribution, $200,000 is what's at stake here, is the linchpin that holds this organization together.

A few final concluding comments. The private sector, which is supported by this research institute, includes jobs for 8,000 fishermen and countless other jobs for additional businesses such as dealers, distributors, boat builders, marine suppliers and a variety of tourism-related businesses.

Throughout the Nation, the lobster industry has an economic impact of somewhere between $2.4- and $4 billion a year, with 10,000 commercial lobster licenses issued each year. It's ranked, American lobster, I would say Maine lobster, but, you know, who's quarrelling here, American lobster is ranked third on the U.S. seafood export list, proving that it's essential to our economy.

In Maine, we have 5,800 licensed lobstermen, and the catch from Maine lobstermen makes up approximately 70 percent of all U.S. landings.

I would just say in conclusion, this may seem like a small amount of money to a small research institute, but it holds together a private industry of great economic importance not just to Maine, but to the Northeast and to all of our oceans-related industries.

That's why I strenuously object to this amendment. I urge its defeat.

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

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

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I want to support the gentleman from Maine's program. This funding supports scientific staff who monitor the health of Maine lobster fisheries, a crucial industry in his area and a crucial resource for the whole country.

The funding provides infrastructure to improve science research efforts in this regard. Funding is crucial to understanding the health of the lobster fishery industry, and he stresses that in his remarks.

This amendment is supported by the subcommittee. It's a good earmark, it's a good project, and this Member has concluded that it's essential in his area and to support this very important industry in his area. The subcommittee strongly supports this Member's project in this regard.

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

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to the gentleman's amendment, but certainly know where his heart is because he's been diligent and persistent.

The directed spending included in our committee's report augments and, in some cases, enhances the administration's own earmarks with congressional priorities, which is entirely appropriate. Funding recommendations included in our report were made in full compliance with the applicable rules and procedures of the House. So there's total transparency.

On a bipartisan basis, I've worked with Chairman MOLLOHAN in reviewing all of the requests before the Commerce, Justice and Science Subcommittee, all of the Member requests, and we recommend funding for this and other projects which people will try to take out.

We believe these projects have merit, and what's most appropriate is that Members are willing to come to the floor to defend their projects, and that's necessary because we need to hear from them as to their merit. They know their States, and they know their districts, and that's why we're supporting this process.

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

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

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

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

AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act may be used for meteorological equipment at Valparaiso University in Valparaiso, Indiana.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' is hereby reduced by $720,000.

Mr. FLAKE. Mr. Chairman, this is a rather large earmark, $720,000. It's for Federal funding for meteorological equipment at Valparaiso University in Valparaiso, Indiana.

Growing up, I was told the best way to tell the weather was to stick your arm out the window of the vehicle as we were going down a farm road. This seems to me to be Congress's way of sticking their arm into taxpayers' back pocket and getting their wallet.

The earmark description in the certification letter submitted said the earmark would fund the equipment as a teaching tool for the university's meteorology department and provide weather information to entities in northwestern Indiana and surrounding areas.

This university is a coed, 4-year, private university located, as I said, in northwestern Indiana. It's ranked by the U.S. News and World Report as one of the top universities in the Midwest. Its endowment is in excess of $143 million.

Again, why do we fund earmarks for institutions that are as flush as this one? Why do we dole out any Federal money to any private institution such as this, with a generous endowment already there?

When we approve earmarks like this, we as an institution are bypassing the competitive grant process that already exists for funding educational and research institutions.

In 1950, the National Science Foundation, an independent Federal agency, was created by legislation with the intent of promoting the progress of science and advancing national health and welfare by supporting research and education in all fields of science and engineering.

In the past, the Federal Government has awarded more than $400 billion in the form of competitive grants; $400 billion has been given out by the NSF over the years. This agency was created with a specific purpose of giving out grants like this.

Over the course of this year, the Division of Atmospheric Sciences, an office within NSF, has awarded more than $2 million to fund research for meteorological experiments. Federal funding exists for the sponsor's earmark. This grant process should be respected.

Again, we are going outside of the process. There's a process that we have established, that we have caused to be established in the Federal agencies to give out money in this regard, and here we're saying, well, we're not going to go through that. Perhaps this university, I don't know, perhaps it applied for a grant and didn't get it. Perhaps it has received other grants, I just don't know, but what I do know is we are giving what amounts to a no-bid contract where one member of the Appropriations Committee is going to say, I'm going to designate or earmark money for this institution and bypass the process that we have set in place. And I just don't think that's right.

If we don't like the process that's been established, let's change it. Let's tell the Federal agencies, you need to have a broader pool, you need to give more grants out to small colleges, you need to do this, you need to do that, but let's establish a process and then follow it rather than circumvent it. And this, I see, is circumventing the process.

This bill, the underlying bill today, funds the National Science Foundation at a level of more than $6 billion. What is the purpose of funding an agency like this and telling that agency to

give out grants on a competitive basis if we're going to go around it and give out our own grants from Congress? It just doesn't seem right.

I urge my colleagues to support the amendment.

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

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

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

Mr. VISCLOSKY. Mr. Chairman, I appreciate the recognition, and I rise in opposition to the gentleman's amendment to strike funds in this bill for the meteorological equipment for Valparaiso University.

I first want to thank the chairman of the subcommittee Mr. MOLLOHAN, as well as the ranking member Mr. FRELINGHUYSEN, for their consideration of this important project.

Mr. Chairman, this earmark is relative to two issues. The first is the safety of people who live throughout the Upper Midwest.

A key element to strengthening Valparaiso's meteorology program, as the gentleman from Arizona is correct that Valparaiso is an exceptional university, is the acquisition of Doppler radar. Doppler radar at VU will be very beneficial to the millions of people living along the southern shore of Lake Michigan because that area is currently underserved by pinpoint weather forecasting. In addition to Doppler radar, VU will begin daily weather balloon launches. As the only balloon site in Indiana, Valparaiso University will supply critical data to the meteorological community.

The notoriously unpredictable weather conditions in this area, lake-effect snow in the winter and severe thunderstorms and tornados in the spring and summer months, make the presence of Doppler radar and data gathered from the balloon station critically important to the region.

The amendment also deals with the issue of strengthening our future by investing in science and the young people in our Nation. The global economy is nothing if not competitive, and in order for the United States to remain at the forefront of scientific innovation, we must work with our universities to develop and maintain world-class scientific programs.

Valparaiso is currently home to a nationally ranked meteorological program, and we must leverage this resource to advance our national scientific interests, and I believe the university is well positioned to use the funds to continue to be a national and global leader in this field.

The procurement of the latest industry standard equipment by VU's meteorological program is also vital to helping students become familiar with the technology they will encounter after graduation as they go on to pursue careers that include the Air Force, NASA and the National Science Foundation. The purchase of new equipment will enable Valparaiso students to conduct more undergraduate research, as they will have access to a greater variety of data and the ability to archive it.

I strongly oppose the gentleman's amendment, and again thank the Chair and ranking member.

Mr. Chairman, I will yield back my time.

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

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. First of all, let me compliment the gentleman from Indiana on his project. We are here arguing, debating, describing, justifying, and questioning the merits of this particular project. However you want to describe it, the gentleman who offers the amendment, his basis of offering these amendments is, on the one hand, that we shouldn't be doing this. We talk about that on almost every amendment, the fact that indeed it is the job of the United States Congress and particularly the House of Representatives in the first instance under Article I of the Constitution to do just exactly this. This is our job. This is what we do—we provide funding for the United States of America.

The gentleman, I'm paraphrasing, said one Member of the body or of the Appropriations Committee or one Member of the Congress brings a project forward. Well, there's nobody in the Congress who would bring a project forward for this gentleman's congressional district if it were not this gentleman.

And then we get to the merits of the particular project. This one seems eminently justifiable; funding for equipment to train young people in forecasting. If you believe in government participation in education, that's what we do, and this is how we can empower this institution, this educational institution, so that they can bring excellent training for weather forecasting, which I think we all have to stipulate is extremely important for the Midwest in light of the kind of weather conditions they have.

So let me compliment the gentleman from Indiana for his project, and for bringing it to us. We have looked at it carefully, and perhaps we should say thank you to the gentleman who raises the amendment for giving the gentleman from Indiana an opportunity to stand up and discuss and describe his amendment for us and for his constituency.

□ 1115

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

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

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, before I yield to the gentleman from Arizona, let me associate myself with the remarks of Chairman MOLLOHAN.

I have every confidence, and even more so, from hearing from the gentleman from Indiana, that this project has merit. He has had the opportunity to expand on what we saw in a digested form, and I think he has made a strong case for this project. He is willing to put his name on the project, which means his integrity is backing that project.

I salute him for what he is doing. I oppose the amendment.

Mr. Chairman, I yield to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Let me simply say that it's often said through earmarking we are simply asserting our right and the responsibility we have as Members of Congress under article 1. Under article 1, we certainly have the power of the purse.

The problem is, I think the contemporary practice of earmarking, when you bring a bill to the floor that has over 1,500 earmarks, you diminish that responsibility that you have, because we go around or circumvent the careful process of authorization, appropriation, and oversight that is a time-honored practice and hallmark of this institution. When we earmark, we get away from that and not enhance it. That's the reason for bringing these amendments forward.

Mr. FRELINGHUYSEN. Reclaiming my time, and just for the record, the bill has approximately 1,100 earmarks, which is about one-fourth of what we had last year. We are, indeed, making some progress in reducing the number.

In any case, Members come forward to defend their earmarks, which I think is entirely appropriate. There is far more transparency, far less in the way of earmarks. I think the process has been vastly improved.

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

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available by this Act may be used for the National Textile Centers.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit funding for the National Textile Center. The earmark description in the various certification letters submitted to the committee by various sponsors, and this is one that is sponsored by a number of Members, I understand, says that the earmark will fund the development of a National Textile Center; specifically, the funds will be used to conduct research and development and improve technologies.

The Web site for the National Textile Center states that it is a consortium of eight universities, Auburn, Clemson, Cornell, Georgia Institute of Technology, North Carolina State University, University of California Davis, University of Massachusetts Dartmouth and Philadelphia University, that share human resources, equipment and facilities. This consortium serves the U.S. fiber-textile-retail complex industries.

It's not at all clear what amount this program is to be funded. The committee report language says funding for two textile-related programs, but the proposed funding amount is nowhere to be found in the text of the bill or the committee report.

The manager's amendment recommended that the U.S. foreign and commercial service account be increased by $5 million to $245,720,000 in order to fund ''two textile-related programs.'' We can only infer that this increase will fund this program and another program, but there is no way for us to be certain. Inquiries made to the relevant subcommittee failed to clarify the matter.

Members of Congress as stewards of the taxpayer's dollars, as stewards, need and deserve more information to make informed decisions.

Beyond the transparency issues here, I simply don't agree here, again, with this picking winners and losers here. I understand the textile industry has undergone great transformation with jobs, a lot of jobs going overseas. There is great difficulty there. I don't minimize that. That is true with a lot of industries.

In my district and elsewhere, a lot of people would like to receive funding to help their industries transition. We simply can't do it everywhere.

Some Internet searching on the National Textile Center indicated the center already exists and has received generous funding in the past. A press release from the center touted that more than $9 million in Federal funds were received in 2001. That, again, is a little confusing when we are told that this will fund the development of a national textile center that seems to already exist.

But anyway, again, here, this is an example of a program we have over the Department of Commerce that we have used that funds programs like this. I simply don't see the need to earmark additional funds to supplant or to replace or to augment funds that have already been appropriated and for which there is a process that has been established for competitive grants to be given.

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

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am joined by 11 colleagues from North Carolina, as well as colleagues from several other States, in requesting fiscal year 2008 funding for the National Textile Center. I want to say to the gentleman introducing this amendment that if there is, in fact, any lack of transparency or any confusion about our intent, I would be happy to clear that up.

We do indeed intend for this funding to go to the National Textile Center, which has been established, as the gentleman acknowledged, for a number of years. In fact, it has received funding since fiscal year 1992. It is a center that involves a number of universities and has expanded since that time. And it's a center that has a well-established track record.

The National Textile Center is just what the name suggests. It's a national program for a national industry that affects our national competitiveness. There is a consortium of eight leading research universities that participate: Auburn, Clemson, Cornell, Georgia Tech, North Carolina State, Philadelphia University, University of California Davis, and University of Massachusetts Dartmouth.

Now, any of us from North Carolina or other traditional textile-producing States are all too accustomed to news of textile operations closing their doors. Some may be shortsighted enough to suggest that the textile industry is unworthy of investment, given the loss of manufacturing jobs over the past decade.

I and my colleagues come to exactly the opposite conclusion. The textile industry is a major player still, and will continue to be a major player in the U.S. economy. It employs 600,000 workers nationwide, and it contributes almost $60 billion to the national GDP.

It's true that many lower-skilled and lower-paid jobs have left our States, but the domestic textile industry is undergoing a remarkable transformation. The research provided by the National Textile Center is an initial factor in that transformation. It's helping advance the industry in new directions, providing new, higher-paying jobs, increasing U.S. competitiveness in the process.

As the chairman of the Appropriations Subcommittee on Homeland Security, I know firsthand about the new fabrics and fibers that are protecting our first responders in new and threatening situations. That's just one example. The suits worn in this Chamber, the next generation of suspension bridges—there is a long list of products and technologies that this research consortium is going to help shape.

The new textile products and the processes created by this research are valued at three times the Federal investment to date, so it's certainly not the time to pull the rug out from under these vital projects.

Mr. Chairman, the National Textile Center is needed by a national industry. The National Textile Center is wanted and welcomed by the Department of Commerce. And the National Textile Center was requested by more Members than any other project in this bill. It's a worthy recipient of Federal funding, and I urge defeat of the amendment.

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

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

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. COBLE. Mr. Chairman, when it comes to earmarks, it's easy for me to embrace my earmark as good government and reject your earmark as wasteful pork. By the same token, it's easy for you all to embrace your respective earmarks as good government and reject mine as useless, wasteless pork. That probably amounts to hypocrisy, but it is nonetheless a political fact of life.

Now, when you talk about the textile industry, I become very subjectively involved. My late momma was a machine operator in a hosiery mill. She later worked for the Blue Bell Corporation, which was the predecessor to the Wrangler and the VF Corporation. Her job was to sew pockets on overalls, a tedious, demanding job, before the days of air conditioning, I might add. So when people gang up on the textile industry, they are ganging up on my momma. It bothers me.

We could talk all day here. Many of my friends from North Carolina, we represent what was recognized as the buckle of the textile belt. It's a beleaguered industry, and we don't need to be piling on at this juncture.

My friend from North Carolina (Mr. PRICE) has already suggested the significance, but let me repeat it.

The National Textile Center, NTC, and the Textile/Clothing Technology Corporation, [TC]2, play a critical role in helping the U.S. textile and apparel industry, which currently employs over 600,000 workers nationwide and contributes nearly $60 billion to the Nation's gross national product on an annual basis to compete with textile manufacturers in other countries.

It should also be noted that the industry is a primary supplier of employment to women and minority workers, with many of these jobs located in depressed and rural areas as well as major inner cities.

The NTC is proven and provides a highly effective structure for maximizing fundamental research and development efforts of value to the textile and apparel industrial sector. The value of new textile products and processes that have been created by NTC research is over $300 million, nearly three times the Federal investment in NTC to date.

[TC]2 is engaged in helping to transform the U.S. textile and apparel industry into a highly flexible supply chain, capable of responding to rapidly changing market demands. During calendar year 2006, 60 percent of [TC]2's

annual budget was supplied by the private sector. [TC]2 expects at least 55 percent of its 2007 funding to be provided by the private sector. To date, the public investment alone in [TC]2 has produced technology advancement valued in excess of $375 million, a return of more than 400 percent.

These programs do not specifically benefit any particular congressional district. They are an important element of our national textile industry which once led the world but, as has been noted, is now struggling to keep pace.

The textile industry needs these programs and our support, which have proven to be a wise investment in the past. This is why this amendment should be defeated.

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

Mr. WATT. Mr. Chairman, I rise in opposition to the amendment and move to strike the last word.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. WATT. Mr. Chairman, I think we come to the floor not because we feel like Mr. FLAKE's amendment is likely to pass, but he provides a unique opportunity for us to talk to each other and the American people about some of the problems and stresses that are taking place in our country. There are three points that I want to make.

First of all, this is not a local issue for me. The appropriation, the consortium, is of eight leading textile research universities in Alabama, California, Georgia, Massachusetts, New York, North Carolina, Pennsylvania and South Carolina. Not one of those universities is located in my congressional district. This is not a local pork barrel request for those of us who are rising.

Second, I want to make the point that Mr. COBLE and I, on a bipartisan basis, have been the co-Chairs of the furnishings caucus, which the textile industry provides a major base for in North Carolina and in other parts of the country. This is not something that's just about textiles. It is about a broader-based loss of jobs and employment opportunities and a severe impact on our economy and various economies in multiple States that goes well beyond just the textile industry. I hope Mr. FLAKE recognizes that.

□ 1130

The third point I want to make is a broader point, because it is raised by the gentleman from Arizona in a sequence of amendments. He has made the argument that somehow we are better off to let the Federal Government be making these decisions rather than trying to direct these appropriations through this process to local communities.

Now, that's an interesting argument for a person to be making who in most cases makes the counterargument that States rights are more important than Federal rights. If anybody knows what the priorities ought to be in North Carolina, Massachusetts, Alabama, South Carolina, it should be the people who are representing those areas, and I would have to say Presidents, administrations, Democrat and Republican, have not paid sufficient attention to the plight of the textile industry, the furnishings industry, the loss of manufacturing jobs that we pay in our local communities.

So for somebody to make the argument that we shouldn't be involved in the process when the decisions that are being made are impacting our local communities, I don't understand, especially a gentleman who has consistently and long term supported the notion of States rights.

So I think this is an appropriate thing for us to be doing, not only in this amendment context, but in most of the contexts, in essentially all of the contexts. I even supported his Republican colleague's Christmas tree amendment because I thought he knew more about the Christmas tree industry in his local community than anybody was ever going to know on a national basis about the importance of Christmas trees to his local economy. These are things that we are uniquely situated to understand and advocate for, and I would hope that our colleagues would strongly and resoundingly defeat this amendment, for those three purposes and others.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Thank you, Mr. Chairman.

I rise in opposition to the amendment. Some people may have thought that since I have supported Mr. FLAKE on a number of amendments, that this was sort of a centrifuge way for me to help defeat the amendment because it might lose support, given the fact that I have supported some of his amendments and not supported others. But, rather, I did request an earmark. It is one of the seven or eight earmarks that have been combined together in this in support of the textile center because the textile center exists in about eight different locations around the country, eight institutions, one of them the University of California at Davis. That part of UC Davis which is part of this is actually not in my district. It's in the gentleman, Mr. THOMPSON's, district. But I am convinced of the worthiness of this request for a slightly different reason than has been mentioned on the floor to this time.

One of the key areas that the textile center funds go to support in the work and research that's done at the UC Davis center is in the area of personal protection, research improving the functional clothing for homeland security and occupational safety. What do we mean by that?

Well, there are what are known as biocidal Nomex fabrics, which have been developed for firefighters, for first responders and for military personnel in collaboration with the National Personal Protective Technology Laboratory. In collaboration with the California Department of Forestry and Fire Protection, research has enhanced the safety and comfort of firefighters' uniforms by improving and redesigning the fabrics and clothing. Biocidal textiles, and biocidal means that there is something that is in the textile itself, the product itself, which can kill certain kinds of things, substances which would be harmful to those who are wearing them. This is dedicated research for this specific purpose. Biocidal textiles, including protective masks, have been designed and developed for health care and other workers, resulting from interdisciplinary research teams, which include social and physical scientists, public health and environmental researchers.

So while there are many reasons to support this amendment from the standpoint of those that are attempting to help an industry that has had difficult times, I rise in support of the very specific research that's being done as part of the textile center operation at the University of California at Davis which goes to protecting those folks who respond as first responders when we have explosions, when we have fires. It is not just being said to come up with some extraordinary reason to support this. This is actual research being done that has produced products that has made it safer for our first responders.

One of the things I have requested from anybody who has asked me to put forth an earmark request is show me the Federal nexus. This to me is clearly a Federal nexus. This is research that supports first responders all over the country. It's concentrated research that means it is done on a far better basis than otherwise would be possible. It enhances the final product. And in that way, it seems to me, it is a substantial, reasonable application of Federal funds for a Federal purpose.

For that reason, even though I have great respect for the gentleman from Arizona, whom I think has done a great job, and I have referred to him publicly because of his pleasant demeanor as he approaches this difficult task as Don Quixote with couth, I still would have to say with all due respect, I must oppose his amendment.

Mr. ETHERIDGE. Mr. Chairman, I stand in opposition to the gentleman's amendment and move to strike the last word.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. ETHERIDGE. Thank you.

For many of my colleagues this is just another earmark. For me this is somewhat personal because the first job that I ever held right out of high school before I went to college was in a textile plant. That was when they were plentiful in North Carolina and really

across the Southeast. Hard work, in a lot of cases it was dirty work, but it was honorable work, and it made a difference in people's lives.

The National Textile Center, or NTC, as you have already heard, really is a national initiative. It's not a localized project. It's a project that has already made a difference. It will continue to make a difference. And as you have heard, it's a consortium of eight leading textile research universities. One of those is in my State. Actually one of the universities happens to be in my district, an outstanding university, North Carolina State University. But each of these States making a contribution, or the universities in these States. They're working to advance every aspect of the textile industry, from fiber production to marketing, through research, education, and, more importantly, industrial partnerships.

That's the kind of thing we ought to be promoting here. We ought to be about getting people to work together. That's what this is about. Yet we have an amendment that says, no, we don't want you to work together. We'd just as soon you have those silos. We argue on this floor daily about knocking down silos and getting people to work together.

The National Textile Center was established really to achieve that one goal, but three others:

It was to develop new materials, innovative and improved manufacturing procedures and integrated systems essential to the success of a modern fiber, fabric and fabricated products manufacturing enterprise.

Secondly, to provide trained personnel. It's important today as the industry changes to have people who can affect the new industry, because it is a high-tech industry today, and to develop those industrial partnerships and technology transfer mechanisms.

And, finally, to strengthen the Nation's textile research and education efforts.

Just yesterday I had a large manufacturer of textiles in my office. Twenty-four plants. He closed one in the western part of North Carolina. Now, for some people that might not make a difference, but for about 300 people that lost their jobs, that's trauma. Their lives have been changed. This is a way we can help that situation. We've lost our shoe industry overseas. Much of our textiles have gone. We are now about trying to reclaim some of it.

Now in its 14th year of activity, the center has made numerous contributions to its constituents, helping to keep the textile industry economically viable by providing a knowledge-based, competitive, cutting-edge opportunity. It enjoys widespread industry support and a partnership across the States.

As has been stated already, this industry is still alive. Six hundred thousand workers in America are still employed in the textile industry, contributing nearly $60 billion to the national gross domestic product on an annual basis. Research has already provided, as you have heard, uniforms and opportunities for our first responders. They're in the process in a broader sense of creating fabrics that are self-decontaminating to protect against biological and chemical hazards.

These are things we ought to be doing. And, yes, we ought to be doing them in a way that we work together so that at multiple universities and the bright minds we have across this country today can work together to make a difference.

I oppose the gentleman's amendment, and I ask this body to defeat it resoundingly.

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

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

Mr. ADERHOLT. Mr. Chairman, I rise today to oppose the amendment, and I'm sure that my friend and colleague from Arizona means well in this endeavor. But I must say that I support the National Textile Center.

As you know, Mr. Chairman, our domestic textile manufacturers are facing tremendous competition from around the world, and much of that is due to the way that our trade laws in this country are structured. And it's not the fault of our domestic manufacturers. The only way we can remain competitive against cheap labor in these foreign countries is through cutting-edge technology.

The National Textile Center strengthens our Nation's efforts by bringing together diverse research and also those in the industry so that our textile producers can produce to lead the world in technology. So the end results, therefore, will be workers in the United States can continue to produce the highest-quality products and in the most efficient manner.

This center that we're discussing today, the National Textile Center, provides real-world applications that are needed to make sure that the textile industry in America survives. For that reason, Mr. Chairman, I rise to support this center and to oppose the amendment that is being offered before us at this time.

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FRELINGHUYSEN. While I am opposed to the gentleman's amendment, I would like to yield him time because there have been a number of other speakers.

Mr. FLAKE. I thank the gentleman for yielding. I'll be very brief.

One of the gentlemen mentioned that we in Congress simply shouldn't let the Federal Government spend this money. The last time I checked, we are the Federal Government. We're one branch of it, and it's our job to appropriate money to another; that is, to actually spend that money. We don't spend that money here. We don't write the checks. That's done by the Federal agencies. Our role is to provide oversight and to authorize the programs.

□ 1145

And so I'm not advocating at all that we step back. I'm advocating that we actually go to the time-honored practice of authorization, appropriation, and oversight. And that allows us to actually go into these Federal agencies and really provide good oversight.

But I can tell you, it's very difficult to provide oversight for example for the Defense bill. Last year or the year before, I believe, we provided an earmark in the Defense bill for a museum in New York, in the Defense bill.

How can you provide good oversight with any straight face, go to the Defense Department and say, we think that you should have spent more money on body armor for our troops in Iraq. Oh, but by the way, we directed you to spend $2 million on a museum in New York. It just doesn't seem right to me. And so I think, frankly, we cheapen our role when we, the contemporary practice of earmarking, I think, has cheapened the role of Congress and moved us away from authorization, appropriation, and oversight. So that will be my response, and I would urge support for the amendment.

Mr. MOLLOHAN. I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

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

The gentleman alludes to the Defense Department. He could save a lot more than $2 million for the United States Government if he turned his attention to the Defense Department and some of the contracting activities that are certainly going on in Iraq. And perhaps that's something he will want to look at.

But let me say with regard to the textile-designated funding in this bill, I don't know a project that has actually had more scrutiny, or more broad-based support than this project. And in a time when our industries are competing internationally, the textile industry is particularly under siege around the world. This initiative has probably saved the textile industry that continues to struggle to exist in this country. To the extent that this program has been able to save it, the research and development that has come out of the textile industry's research can largely take credit for that.

I want to commend the Members who represent these areas. And it's not one area. It's not two areas. There are eight universities involved in this, focusing on this and being ahead of the problem enough in order to be able to fund, promote, and facilitate the research that has allowed the textile industry to be as competitive as it is around the world. It is only research, it is only new discoveries, it is only new materials, new ways of manufacturing

that have allowed the textile industry in this country to survive. So actually, these gentlemen are to be commended, each and every one of them for their foresight in supporting this project. I think I heard the textile industry has 60,000 employees across this country, and is a $60 billion industry. This is really a small amount of money which has had a huge pay-off for the textile industry and the economy of the country. It's a good project, Mr. Chairman.

I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 25 OFFERED BY MR. PENCE

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

The Clerk read as follows:

Amendment No. 25 offered by Mr. PENCE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available by this Act may be used to enforce the amendments made by subtitle A of title II of Public Law 107–155.

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

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

Mr. PENCE. Mr. Chairman, I rise today to offer a very straightforward amendment. It would prohibit funds appropriated in this bill from being used by the Department of Justice to enforce the criminal penalties provisions of the Bipartisan Campaign Reform Act of 2002, commonly known as McCain-Feingold. It would, essentially, prevent the Justice Department from using funds to enforce criminal penalties against organizations that make electioneering communications under that bill.

The electioneering communications section of McCain-Feingold prohibits the use of corporate or labor union funds to finance broadcast advertisements that include the name or depiction of a Federal candidate within 30 days of a primary election and 60 days before a general election. Basically, it restricts the first amendment rights of Americans, whether they be in right-to-life organizations or the AFL–CIO or other labor organizations, from lobbying their Representatives and using the airwaves in those days before elections.

Happily, on June 25 of this year, the United States Supreme Court, in the case of FEC v. Wisconsin Right to Life, ruled unconstitutional this provision of the McCain-Feingold law that prohibits the broadcasting of such issue advertisements prior to an election, even if those advertisements reference a Federal candidate, and even if the advertisements have some electoral effect. It was, in a very real sense, Mr. Chairman, a huge victory for the first amendment because it's a major step in restoring the free speech rights to grass-roots lobbying organizations, left, right, and center.

The ruling allows advocacy groups around the country, like Wisconsin Right to Life, the freedom to run ads to encourage citizens to contact their legislators on issues of importance to them. And it reasserts the principle that the presumption under the law should be in favor of free expression rather than the muzzling of speech.

Those of us who hailed this ruling and welcomed it as a first step toward the reversal of McCain-Feingold were encouraged, but we knew this was not the end of the story. As the sole House plaintiff in the McConnell v. FEC case that challenged McCain-Feingold, I believe we must maintain our effort, which is to ensure that that about McCain-Feingold that intrudes on the first amendment rights of every single American are challenged. And that's why I'm on the floor today.

The Pence amendment reaffirms the Supreme Court's ruling in Wisconsin Right to Life. It simply states that no funds under this bill can be used to enforce criminal penalties against any organization airing such an issue advertisement. It further prevents criminal penalties attendant to the reporting requirements associated with the airing of such ads. We should not allow criminal penalties to be imposed on citizens for engaging in protected speech and for not reporting to the Government about their protected speech.

That is the crux of the Pence amendment.

Mr. NADLER. Would the gentleman yield for a question?

Mr. PENCE. I'd be pleased to yield.

Mr. NADLER. Is your amendment limited to saying you can't use funds to enforce criminal penalties against what the Supreme Court ruled unconstitutional, or does it have broader effect against other provisions of the McCain-Feingold bill?

Mr. PENCE. Reclaiming my time, I appreciate the gentleman's question.

In fairness, my amendment says that no funds may be used to force amendments made subject to title A of title II of Public Law 107–155, which, according to some, is slightly broader than the Supreme Court decision. But this is the provision of the law that the Supreme Court essentially struck down. That's the crux of the Pence amendment.

All of those who claim allegiance to the first amendment, I believe, should be thrilled with the Wisconsin Right to Life decision and support the Pence amendment.

I think we still have much to do to reinstate full first amendment protections to the American people. But I continue to believe we're badly trampled by McCain-Feingold.

But passing the Pence amendment today in the Congress would simply reaffirm the essential elements of the Supreme Court's decision in the Wisconsin Right to Life case. It's an important first step on this floor. It's one I encourage my colleagues to support.

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

Mr. MOLLOHAN. I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, the FEC is planning to issue new regulations to comply with the Supreme Court ruling that the gentleman reference. That issue, with regard to mentioning candidates, may be seen in the run-up to elections. This amendment would not interfere with that process. Mr. Chairman, we'll accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. PENCE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NADLER

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

The Clerk read as follows:

Amendment offered by Mr. NADLER:

Page 83, after line 6, insert the following new section:

SEC. 529. For ''OFFICE ON VIOLENCE AGAINST WOMEN—VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' for the Jessica Gonzales Victims Assistance program, as authorized by section 101(b)(3) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), and the amount otherwise provided by this Act for ''DEPARTMENT OF JUSTICE—GENERAL ADMINISTRATION—SALARIES AND EXPENSES'' is hereby reduced by $5,000,000.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. NADLER. Mr. Chairman, this amendment will increase the Violence Against Women Prevention Programs by $5 million intended to fund a specific provision, namely the Jessica Gonzalez Victim Assistance Program. To offset this cost the Department of Justice general activities accounts will be reduced by the same amount, $5 million.

The Jessica Gonzalez program places special victim assistants to act as liaisons between local law enforcement agencies and victims of domestic violence, dating violence, sexual assault and stalking in order to improve the enforcement of protection orders. It develops, in collaboration with prosecutors, courts and victim service providers, standardized response policies for local law enforcement agencies, including triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized.

Victims of domestic violence need the Jessica Gonzales program because the current system has undermined the effectiveness of restraining orders. In Castle Rock v. Gonzalez, the Supreme Court held that the police did not have a mandatory duty to make an arrest under a court-issued protective order

to protect a woman from her violent husband. This case came as a result of an incident in 1999 involving the kidnapping of Ms. Gonzalez's children by her estranged husband. Despite her numerous pleas to the police to arrest her husband for violating a protection order, including providing them with information on his whereabouts, the police failed to do so. Later that night, Mr. Gonzalez murdered their three children.

The Jessica Gonzalez Victim Assistance Program restores some of the effectiveness of restraining orders that the Supreme Court took away with its ruling.

This is the first opportunity we have had to grow the Jessica Gonzalez Victim Assistance Program since it was first funded last year after its initial authorization in the Violence Against Women Act reauthorization of 2005 in order to strengthen the effectiveness of restraining orders.

This program strengthens the efficacy of restraining orders against the prevalent matter of domestic violence. Tragically, as we know, violence against women is a pervasive problem which goes beyond class, culture, age or ethnic background. Every 9 seconds a woman is battered in the United States, and every 2 minutes someone is sexually assaulted.

According to the Department of Justice, more than three women are murdered by their husbands or boyfriends every day. More than 2½ million women are victims of violence each year, and nearly one in three women experience at least one physical assault by a partner during adulthood. Many more cases go unmentioned as women, fearing to come forward, leave the assaults unreported.

The Jessica Gonzalez Victim Assistance Program helps to enforce restraining orders and protect women who are victims of domestic violence, and it is a great step forward from when we authorized it 2 years ago and when we first funded it last year.

Mr. Chairman, we need more funds for this program. I am aware that this bill, because of the good work of the chairman and the committee members, includes approximately $430 million to support grants under the Violence Against Women Act which is $47 million more than the current budget and $59 million above the President's meager request for fiscal year 2008.

I'm also aware that in amendments we passed last night, we increased funding for the Violence Against Women Act by about 40 or $45 million, and I hope that some of that will survive in conference.

And in light of that, I will now withdraw the amendment, but urge my colleagues to support the CJS appropriations amount granted to programs that protect women and their families, especially the Jessica Gonzalez Victim Assistance Program, and hope that in conferences all of these matters are hashed out, that a little more money can be spared for this program, especially in light of the amendments approved last night.

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

The Acting CHAIRMAN (Mr. HASTINGS of Florida). Without objection, the amendment is withdrawn.

There was no objection.

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

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. SAXTON. I would like to engage my distinguished colleague, Chairman MOLLOHAN, in a colloquy regarding the importance of supporting ecosystem-based monitoring to better understand water quality and ecosystem effects on our fisheries.

U.S. fisheries are experiencing increasing pressure as the near-shore marine ecosystems that sustain them deteriorate due to human activity and as blooms of jellyfish and other organisms that compete for food with juvenile fish like summer flounder grow in frequency and abundance.

□ 1200

The present trend may well be the cause of significant economic harm to coastal communities in various areas along the coast. The lack of rebuilding in one of our most important coastal fisheries, summer flounder, may be an example of the downside to managing a fishery without taking into account the ecosystem impacts on its ability to rebuild. An ecosystem-based approach to management requires ecosystem-based monitoring. The use of innovative, cost-effective, place-based data collection systems would provide continuous high-quality data on a number of important water quality and biological parameters that will greatly improve the data which fisheries are managed.

I hope, Mr. Chairman, you will consider allocating some of the programmatic resources in this bill to support the use of such new technologies that hold great promise.

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

Mr. SAXTON. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I thank my colleague from New Jersey for bringing this important technology, place-based data collection stations, to my attention. I am pleased to consider this funding need as we move forward to conference should funds become available.

Mr. SAXTON. Mr. Chairman, I thank the chairman very much for his attention to this matter.

AMENDMENT OFFERED BY MR. NADLER

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

The Clerk read as follows:

Amendment offered by Mr. NADLER:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available by this Act may be used to enforce section 505 of the USA PATRIOT Act until the Department of Justice conducts a full review and delivers to Congress a report on the use of National Security Letters to collect information on U.S. persons who are not suspected to be agents of a foreign power as that term is defined in 50 U.S.C. 1801.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The point of order is reserved.

Mr. NADLER. Mr. Chairman, I commend the chairman of the committee for including in this act a provision that no funds shall be made available to authorize or issue a National Security Letter, NSL, in contravention of current law. That should go without saying, but as we have seen, apparently not with the current administration.

My amendment asks for an accounting by the Department of Justice of the FBI's collection and use of information on U.S. persons who are not suspected of being terrorists or agents of a foreign power before we provide further funding for the issuance of more National Security Letters.

This amendment prohibits funds from being used to issue a National Security Letter under the provisions amended by section 505 of the PATRIOT Act until the Department of Justice conducts a full review and delivers a report to Congress on the use of NSLs to collect information on U.S. persons who are not suspected of being agents of a foreign power, or terrorists, as that is defined in 50 U.S.C. 1801.

The underlying bill asks for the FBI to conduct a report within 2 months on what has been done to implement the inspector general's recommendations with respect to NSLs. This would simply ask that that report be more specific and more inclusive and include the following information:

How many National Security Letters have been issued; what standards are used to determine when to seek information on a person who is not suspected of being an agent of a foreign power; the current guidance as to what is ''relevant'' to an investigation when the targets are not suspected of being agents of a foreign power; how that information is stored; how the information is used; whether the information is used; whether that information is ever destroyed; whether that information has led to any substantial leads in terrorism cases; whether that information has ever been used in criminal cases; and whether that information has led to any adverse government action against people not suspected of being enemy agents, agents of a foreign power, or terrorists.

Almost limitless sensitive private information from communication providers, financial institutions, and consumer credit agencies can now be collected secretly by simply issuing a National Security Letter on an FBI field director's simple assertion that the request is merely relevant to a national

security investigation. These communications and records can be of people who are U.S. citizens who are not suspected of being agents of a foreign power or terrorists. These communications and records can be demanded without any court review or any court approval. Worse yet, the target of the NSL will never know that his communications and records were inspected by government agents because the company, the financial agent, the service provider, the bank is barred by law from telling him or anyone else of the demand. And as we know from the FBI inspector general's audit, this broad discretion has been abused by the FBI, whose agents may have violated either the law or internal rules more than 1,000 times while misusing the authority to issue National Security Letters.

This recent IG report heightens the clear need for more adequate checks on the FBI's investigatory powers with respect to NSLs. The FBI has far-reaching compulsory powers to obtain documents in terrorism investigations without NSLs. In criminal investigations the FBI can obtain a search warrant if there is a judicial finding of probable cause or a grand jury subpoena issued under the supervision of a judge and a U.S. attorney. And in international terrorism cases, the FBI has sweeping authority to obtain records under section 215 of the PATRIOT Act, all this separate from NSLs.

I intend to introduce this week, with Congressman FLAKE, the National Security Letters Reform Act of 2007 to address more fully the issues presented by section 505 of the National Security Letters.

The bill would restore a pre-PATRIOT Act requirement that the FBI make a factual, individualized showing that the records sought pertain to a suspected terrorist or spy. It also gives the recipient of a National Security Letter an opportunity to obtain legal counsel. It thus preserves the constitutional right to their day in court.

Already courts have found part of the NSL authority to be too broad and unconstitutional. The provisions that state that NSL recipients are forbidden from disclosing the demand to the targeted individual and are forbidden even from consulting with an attorney have already been struck down. Another court found the NSL authority to be unconstitutional on its face because it violates the fourth amendment's protection against unreasonable searches and seizures.

The National Security Letters Reform Act of 2007 would allow the FBI to continue issuing National Security Letters by correcting the constitutional deficiencies in the law. This bill would enable the FBI to obtain documents that it legitimately needs, while protecting the privacy of law-abiding American citizens.

I ask that my colleagues vote for this amendment so that we can protect the privacy of U.S. persons who are not terrorists or agents of terrorists before we provide funding for those broad and sweeping powers provided under the PATRIOT Act.

I urge my colleagues to vote for this amendment.

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

The Acting CHAIRMAN. Does the gentleman from New Jersey continue to reserve his point of order?

Mr. FRELINGHUYSEN. Yes, I do insist on my point of order, Mr. Chairman.

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

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

Mr. MACK. Mr. Chairman, I rise to briefly lend my support to the conservative goal of congressional oversight.

I have heard from many individuals and business leaders about section 505. It has caused the financial services sector to work overtime in complying with the section, and it has laid the foundation for an explosion in the use of National Security Letters.

Section 505 allows the executive branch to bypass the Constitution's procedures for search warrants and grants authority that Congress has a legitimate interest and role in monitoring.

This amendment simply asks the DOJ to conduct a review of their activities and ensure that the civil liberties of law-abiding Americans are not getting swept up in the process of keeping our Nation safe.

Mr. Chairman, we all agree that protecting this country is a top priority, but alongside that should be ensuring that our freedom is not threatened along the way. The best way this body can do that is through smart and direct oversight. This amendment calls for that.

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

The Acting CHAIRMAN. The gentleman from New Jersey continues his reservation.

The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in opposition to this amendment, and I reserve a point of order.

The FBI's use of National Security Letters is a very important issue. It should be addressed by authorizing committees. I would like to point out, which I know the sponsor knows, that it is his Judiciary Committee that is the authorizing committee, and I respect that, and I know he exercises a very powerful position on that committee.

This amendment requires the Department of Justice to report on its use of National Security Letters before they can issue any new National Security Letters. As we all know, the Department of Justice Inspector General released a report on the FBI's abuse of the National Security Letters in March. I hope the Judiciary Committee has been asking the Department of Justice questions. I am sure they have. Perhaps they should even mark up a bill to reform the FBI's use of National Security Letters after they have further studied this issue if they feel the reforms made by the FBI are not sufficient to date.

Despite past abuses of National Security Letters, we know that they are an important intelligence tool. We also know that al Qaeda has reestablished its central organization, training infrastructure, and lines of global communications, and that the National Intelligence Estimate has put the United States, in the words of that estimate, ''in a heightened threat environment status.'' Taking away this important intelligence tool, these National Security Letters, from the Department of Justice while they compile a report, given this heightened threat environment, is not prudent. The use of National Security Letters is a very important issue that should be considered carefully and not debated for a few minutes on an appropriations bill.

I urge rejection of the amendment, and I insist on my point of order.

POINT OF ORDER

The Acting CHAIRMAN. The gentleman will state his point of order.

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

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be made in order if changing existing law imposes additional duties.''

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. NADLER. Yes. Upon reflection upon the rules, the gentleman is quite correct in his reading of the rules, and I cannot object to his objection.

I do express the hope that in the report that the underlying bill demands that they will include the information requested by this amendment.

The Acting CHAIRMAN. The Chair is prepared to rule.

The Chair finds that this amendment imposes new duties on the Secretary to conduct a full review and deliver a report. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

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

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

Mr. SHAYS. Mr. Chairman, Congressman PENCE offered an amendment to the fiscal year 2008 Commerce, Justice, and Science Appropriations Act, the bill we are debating today, just an amendment before, to prohibit funds in

the bill from being used to enforce the criminal penalty provisions of the bipartisan Campaign Reform Act of 2002, provisions dealing with electioneering communications. This was debated and accepted by a voice vote.

It is my intention to ask that that vote be vacated so it can be part of the 2-minute voting process. And failing that, I will just ask that the vote be heard in the full Chamber, which would take 15 minutes. I am not trying to slip one by someone. I just simply want a rollcall vote on the floor of the House.

Why do I want a rollcall vote? I want a rollcall vote because the Supreme Court did not rule against the provision of Title II. It did not say that BCRA was unconstitutional as it related to Title II. Rather, it stated the provisions were unconstitutional as they applied to certain advertisements. This ruling means Title II will still be applied on a case-by-case basis.

Now, what did the campaign finance reform bill seek to do? It sought to do two things. One, it sought to prevent Members of Congress from raising money from corporations, labor unions, and unlimited sums from individuals in what we call ''hard money.''

□ 1215

That meant to enforce the 1907 law that banned corporate treasury money; the Tillman Act, the 1947 law banning union dues money; the Taft-Hartley Act; and the 1974 act, the Campaign Finance Reform bill, that made it clear you could not get unlimited sums from individuals. That was one part of the legislation.

The other part of the legislation attempted to deal with hard money contributions. These are monies from corporations, from unions, dues, from individuals, unlimited sums. And the way we sought to do that was we sought to do it by saying that a candidate's name mentioned 30 days before an election, a primary, and 60 days before a general election would be deemed campaign expenditures; therefore, no so-called ''soft money,'' the unlimited sums from individuals, corporations and labor unions, and it sought to say it had to be hard money contributions. So, Right to Life would have to raise $5,000 from each individual, put it in a political action committee, and it could spend unlimited sums based on whatever it raised in their PAC. For instance, the NRA, it has 4 million members, raises $10,000 from each. It could spend $40 million up to an election. It would be hard money, not soft.

And so my point is the Supreme Court has found the campaign finance law constitutional. It had a second issue looking at these election-nearing provisions, 30 days before a primary and 60 days before general legislation, and determined the case before it, the Wisconsin Right to Life case v. the FEC, was, in fact, permitted, and, therefore, the FEC needs to rewrite its regulations.

It is my intention, Mr. Chairman, to ask for a rollcall vote, and let me just state again why I'm doing this.

I will ask for a rollcall vote. There will be a rollcall vote. The question is, should it be a 15-minute rollcall vote or a 2-minute rollcall vote. I would prefer it be part of the whole system.

Mr. Chairman, at this time, I'm asking unanimous consent that the adoption by voice of the amendment offered by the gentleman from Indiana (Mr. PENCE) be vacated, to the end that the Chair put the question de novo.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

Mr. FRELINGHUYSEN. Reserving the right to object, Mr. Chairman, I would like to ask Mr. SHAYS of Connecticut, who has done a good job of articulating his concerns, if we could reach out to the gentleman from Indiana as a courtesy before he proceeds.

Mr. SHAYS. I think that's fair. And I would be permitted to reoffer my motion as soon as Mr. PENCE or others have been consulted. May I have the right to reintroduce this?

The Acting CHAIRMAN. The gentleman may renew his request.

Mr. SHAYS. Mr. Chairman, I would withdraw my request at this time.

AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this Act may be used for the East Coast Shellfish Research Institute at the East Coast Shellfish Growers Association, Toms River, New Jersey.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' is hereby reduced by $250,000.

Mr. FLAKE. Mr. Chairman, I will be very brief here.

This amendment would simply strike $250,000 for the East Coast Shellfish Research Institute.

We just debated an earmark a few minutes ago with regard to the textile industry, and we were told that we needed this earmark because the textile industry is in such dire straits and has been affected by international competition and incomes are down and jobs have been lost.

With regard to the shellfish industry, you have the opposite; you have an industry that is actually doing quite well. According to the East Coast Shellfish Growers Association, this is the administrative organization that would receive the earmark, there are 1,300 members of the association with a combined revenue of approximately $80 million this last year. This revenue averages more than $60,000 per shellfish farmer, far more than the median household income in the country. According to the U.S. Census Bureau, the median household income is around $44,000. So we have $60,000 in this industry as opposed to $44,000 nationwide.

It brings up the question, if we fund earmarks to study industries or to help industries that are in dire straits and we fund earmarks to fund industries that are doing quite well, why not everything in between? What is to stop us from going ahead and funding every private industry and their associations that are represented here or elsewhere? It simply doesn't make sense to me.

According to the National Oceanic and Atmospheric Administration, the Federal agency that manages the conditions of the oceans and the atmosphere, the U.S. seafood harvest has produced increasingly higher yields since 2000. This is in addition to increased consumer demand for seafood based on new dietary guidelines.

I grew up on a cattle ranch on a farm, and I don't want anybody to accuse me of favoring beef over seafood or shellfish. I don't. I like both. But in this case, it seems to me the Congress is again picking winners and losers here. We're saying we're favoring one particular industry, be it textiles, be it shellfish, and the only way to not do that is to give earmarks to every industry out there. And I just don't think that we can. We simply can't afford that. The taxpayer needs a break here.

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

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

The Acting CHAIRMAN. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. I rise to strongly oppose the Flake amendment.

This year, the Congress has worked diligently to reform the earmark process and significantly increase transparency. We targeted a decade of abuse, while still protecting Members' ability to direct critical funds to important projects and to ensure they remain in the public interest. This earmark meets that obligation.

The East Coast Shellfish Research Institute is a nonprofit entity. It distributes funds to the National Oceanographic and Atmospheric Administration's Fisheries Lab in Milford, Connecticut, to conduct vital research about the shellfish industry.

I understand that the gentleman from Arizona is from a State that is landlocked. For those of us who are in Connecticut, Louisiana, South Carolina, Texas and other areas that this lab meets the needs for, we rely on a healthy shellfish industry. This is a small investment. It goes a long way and pays big dividends for this entire country. We keep the industry competitive, spurring significant sustainable growth, and strengthening communities around the country.

The Milford Lab and others performing similar research, such as Stony Brook University and the Virginia Institute of Marine Science, are national assets. They provide shellfish hatcheries with pioneering research and the tools to fight predators and disease, keep business profitable to

promote efficient, environmentally sound farming techniques.

The shellfish aquaculture industry is an economic powerhouse and a potential source of tremendous growth. The east coast, which relies on this industry, is home to more than 13,000 small shellfish farmers. Yes, the annual harvests are valued at nearly $80 million. The per-acre yields from shellfish aquaculture are among the highest of any form of agriculture. And I might add, this is agriculture; we just farm fish. And the industry provides thousands of jobs in rural areas. It supports related industries such as boat building, outboard repair, tourism and shellfish processing.

You know, today the U.S. now imports 80 percent of the seafood that we consume. Some of the worst food safety scares in recent weeks have come from seafood shipped from foreign shores. We should be building American businesses and providing an environment where more home-grown, safe seafood can reach the American public. These funds will turn research into results, making scientific information and innovation possible, benefiting shellfish producers nationwide, not only in Connecticut, but Louisiana, Texas, South Carolina, Washington State and, yes, other northeastern States.

You know, if my colleagues truly believe in supporting families and farmers, harnessing innovation, strengthening our economy, this policy is common sense.

I urge my colleagues to oppose the Flake amendment.

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

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

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, under this project, funds would be used to support the East Coast shellfish aquaculture industry. I think the gentlelady has eloquently stated the merits of this request. The committee has looked at it, vetted it, spent hours going over all projects, including the gentlelady's, who serves as a distinguished member of our subcommittee, and we strongly support this project and oppose the amendment.

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

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

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, let me say I am in accord with Chairman MOLLOHAN in terms of supporting the mark we have in the bill, and I also support Congresswoman DELAURO.

From a New Jersey perspective, in the interest of transparency, I rise in support of the work of the East Coast Shellfish Research Institute of Tom's River in Congressman JIM SAXTON's district. They do some good work. They work with other institutes around the Nation. And so I strongly support the retention of the language on this project in the bill.

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

Mr. LARSON of Connecticut. Mr. Chairman, I move to strike the last word.

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

Mr. LARSON of Connecticut. Mr. Chairman, I rise in strong opposition of the Flake amendment, and I wish to associate myself with the remarks of the distinguished lady from Connecticut (Ms. DELAURO). I think she has articulated and laid out very eloquently the argument, an argument that is put forward on this floor that makes all the sense in the world, especially as we seek, in the ensuing days and next week, to talk about farmers and, in essence, fishermen.

I don't think there is any greater representation of the American way and the American way of life and rugged individualism than through the eyes of people that labor in agriculture or aquaculture.

And so, when you take a look at this very modest earmark so eloquently defended by Ms. DELAURO, it is surprising to me, especially as someone who is the co-Chair of the Congressional Shellfish Caucus, that this amendment would be drawn against such a regional way of looking and promoting and fostering aquaculture and making sure, especially in light of the concerns that Ms. DELAURO raises with regard to foreign entities importing into our country without the kind of care and caution that we know comes from home-grown fisheries, and in this case, shellfish, and the science behind this and the coming together.

Government operates best when it operates as a collective enterprise, and this process here, contrary to what the gentleman is saying, is most democratic in terms of representing those fishermen and those farmers who rarely get a chance to come to this floor themselves. But through their representative process, whether it's Puget Sound or whether it's Long Island Sound, from coast to coast, we make sure that their concerns get represented and that there is an opportunity, through this earmark, to make sure that we provide them with the necessary research to continue to foster and grow.

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

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

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

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

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

AMENDMENT OFFERED BY MR. FOSSELLA

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

The Clerk read as follows:

Amendment offered by Mr. FOSSELLA:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used to carry out the decision of the United States Court of Appeals for the Second Circuit in Lin, et al. v. United States Department of Justice rendered on July 16th, 2007.

Mr. FOSSELLA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FOSSELLA. Mr. Chairman, my amendment is designed to prevent the Department of Justice from enforcing a decision made recently by the Second Circuit Court of Appeals in New York. Many of us know of the policy in China of forced sterilization and forced abortions, and this decision recently really ties into that.

As we also know, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 clearly stated that Chinese nationals are eligible for asylum if they're subjected to forced abortions or sterilization procedures in China.

□ 1230

A decade of Department of Justice policy has held that spouses or unmarried partners of those subject to brutal treatment are also eligible.

Recently in Lin, et al., v. The United States Department of Justice, the second circuit overturned years of that policy and previous judicial decisions allowing Chinese men to claim asylum if their wife or partner is subject to a forced sterilization in China.

Less than 1 month before the second circuit handed down their decision, the third circuit came to the exact opposite assertion in Jiang v. The Attorney General of the United States, where they clearly upheld the decade-old policy of the Department of Justice granting asylum to spouses of those physically harmed by China's policy.

The chilling effect of the second circuit's decision is already being felt in States covered by the second circuit. Just 1 day after the second circuit handed down its decision, an immigration judge in Manhattan was bound to order the removal of an individual because her claim of asylum was based on the fact that her husband was a victim of the forced sterilization.

The lady had three children in violation of China's barbaric population control policies, keeping the first two hidden from the government. Upon the

birth of her third child, the Chinese Government became aware of her violation of the law and came to her home to force her to undergo sterilization. Due to the complications from her third birth, the doctor was unable to perform the sterilization, so the government simply seized her husband and sterilized him.

The judge in her case was sympathetic to her story and indicated his wish to grant her asylum; however, he felt that his hands were tied by the second circuit's decision just 24 hours prior.

Mr. Chairman, I will include the entire story for the RECORD.

We also have heard from many immigration lawyers. In light of this decision, many immigration lawyers are actively recommending to their clients who are seeking asylum based on such inhumane treatment to leave the States covered by the circuit in order to avoid expulsion.

Chinese nationals make up the largest number of asylum seekers in the United States. Between 2000 and 2005, 35,000 of the 157,000 asylum seekers came from China. It is unclear how many were petitioning solely due to China's brutal population-control policies.

In her dissenting opinion in the second circuit case, Judge Sonya Sotomayor made the point well when she wrote, ''The majority clings to the notion that the persecution suffered is physically visited upon only one spouse. But this simply ignores the question of whom exactly the government was seeking to persecute when it acted. The harm is clearly directed at the couple who dared to continue an unauthorized pregnancy in hopes of enlarging the family unit.''

To me it is clear that the effects of China's brutal forced sterilization procedures do not harm only the mother, but also the father, or vice versa. If the Second Circuit Court of Appeals can't recognize that, then I feel it is our responsibility to protect such asylum seekers either until there is a consistent national policy, or Congress considers a legislative remedy if necessary.

The second circuit's opinion, as we mentioned, recognizes the split. There are contrary decisions in the third, sixth, seventh and ninth circuits between 2002 and 2007.

Mr. Chairman, I include for the RECORD the statement on Jiang Meijiao.

STATEMENT

My name is Jiang, Meijiao. I was born on August 19, 1967 in Lian Jiang County, Fu Jian Province, P. R. China. I started school at the age of nine and stopped going to school after the second year of junior high. I stayed home to help with family chores afterwards.

My husband and I were junior high schoolmates. We held a traditional wedding ceremony on January 1, 1991. We were only allowed to have only one child according to the family planning policy because my husband belonged to city household and worked in a government work unit.

I found myself pregnant in early 1993. We wanted to have more children so I went to stay in my brother's home. I gave birth to a girl named Chen, Xi and another girl named Chen, Yu on September 18, 1993 and December 10, 1996 respectively with help of midwives in my brother's home.

I was pregnant again in October 1999 and during the late term of the pregnancy, I often experienced pain in my abdomen area. I dared not to seek medical examinations in hospitals so I went to a private doctor but was refused treatment by the private doctor. The private doctor suggested that I should go to a hospital. In the morning of June 12, 2000, around four o'clock in the morning, my water broke. My husband rushed to locate a midwife for help. When the midwife learned about the frequent pain I had during the last phase of my pregnancy, she refused to deliver my child but urged us to go to the hospital. My husband had to take me to Fu Zhou City No. 1 hospital immediately. I gave birth to our third child, a son named Chen, Qi on June 12, 2000.

During the delivery of my third child, I had bled severely. I had to stay in the hospital for about a week. I was diagnosed with hysteromyoma and the doctor gave me medicine and injection as well. I was told to return to the hospital to check up half year later.

I brought my newborn baby to my mother's home to stay after being released from the hospital and left our two daughters to my brother and his wife to take care of.

On October 9, 2000, six family planning cadres came to my mother's home and forcibly taken me to Lian Jiang County Family Planning Service Station and when the doctor tried to perform the sterilization operation, they found out the leiomyoma in my uterus was too big and they dared not to continue with the operation.

The family planning cadres detained me at the family planning office and went to my husband's work unit. They took my husband to Fu Zhou No. 2 Hospital and sterilized him. I was released afterwards. We were fined 20,000 on February 3, 2002.

I came to the U.S. on April 11, 2001 and returned to China on October 3, 2001. I came to U.S. again on February 9, 2006.

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

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, we have no objection. We accept the amendment.

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

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, I entirely agree with the gentleman from New York. I entirely agree with the purpose of this amendment. The problem I have with this amendment is that, as I understand it, it says no funds may be spent to enforce a court decision.

If that is what this amendment says, and I just heard it briefly, then it is the wrong way to do it. We have to put in a bill. I am sure the Judiciary Committee will entertain, I assume would entertain it quickly, to clarify the law and say that that is not what the law is, and that what the gentleman seeks to do we ought to do legislatively.

But the idea of saying we will not permit funds to be used to carry out an order of a court destroys, undermines, and subverts the rule of law in this country. We cannot subvert the rule of law in this country by denying funds to carry out an order of the court.

If we don't agree with the order of the court, and I agree, I certainly don't agree with the order of the court in this case, it is terrible, we ought to change the law. That is why we have a Congress. That is our job. Let's change the law.

If the court interprets the law wrongly, as it has, in my opinion, along with the gentleman, we ought to put in a bill, change the law and clarify it. I think that bill would sail through here pretty quickly in all likelihood. That is the way to do it.

But to make an amendment to say no funds appropriated may be used to enforce the court order, what's next? A different court order that we dislike? That subverts the rule of law. It is the wrong way to go.

Mr. Chairman, I hope this amendment is not agreed to.

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

Mr. NADLER. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I totally agree with the gentleman with regard to the appropriate forum to deal with this issue. We will count on the gentleman to move that and get it to the floor even before we get to conference so that it will be a good result.

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

Mr. NADLER. I yield to the gentleman from New York.

Mr. FOSSELLA. Mr. Chairman, we are all on the same page as to the decision itself. The consequence of what we are trying to offer this amendment for is to delay the deportation that is already occurring in the second circuit.

Mr. Chairman, the gentleman from New York and I share the second circuit as members of the New York City delegation, but what we are trying to do is at least provide a stopgap measure. We know quite clearly that just 24 hours after this decision was reached, a young lady, and perhaps her whole family, will be sent back to China. We are looking for a consistent policy.

Mr. Chairman, I would be happy to work towards a legislative remedy, but until that time, we are trying to keep people here who want to seek and enjoy the American dream.

Mr. NADLER. Mr. Chairman, reclaiming my time, I will be happy to work with the gentleman and anyone else who will try to effectuate this policy. I would hope that the gentleman and others and I can address the administration and urge them for the next few weeks that it may take for the Congress to act, for the administration to withhold action, that they should not engage in deportations.

Now, I hope that comity with the administration would allow them to delay a little on enforcing. After all, the court didn't say, ''You must.'' The

court didn't say, ''You must deport these people.'' It said, ''You may deport these people.'' It is up to the administration to determine that.

So I would hope that the administration would delay for the few weeks it may take for Congress to show our will on this matter and that we don't agree with the court. But, again, I hope this amendment doesn't pass because it sets a terrible precedent. It may even be unconstitutional. I am not sure.

But clearly we don't want to start passing bills that say you can't enforce a court order, because once you start down that road, where do you end? But I certainly do anticipate working to make sure that nobody is deported under this. I hope the administration will delay that, and we can move legislation quickly on that.

The Acting CHAIRMAN. The question is on the amendment by the gentleman from New York (Mr. FOSSELLA).

The amendment was agreed to.

Mr. SHAYS. Mr. Chairman, I would like to renew my unanimous consent and say to my colleagues that I have spoken to the author of the amendment, and he agrees with it. My unanimous consent is that the adoption by voice vote of the amendment offered by the gentleman from Indiana (Mr. PENCE) be vacated, to the end that the Chair put the question de novo.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

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

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

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

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

Mr. MOLLOHAN. Mr. Chairman, I move very slowly to strike the last word.

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, we are awaiting the arrival of the unanimous consent, which has been a long time coming, and it is still slow in arriving. Once it gets here, it will facilitate and speed up our business for the day. It will allow us to, in an orderly fashion, finish our business on CJS, not as expeditiously as we would like. If he hadn't just arrived, I would have been asking my ranking minority member to get up and contribute to this.

Mr. Chairman, I yield back the balance of my time, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MORAN of Virginia) having assumed the chair, Mr. HASTINGS of Florida, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3093, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. MOLLOHAN. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 3093 in the Committee of the Whole pursuant to House Resolution 562, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Mr. PRICE of Georgia regarding funding for the Executive Office of Immigration Review;

An amendment by Mr. CAMPBELL of California reducing funds in the bill by 0.05 percent, which shall be debatable for 30 minutes;

An amendment by Mr. CAPUANO regarding funding for young witness assistance;

An amendment by Mr. CONAWAY regarding use of reductions made through amendment for deficit reduction;

An amendment by Mr. GARRETT of New Jersey limiting funds for attendance at international conferences;

An amendment by Mr. INSLEE regarding Federal law enforcement on tribal land;

An amendment by Ms. JACKSON-LEE of Texas regarding the early release of prisoners;

An amendment by Ms. JACKSON-LEE of Texas regarding transit workers' access to interoperable communications;

An amendment by Ms. JACKSON-LEE of Texas regarding the safety of the International Space Station;

An amendment by Mr. JORDAN of Ohio reducing funds in the bill by 3 percent, which shall be debatable for 30 minutes;

An amendment by Mr. MACK or Mr. FLAKE limiting funds for certain FBI letters unless certain reporting requirements are met;

An amendment by Mr. MCHENRY limiting funds to award a grant or contract on the basis of race, ethnicity or sex;

An amendment by Mrs. MUSGRAVE reducing funds in the bill by 0.5 percent, which shall be debatable for 30 minutes;

An amendment by Mr. OBEY regarding earmarks;

An amendment by Mr. PRICE of Georgia reducing funds in the bill, which shall be debatable for 30 minutes;

An amendment by Ms. LINDA T. SÁNCHEZ of California regarding the State Criminal Alien Assistance Program;

An amendment by Mr. TANCREDO or Mr. HUNTER limiting funds for the Security and Prosperity Partnership;

An amendment by Mr. UPTON, Ms. HARMAN, Mr. LIPINSKI, or Mr. INGLIS of South Carolina regarding use of Energy Star certified light bulbs;

An amendment by Mr. WELDON of Florida limiting Community Oriented Policing funds for State and local governments acting in contravention of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act;

An amendment by Mr. WELDON of Florida or Mr. KING of Iowa limiting State Criminal Alien Assistance Funds for State and local governments acting in contravention of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act;

An amendment by Mr. KING of Iowa limiting State Criminal Alien Assistance Funds for State and local governments unless certain reporting requirements are met;

An amendment by Mr. KING of Iowa regarding a study of aliens in prison;

An amendment by Mr. KING of Iowa limiting funds to employ workers described in section 274A of the Immigration and Nationality Act;

An amendment by Mr. KING of Iowa limiting funds for the Institute for Scientific Research, the West Virginia High Tech Consortium Foundation, the Vandalia Heritage Foundation, the MountainMade Foundation; or the Canaan Valley Institute; and

An amendment or amendments by Mr. MOLLOHAN regarding funding levels.

Each such amendment may be offered only by the Member named in this request or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Commerce, Justice, Science, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 562 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3093.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. HASTINGS of Florida (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the bill had been read through page 85, line 24.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MR. INSLEE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Of the funds appropriated in this Act for the Department of Justice, not more than $50,000,000 shall be available for the Attorney General, after consultation with Indian tribes pursuant to Executive Order 13175, to appoint attorneys to assist United States Attorneys when the public interest so requires, as authorized by sections 542 and 543 of title 28, United States Code, to litigate cases involving the enforcement of Federal law on Tribal lands, including domestic violence, dating violence, sexual assault, and stalking, and to allow reimbursement out of existing Federal funds, if available, to compensate appointees whenever such appointments facilitate the efficient, thorough enforcement of Federal law on Tribal lands.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I rise to offer an amendment to ensure that the U.S. Attorney General appoints attorneys to assist in enforcing Federal law when it comes to public interest as outlined in 28 U.S.C. 542 and 28 U.S.C. 543. It is in the public's interest to prosecute crimes committed against Native women, including domestic violence, sexual assault, stalking and dating violence. As they take on this task, I also urge them to consult with tribes as practiced and required under Executive Order 13175.

As we know, there are 4 million American Indian and Alaska Native people throughout the United States, and jurisdictional questions today are preventing the enforcement of Federal laws. Indian women suffer 2½ times more domestic violence and 3½ times more sexual assaults than the rest of the American population. An Amnesty International report showed that 86 percent of these crimes are committed by non-Indian men, and the law prevents Tribal courts from prosecuting them.

As a former prosecutor, I was shocked that the majority of criminals go unpunished. Justice Department data compiled by Syracuse University showed that in two decades, only 30 percent of tribal land crimes referred to U.S. Attorneys were ever prosecuted. I would like to see U.S. Attorneys consult with the tribes and work to enforce Federal law, especially when it comes to crimes of domestic violence, stalking and sexual assault. And ensuring that U.S. Attorneys appoint special attorneys to assist in prosecuting these Federal laws is imperative.

I will include for the RECORD information from a Wall Street Journal article entitled, ''Tattered Justice on U.S. Indian Reservations, Criminals Slip Through Gaps.'' It is time we close those gaps, and I urge U.S. Attorneys to act with dispatch in this regard.

[From the Wall Street Journal, June 12, 2007]

ON U.S. INDIAN RESERVATIONS, CRIMINALS SLIP THROUGH GAPS

(By Gary Fields)

CHEROKEE, N.C.—Jon Nathaniel Crowe, an American Indian, had a long-documented history of fighting with police officers and assaulting women. But the tribal court for the Eastern Band of the Cherokee, under whose jurisdiction he lives, couldn't sentence him to more than one year for any charge. Not when he left telephone messages threatening to kill an ex-girlfriend, not when he poured kerosene into his wife's mouth, not when he hit her with an ax handle.

''We put him away twice for a year, that's all we could do,'' says James Kilbourne, prosecutor for the tribe. ''Then he got out and committed the same crime again.''

Indian tribes are officially sovereign nations within the U.S., responsible for running services such as schools and courts. But a tangle of federal laws and judicial precedents has undermined much of their legal authority. As a result, seeking justice on Indian reservations is an uneven affair.

Tribes operate their own court systems, with their own judges and prosecutors. Sharply limited in their sentencing powers, they are permitted to mete out maximum jail time of only 12 months for any crime, no matter how severe. The law also forbids tribal courts to prosecute non-Indians, even those living on tribal land.

Federal prosecutors can intervene in serious cases, but often don't, citing the long distances involved, lack of resources and the cost of hauling witnesses and defendants to federal court. In the past two decades, only 30% of tribal-land crimes referred to U.S. attorneys were prosecuted, according to Justice Department data compiled by Syracuse University. That compares with 56% for all other cases. The result: Many criminals go unpunished, or minimally so. And their victims remain largely invisible to the court system.

The justice gap is particularly acute in domestic-violence cases. American Indians annually experience seven sexual assaults per 1,000 residents, compared with three per 1,000 among African-Americans and two per 1,000 among whites, says the Justice Department. The acts are often committed by non-Indians living on tribal land whom tribal officials cannot touch. Local prosecutors say members of Indian communities have such low expectations about securing a prosecution that they often don't bother filing a report.

''Where else do you ask: How bad is the crime, what color are the victims and what color are the defendants?'' asks Mr. Kilbourne, who has prosecuted cases on Cherokee lands since 2001. ''We would not allow this anywhere else except Indian country.''

The lack of prosecutorial discretion is one of many ways in which Indian justice has been split off from mainstream American due process. For example, some defendants appearing before Indian courts lack legal counsel, because federal law doesn't require tribes to provide them with a public defender. Although some tribes have them, others can't afford to offer their members legal assistance. It's not unusual for defendants to represent themselves.

The Indian Civil Rights Act, passed by Congress in 1968, limited to six months the sentences tribes could hand down on any charge. At the time, tribal courts were seeing only minor infractions. Congress increased the maximum prison sentence to one-year in 1986, wrongly assuming that the Indian courts would continue to handle only misdemeanor-level crimes. Tribal offenses, meanwhile, escalated in both number and severity, with rape, murder and kidnapping among the cases.

The Supreme Court weighed in on another level, with its 1978 Oliphant decision ruling that tribes couldn't try non-Indian defendants in tribal courts—even if they had committed a crime against a tribe member on the tribe's land. In its ruling, the court held that it was assumed from the earliest treaties that the tribes did not have jurisdiction over non-Indians.

''If you go to Canada and rob someone, you will be tried by Canadian authorities. That's sovereignty,'' says University of Michigan law professor and tribal criminal-justice expert Gavin Clarkson. ''My position is that tribes should have criminal jurisdiction over anybody who commits a crime in their territory. The Supreme Court screwed it all up and Congress has never fixed it.''

Jeff Davis, an assistant U.S. Attorney in Michigan who handles tribal-land cases, acknowledges that his hands are often tied. Mr. Davis is also a member of North Dakota's Turtle Mountain Band of Chippewa. ''I've been in the U.S. Attorney's office for 12 years, and both presidents I have served under have made violent crime in Indian country a priority. But because of the jurisdictional issue and questions over who has authority and who gets to prosecute, it is a difficult situation.''

Often cases don't rise to the level of felony federal crimes unless the victim has suffered a severe injury. Federal prosecutors have limited resources and focus almost exclusively on the most serious cases.

Compounding that is the fact that domestic-abuse cases are difficult to prove, especially if the lone witness recants.

''It requires stitches, almost a dead body,'' says Mr. Davis. ''It is a high standard to meet.''

For some non-Indians, tribal lands are virtual havens. Chane Coomes, a 43-year-old white man, grew up on the Pine Ridge Reservation in South Dakota—home to the Oglala Lakota, near the site of the infamous 1890 massacre at Wounded Knee. Marked by a small obelisk, the mass grave is a symbol of unpunished violence, literally buried in the soil of the tribe. The 2000 census documented Shannon County, which encompasses the remote and desolate reservation, as the second-poorest county in the U.S., with an annual per-capita income of $6,286 at the time. Only Buffalo County, S.D., was poorer.

According to local authorities, Mr. Coomes used his home on the reservation as a sanctuary, knowing he would be free from the attentions of tribal prosecutors.

Tribal Police Chief James Twiss says Mr. Coomes was suspected of dealing in small amounts of methamphetamine for years. Tribal police also thought he might be trafficking in stolen goods.

In 1998, Mr. Coomes assaulted a tribal elder, Woodrow Respects Nothing, a 74–year-old decorated World War II and Korean War veteran. Because it couldn't prosecute, the tribe ordered Mr. Coomes off its land. But attempts to remove him were unenforceable.

''All I could do was to escort him off the reservation,'' says tribal police officer Eugenio White Hawk, who did that several times, the last when he spotted the banned man hauling horses in a trailer. ''He kept coming back. After a while I just left him alone and let it go. It was just a waste of time.''

Mr. Coomes remained in his Shannon County home until 2006 when he was accused of beating his estranged wife in nearby Nebraska and threatening to kill her, according to Dawes County District Attorney Vance Haug. The crime was committed off the reservation, and the subsequent investigation gave state authorities official jurisdiction.

After raiding his home, they found stolen equipment as well as 30 grams of methamphetamine and $13,000 hidden in the bathroom, along with syringes.

Mr. Coomes is now in the Fall River County Jail charged with possession of stolen property, grand theft and unauthorized possession of a controlled substance. He also faces separate charges, of assault and ''terroristic threats'' related to his wife, in Dawes County, Neb. If convicted on the latter charges, he faces up to six years in prison, Mr. Haug said. Mr. Coomes's attorney declined to comment.

The jurisdictional quagmire also has implications for Indian members on the other side of the tribal border. Gene New Holy, an ambulance driver on Pine Ridge, had been arrested by the tribe more than a dozen times for various drunk-driving offenses, for which he received only two convictions totaling about a month in a tribal jail. In state court, four convictions would have led to a maximum sentence of five years.

Lance Russell, the state prosecutor for Shannon County and neighboring Fall River County, had never heard of Mr. New Holy until Feb. 11, 2001, when Mr. New Holy got drunk at a Fall River County bar. According to court documents, he nearly hit one car on a main highway, forced two others into a ditch and sideswiped a third that had pulled off the road as Mr. New Holy approached it in the wrong lane.

The last car he hit contained three tribe members—cousins Bart Mardinian, Anthony Mousseau and Russell Merrival— all of whom died. The accident was less than a mile off the reservation, enough to give Mr. Russell and the state jurisdiction in the case. Mr. New Holy is serving 45 years in state prison for three counts of vehicular homicide—much longer than the 12 months per count he would have served under tribal law. His attorney didn't return a call seeking comment.

''The holes in the system are more practical than legal, and the victims of crime pay the price,'' says Larry Long III, the South Dakota attorney general. ''The crooks and the knotheads win.''

The Eastern Band of Cherokee, located in the Smoky Mountains of North Carolina, is one of the most efficiently run tribes in the country. Its ancestors hid in these mountains while Cherokee east of the Mississippi River were forcibly moved to present-day Oklahoma, a migration known as the ''Trail of Tears.'' Today the tribe is spread across five counties and is economically well off: It takes in more than $200 million annually from the Harrah's Cherokee Casino & Hotel, which it owns, and has a robust tourist industry. About half of the tribe's gambling spoils go to pay for infrastructure and government services.

Its court, which is housed in a prefabricated building, looks like any other in the U.S., except the judges wear bright, red robes. The offices, while cramped, are modern and computerized, and are a little over one hour's drive from the federal prosecutor's office in Asheville. Tribal authorities meet regularly with federal prosecutors for training. The tribe's top jurist is a former federal prosecutor who has regular contact with his successors.

Yet even here, the justice system works erratically. In 2005, tribal police received a tip that James Hornbuckle, 46, an Oklahoma Cherokee who had moved to the reservation, was dealing marijuana. Officers built a case for weeks. They raided the business and then Mr. Hornbuckle's home, where they found 10 kilograms of marijuana, packaged in small bricks. By tribe standards, it was a big haul, and authorities approached the U.S. Attorney's office.

Gretchen Shappert, U.S. Attorney for the Western District of North Carolina, says federal sentencing guidelines for marijuana are so lenient, that ''we'd need 50 kilograms in a typical federal case'' to pursue it. The feds rejected the case.

If the state court had jurisdiction to prosecute the crime, Mr. Hornbuckle might have received a three-year term. Instead, he pleaded guilty to the marijuana charge and was sentenced to one year in tribal court. Recently the tribal council voted to permanently ban him from the reservation, with backing from the feds. Messages left for Mr. Hornbuckle's attorney weren't returned.

Mr. Crowe's name is all too familiar on the reservation. Tribal Police Chief Benjamin Reed has known him since he was a juvenile. ''What I remember is his domestic-violence incidents. He just wouldn't stop,'' Mr. Reed says.

Crystal Hicks, who dated Mr. Crowe before his marriage, says the tribal member was verbally abusive. She says she left him after she had a miscarriage, when he berated her for not giving him a ride to a motorcycle gathering. ''He said I was using the miscarriage as an excuse,'' says Ms. Hicks, 27 years old.

After that, in several telephone messages saved by Ms. Hicks and her family, Mr. Crowe threatened to kill them and bury Ms. Hicks in her backyard. He was jailed by the tribe and ordered to stay away from the Hicks family.

''One year,'' says Ms. Hicks. ''He even told me he was fine in jail. He got fed three times a day, had a place to sleep and he wasn't going to be there long.''

After he married, the violence escalated, says Police Chief Reed. During one incident he drove to the home Mr. Crowe shared with his wife, Vicki. ''He had threatened her, and dug a grave, and said no one would ever find her. We believed him,'' Mr. Reed said. ''Just look at some of the stuff he'd done. That girl was constantly coming down here, her face swollen up.'' At one point, he choked his wife, poured kerosene into her mouth and threatened to light it, police reports say. Mr. Crowe's attorney didn't return calls seeking comment.

None of these acts led to more than one year in jail, a sentence he has been given twice since 2001. His criminal file at the tribal court building fills a dozen manila folders. There are reports of trespassing and assault convictions, telephone harassment, threats and weapons assaults—one for an incident when he hit his wife with an ax handle, breaking her wrist. His latest arrest, in September, came about a week after he finished his most recent sentence, when he came home and beat his now-estranged wife—again.

After seven years, his crimes finally triggered federal involvement, although almost by accident. Federal prosecutors from around the country met at Cherokee earlier this year to discuss crime on tribal land. One federal official mentioned to Mr. Kilbourne, the tribal prosecutor, a new statute that allows federal intervention where defendants have at least two domestic-violence convictions, regardless of the crime's seriousness.

Mr. Kilbourne, who was preparing for a new trial against Mr. Crowe the following week, quickly turned the case over. Mr. Crowe pleaded guilty to assault last Friday and is awaiting sentencing.

CORRECTIONS AND AMPLIFICATIONS

The attorney for James Hornbuckle, a Cherokee who was cited in this article, couldn't be reached for comment. This article incorrectly says his attorney didn't return calls seeking comment.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. MACK

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MACK:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available by this Act may be used to carry out the composition and delivery of exigent circumstance letters, that indicate that a grand jury subpoena is forthcoming where none has been convened or where there is no reasonable likelihood that one will be convened, to United States citizens, businesses, banks, firms or any other entity that retains personal identity information about citizens.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Florida.

Mr. MACK. Mr. Chairman, a wise man said, ''Freedom is the core of all human progress.'' It is my belief that he is right.

Since coming to Congress, I have often been an advocate of oversight. My colleague from Arizona routinely comes to this floor urging us to make oversight a larger part of the congressional process, and I agree with him. It is an area where we all need to pay more attention.

Unfortunately, when we turn our attention away, it is often at the expense of our own liberty and freedom. This amendment seeks to spotlight a particular area of concern, the so-called exigent circumstances letters sent out from the FBI to obtain highly sensitive information.

While I support using the proper tools to keep our Nation safe, particularly in the war on terror, these letters seem to fall well short of constitutional checks and balances. My colleagues and I fear that innocent citizens are being netted in the process.

But, Mr. Chairman, how are we to know that? The very limited justification that comes from the Department of Justice stands on shaky ground. The rest of the time they hide behind national security as a reason for not telling us more. While I am pleased the FBI is taking internal steps to clarify the scope and use of these letters, I believe we should raise the process up by codifying it to ensure there are no questions that civil liberties are not being violated and the information that is coming from these searches is not being used for wrongful purposes.

Thankfully, article I of the Constitution says we are a coequal branch of government charged with cooperation and oversight of these types of activities. Mr. Chairman, when it comes to our freedom, we all need to be diligent. We all need to exercise care and we all need to be cautious of government. Though it often seeks to protect us, it always ends up capturing more of our precious liberties.

Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

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

In 2005, while on the House Judiciary Committee, I, along with some others, offered a series of reforms to the process of issuing national security letters. These reforms came about during the reauthorization of the PATRIOT Act. These reforms didn't go as far as I would have liked, but we took the administration at their word when they said that civil liberties would not be violated.

During the reauthorization process, I and others were told by administration officials that the reforms we sought were not needed, that the Department of Justice and FBI would never do the hypothetical worst-case scenario that some of my colleagues and I worried about.

After a long investigation by the Inspector General of the Department of Justice, I can regrettably say many of the worst-case scenarios actually came about and that our hypotheticals were not so farfetched.

The FBI has abused its power both in terms of National Security Letters and exigent letters. In the case of exigent letters, it appears the FBI repeatedly asserted exigent circumstances where none existed in order to obtain telephone records. The Inspector General's probe also concluded that there sometimes was no open nor pending national security investigation tied to the request. This directly contradicts the requirements of U.S. law. Letters went out stating that a grand jury subpoena was forthcoming when none was forthcoming.

The Inspector General's report was just a small sampling of the use of these letters, and we have not been given a larger picture yet. I want to commend the gentleman from Florida for bringing this forward. He has worked hard on this issue, and we are not speaking anymore in hypotheticals. We have seen abuses. They have been documented. This is very important, and I commend him for bringing this forward, and I join him in his effort.

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

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

The Acting CHAIRMAN. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. KENNEDY. Mr. Chairman, I rise to say that I think this is absolutely a justified effort to bring to light something that I think all of the American people deserve, and that is to understand truly what is going on at the Department of Justice insofar as the use of these letters.

Unfortunately, this is legislating on an appropriations bill. I do hope that in the course of this session we will bring up legislation that will get at the PATRIOT Act so that we can bring to light how far the Justice Department has gone in overriding the initial intent of the PATRIOT Act and overriding the sense of Congress in terms of the abuse of issuance of both National Security Letters and exigency letters. For that reason, I think the intent of this is very well placed.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. SCHIFF) for whom this is a very important issue.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding. I thank Mr. MACK for his strong work on this issue and his protection of civil liberties in this regard and many others.

Most disturbingly, from my view, from the Inspector General's report was the fact that the FBI issued at least 739 exigent letters to obtain telephone toll records in violation of internal Justice Department guidelines.

These exigent letters are used in emergency situations when an attack can be imminent and information is required immediately. They said things like this: ''Due to exigent circumstances, it is requested the records for the attached list of phone numbers be provided. Subpoenas requesting this information have been submitted to the U.S. Attorney's Office, who will process and serve them as expeditiously as possible.''

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The problem with these letters, in at least 739 cases there was no grand jury meeting. There were no subpoenas requested, and none would ever be delivered. And so here you have the prospect of the FBI going out to a phone company or other provider and saying, this is an emergency, we need this information, subpoenas to be forthcoming, and none were.

Now, as a telephone company, you get the FBI knocking on your door asking for records, saying, this is an emergency, someone's life may be at risk, we may be at risk of an attack, you're going to want to comply. And then after the fact, after the FBI discovered that it had issued all these letters erroneously, unlawfully, it then issues an NSL, National Security Letter, asking for the information that was provided for in these exigent letters, basically to cover up, to try to give a patina of legality over an illegal practice.

This is deeply disturbing, and my friend's amendment, that I was pleased to join him in cosponsoring, would prohibit the expenditure of funds on these exigent letters when the claim is made that a grand jury subpoena is forthcoming when there's no grand jury even impaneled on the issue.

We need to put a stop to this practice. I very much appreciate my colleague raising this issue. I'm proud to support it.

Mr. KENNEDY. Reclaiming my time, Mr. Chairman, I think that this issue is an issue of due process. This country was founded on the basis of due process and on law, and that is why this strikes at the very heart of our system of government and why this is such an important issue to be raised.

And for that reason, I think that while this is a point of order, I do believe this is going to be an issue for this Congress to address in the course of this session. I commend the gentleman from Florida for raising it.

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

Mr. MACK. Mr. Chairman, I would like to thank my colleagues as well. I think this demonstrates that there is bipartisan support on this issue, and at the heart of this is to preserve and protect the citizens of this country's freedoms and liberties.

So I want to thank again my colleagues and the staff on both sides for working this.

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

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. The amounts otherwise provided in this Act are revised by reducing the amount made available for the ''DEPARTMENT OF JUSTICE—Office of Justice Programs—state and local law enforcement assistance'' and by increasing the amount made available for the ''DEPARTMENT OF JUSTICE—Office of Justice Programs—state and local law enforcement assistance4'' by $10,000,000 and $10,000,000, respectively.

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

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished chair.

Let me first of all, as I bring my amendment to the attention of my colleagues, thank the chairman of the subcommittee Mr. MOLLOHAN, and the ranking member of the subcommittee Mr. FRELINGHUYSEN, for your leadership on a number of these issues of which I will discuss today.

Let me, first of all, acknowledge the Department of Justice funding, particularly the State and local law enforcement and crime prevention grants and the COPS program, of which many of us have supported for an extensive period of time.

I rose to the floor of the House yesterday and indicated that I believe that the father of community-oriented policing was both the mayor and chief of police in my city of Houston, Lee P. Brown, who served as the chief of police in New York and Atlanta.

I rise today to emphasize for my colleagues the importance of providing resources to public safety officers so that they can provide the service to the community in this increasing period of rising crime statistics, and let me share with you the vastness of the public safety officers' responsibility.

What I want to suggest in this amendment is that public safety officers are needed in schools. They're needed on the highways. They're needed in our neighborhoods. They're needed on our buses and our trains. Many times incidences will occur on our trains and buses with citizens who are using those facilities, and the quick response of public safety officers can lead to the saving of lives. That is why it is important for them to have appropriate commitment and the appropriate equipment.

Let me cite in my own community, which we're seeing statistically across the Nation, having just heard the FBI report that says crime statistics are increasing all over America, not only in the urban centers like Houston, which is the fourth largest city in the Nation, but it is also increasing in our rural hamlets and villages and farmlands. We have a crisis in crime. Part of it has been because we have not provided, I think, the extra resources that we see in this bill.

But let me just cite for you why people traveling on transportation need the quick access of a public safety officer. One article says, a second metro bus driver attacked. Two men attacked a metro bus driver Tuesday after they argued with her about a fare. That means all of those riding the bus were in jeopardy. A quick response by a public safety officer was clearly a need.

And so my amendment is simple. It provides for the reemphasis of the need of this equipment, whether they are walkie-talkies and others, to ensure that we have safety, and as well to ensure that these dollars are used effectively for safety in our community.

I'd ask my colleagues to support this amendment.

Thank you, Mr. Chairman, for allowing me to explain my amendment to H.R. 3093. My amendment is simple. It seeks to assist public safety officials in the United States in communicating with one another across jurisdictions and disciplines, to enhance the public's safety and prevent unnecessary loss of lives and property.

My amendment recognizes immense importance of hand-held communication devices to the transit workers and other public officials who play a key role in responding to disasters and terrorist attacks. It seeks to ensure that they may be provided with fully interoperable equipment, maximizing their effectiveness and working to ensure their safety as they work to protect our communities.

Throughout the United States, public safety agencies—law enforcement, fire fighters, emergency technicians, public health officials, and others—often cannot communicate effectively with one another, even within the same jurisdiction, or with other public safety agencies at the Federal, State, or local level, when responding to emergencies.

As a senior Member of the Committee on Homeland Security, I have worked tirelessly to ensure that our communities' first responders are equipped with the best possible equipment, including communication devices that allow them to effectively communicate with each other and with their Federal counterparts across jurisdictions and disciplines. Interoperable communications would allow our Nation's first responders to communicate in real time, in the event of an emergency.

Mr. Chairman, the lack of sufficient hand-held communications devises may have contributed to the deaths of 343 firefighters in New York City on September 11, 2001, when police could not communicate effectively with firefighters prior to the collapse of the Twin Towers. Similarly, the lack of adequate equipment exacerbated the difficulties in evacuating people during hurricane Katrina, where many could have been saved if effective communications equipments were available not only to safety workers but to transit authorities and others in a collective effort to save the lives of those who were stranded and injured that tragic day.

Recent national catastrophes, including the terrorist attacks of September 11th and Hurricanes Katrina and Rita, clearly illustrate the need to ensure that safety responders have interoperable communications systems. Emergency response systems must be able to function under extreme and unpredictable conditions. We can learn from our past that when those responding to emergencies cannot communicate effectively, the danger to public safety officials and the public increases.

The Department of Homeland Security has recognized the importance of providing effective and real-time communication capabilities. Secretary Chertoff stated in November 2006 his intention to make sure that major cities ''have interoperable communications in effect by the end of this coming year.'' Interoperable communications provide tangible benefits to places like my home City of Houston, with its 5.3 million residents and concentration of critical infrastructure.

Mr. Chairman, my amendment simply aims to ensure that high risk areas, like Houston, have sufficient communications devices to enable our Nation's first responders and transit workers to communicate in real time, in the event of an emergency.

I urge my colleagues to support this amendment.

[From the Houston Chronicle]

SECOND METRO BUS DRIVER ATTACKED

(By Lindsay Wise)

Two men attacked a Metro bus driver Tuesday after they argued with her about the fare, making it the second attack this week of a female driver.

The men, who appeared to be inebriated, got into a dispute with the driver over fares and threatened her, said Metro spokeswoman Raequel Roberts. The men initially retreated into the bus, but about 10 minutes later, they returned to the front and punched her, Roberts said.

The driver was taken to Memorial Southwest hospital, where she was treated for a cut on her nose, Roberts said.

Some passengers on the bus took pictures of the two men with their cell phones, and Metro police are now looking for the suspects, Roberts said.

The assault took place on the same bus route and in the same area as the reported robbery and sexual assault of a Metro bus driver early Sunday.

In that case, a man boarded a Metro bus on Hillcroft at Bellaire and remained on board for several miles, waiting for the last passenger to exit before dragging the driver to the back of the bus and assaulting her at gunpoint, Metro officials said.

According to statistics provided by Metro, 28 violent crimes—ranging from robberies to aggravated assaults—occurred so far this year on their buses. Last year, 50 violent crimes were reported on Metro buses, up from 38 in 2005.

Roberts said Metro has increased security patrols in the area as they search for the attackers.

''We've been out there with officers in force,'' she said.

Mr. MOLLOHAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, we commend the gentlewoman for bringing this to the attention of us, and we have no objection to the amendment.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I'd like to thank the distinguished gentleman and the ranking member.

And let me just say to all those individuals impacted by crime, particularly these bus drivers that I'm speaking of today, help is on the way.

I ask for support of my amendment.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. The amount otherwise provided in this Act for ''Department of Justice'' is hereby decreased by $10,000,000 and increased by $10,000,000.

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

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me also thank the chairman and ranking member for their infusion of dollars in the Federal prison system, $179 million above 2007.

There needs to be an infusion of funding because we have an overcrowded system in the Federal Bureau of Prisons. We, as the authorizing committee, the Committee on the Judiciary, have heard repeatedly of the concerns of both the management of the Federal Bureau of Prisons, but also the inmates. I have visited institutions in my own area. I've seen the overcrowding. I've seen the conditions and paid attention to some of the elements that we could improve.

Many may hear this debate and suggest that incarcerated persons should be treated in a certain way. This is a very simple amendment. It asks for a study to look at the possibilities of early release for nonviolent prisoners who are over the age of 45.

How does that help our community? One, it sends individuals back home to their families to provide resources. We know that we are watching a second chance bill make its way through this Congress. We hope that it will move quickly. Many of these offenders are middle age. Many of them are sick. This costs a great deal for the Federal Bureau of Prisons.

It is noted that 1.1 million nonviolent offenders are currently locked up. Many of them are African Americans, and in the 1930s, 75 percent of the people entering State and Federal prison were of the majority population. That is not the case now.

So it's a simple premise. It has been adopted in the authorization bill. It asks the hard question, why are we incarcerating for decades and decades nonviolent individuals who pay their debt to society, when they could come out and provide the comfort and nurturing and financial support to their own families and also address the question of Federal prison overcrowding?

I'd ask my colleagues to support it.

Thank you, Mr. Chairman for this opportunity to explain my amendment. My amendment provides for the early release for nonviolent offenders who have attained the age of at least 45 years of age, have never been convicted of a violent crime, have never escaped or attempted to escape from incarceration, and have not engaged in any violation, involving violent conduct, of institutional disciplinary regulations.

My amendment seeks to ensure that in affording offenders a second chance to turn around their lives and contribute to society, ex-offenders are not too old to take advantage of a second chance to redeem themselves. A secondary benefit of my amendment is that it would relieve some of the strain on federal, state, and local government budgets by reducing considerably government expenditures on warehousing prisoners.

Mr. Chairman, some of those who are incarcerated face extremely long sentences, and this language would help to address this problem. Releasing rehabilitated, middle-aged, non-violent offenders from an already overcrowded prison population can be a win-win situation for society and the individual who, like the Jean Valjean made famous in Victor Hugo's Les Miserables, is redeemed by the grace of a second chance. The reentry of such individuals into the society will enable them to repay the community through community service and obtain or regain a sense of self-worth and accomplishment. It promises a reduction in burdens to the taxpayer, and an affirmation of the American value that no nonviolent offender is beyond redemption.

Mr. Chairman, the number of federal inmates has grown from just over 24,000 in 1980 to 173,739 in 2004. The cost to incarcerate these individuals has risen from $330 million to $4.6 billion since 2004.

At a time when tight budgets have forced many states to consider the early release of hundreds of inmates to conserve tax revenue and when our nation's Social Security system is in danger of being totally privatized, early release is a common-sense option to raise capital.

The rate of incarceration and the length of sentence for first-time, non-violent offenders have become extreme. Over the past two decades, no area of state government expenditures has increased as rapidly as prisons and jails. According to data collected by the Justice Department, the number of prisoners in America has more than tripled over the last two decades from 500,000 to 1.8 million, with states like California and Texas experiencing eightfold prison population increases during that time. Mr. Chairman, there are more people in the prisons of America than there are residents in states of Alaska, North Dakota, and Wyoming combined.

Over one million people have been warehoused for nonviolent, often petty crimes. The European Union, with a population of 370 million, has one-sixth the number of incarcerated persons as we do, and that includes violent and nonviolent offenders. This is one third the number of prisoners which America, a country with 70 million fewer people, incarcerates for nonviolent offenses.

The 1.1 million nonviolent offenders we currently lock up represents five times the number of people held in India's entire prison system, even though its population is four times greater than the United States.

As the number of individuals incarcerated for nonviolent offenses has steadily risen, African-Americans and Latinos have comprised a growing percentage of the overall number incarcerated. In the 1930s, 75% of the people entering state and federal prison were white (roughly reflecting the demographics of the nation). Today, minority communities represent 70% of all new admissions—and more than half of all Americans behind bars.

This is why for the last several years I have introduced the Federal Prison Bureau Nonviolent Offender Relief Act. The bill I introduced earlier this year, H.R. 261, forms the basis for the present amendment.

Over 2 million offenders are incarcerated in the nation's prisons and jails. At midyear 2002, 665,475 inmates were held in the Nation's local jails, up from 631,240 at midyear 2001. Projections indicate that the inmate population will unfortunately continue to rise over the years to come.

To illustrate the impact that this amendment will potentially have on Texas, the Federal prison population for the years 2000, 2001, and 2002 reached 39,679, 36,138, and 36,635 persons respectively; the State prison population for the same years reached 20,200, 20,898, and 23,561 persons. These numbers have grown since 2002, so the impact is indeed significant and the State of Texas is an important stakeholder.

As I stated at the outset, my amendment will ensure that in affording offenders a second chance to turn around their lives and contribute to society, ex-offenders are not too old to take advantage of a second chance to redeem themselves. My amendment will also relieve the some of the strain on federal, state, and local government budgets by reducing considerably government expenditures on warehousing prisoners.

For these reasons, I ask that all members to support my amendment.

Mr. MOLLOHAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, we have no objection to the amendment. The gentlelady's insights into this issue are clear. The committee actually welcomes the thought, the amendment, and we accept the amendment.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished chairman, and I ask my colleagues to support this amendment. This will go a long way to this very strong and harsh question of Federal prison overcrowding and how

we use our resources for nonviolent prisoners.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used in violation of Subtitle A of Title VIII (International Space Station Independent Safety Taskforce) of the NASA Authorization Act of 2005 (Public Law No. 109–155).

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

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me thank the Chair, and again, I thank the chairman and ranking member of this subcommittee. Let me also add my appreciation to the appropriators and the chair and ranking member of the full committee.

Mr. Chairman, I also want to acknowledge the hard work of the Science Committee. I had the pleasure of serving on that committee for almost 12 years. My issue there was the question of safety during the tenure that I was in that role or a member of that committee. Of course, we had the backdrop of *Challenger* and then *Columbia*.

Safety is a crucial component to the continued support of Americans of the international space station and America's space program. When I have an annual Christmas party in Houston, the most popular visitor is not Santa Claus. For children, it is the astronauts, and I rise today to offer an amendment that will reinforce the importance of safety in the NASA program.

Space exploration remains a part of our national destiny. After the *Columbia* disaster, NASA stands at a pivotal moment in its history. It is the responsibility of this Congress to ensure that the future of NASA is one of continued progress. I have long been an advocate of space exploration, and I have steadfastly emphasized that while safety must be the number one priority of NASA, this should not deter us from pushing the boundaries of technology and discovery.

In June of this year, we saw the space shuttle *Atlantis* and the international space station both experience serious safety scares. The shuttle's mission had to be extended following the discovery of a rip in the shuttle's thermal blanket, while the space station experienced the failure of a Russian-operated computer system controlling a crucial portion of the station's navigational system. These recent incidents clearly indicate the need for improved safety standards and oversight. Space exploration must be coupled with satisfactory safety assurances.

The amendment, Mr. Chairman, that I offer refers to the National Aeronautics and Space Administration Authorization Act signed into law by President Bush, which provided for the establishment of an International Space Station Independent Safety Commission, that I authored, to discover and assess any vulnerabilities of the international space station that could lead to its destruction, compromise the health of its crew, or necessitate its premature abandonment.

We will launch on August 7. That launch will head to the international space station. People will be on that international space station, which is the ultimate goal, that scientists will find the place in space to be able to do the research that will carry America forward.

That safety task force provided valuable observations on the strengths and weaknesses of the international space station safety systems. It went on to say that we should have strong congressional support for the space shuttle and international space station, as well as a number of specific technical recommendations, such as increased attention to orbital debris and ensuring that all personnel and managers have the necessary skills and experience.

If these recommendations are to be successful in identifying and mitigating future risks, then we must have a Congress that reinforces safety for NASA.

□ 1315

We shouldn't have the individual there who is afraid to speak up. We should have whistleblower protection. And we should have a director who cares about safety and does not reject Congress' interest in safety.

I hope that we will keep our eye on this international space station commission on safety, even though its report is in, to ensure that the individuals we sent on the space shuttle, the work that we are doing on space has the element of safety to save lives and create the opportunity for men and women to live and work in space.

I ask my colleagues to support this amendment as we support NASA and my appreciation for the funding that is in this bill for NASA and aeronautics and research and ask my colleagues that NASA should equate to safety, NASA should equate to science. That is an important aspect.

Mr. Chairman, I rise today in strong support of this amendment. It states that none of the funds made available in this Act may be used to limit the safety provisions enumerated in the NASA Authorization Act of 2005 (Public Law No. 109–155), particularly those regarding the International Space Station Independent Safety Commission.

Space exploration remains a part of our national destiny. After the *Columbia* disaster, NASA stands at a pivotal moment in its history. It is the responsibility of this Congress to ensure that the future of NASA is one of continued progress. I have long been an advocate of space exploration, and I have steadfastly emphasized that while safety must be the number one priority of NASA, this should not deter us from pushing the boundaries of technology and discovery.

In June of this year, we saw the Space Shuttle *Atlantis* and the International Space Station both experience serious safety scares. The shuttle's mission had to be extended following the discovery of a rip in the shuttle's thermal blanket, while the space station experienced the failure of a Russian-operated computer system controlling a crucial portion of the station's navigational system. These recent incidents clearly indicate the need for improved safety standards and oversight. Space exploration must be coupled with satisfactory safety assurances.

Mr. Chairman, the National Aeronautics and Space Administration Authorization Act of 2005, signed into law by President Bush, provided for the establishment of an International Space Station Independent Safety Commission, to discover and assess any vulnerabilities of the International Space Station that could lead to its destruction, compromise the health of its crew, or necessitate its premature abandonment.

This congressionally mandated International Space Station Independent Safety Task Force offered its recommendations in the form of a final report, which was submitted to NASA and the United States Congress in February of 2007. This report offered a number of valuable observations on the strengths and weaknesses of the International Space Station's safety systems, and it went on to make several important recommendations. The report called for strong congressional support for Space Shuttle and International Space Station, as well as a number of specific technical recommendations, such as increased attention to orbital debris and ensuring that all personnel and managers have the necessary skills and experience.

If these recommendations are to be successful in identifying and mitigating future risks to the International Space Station, Congress, together with the Administration, must firmly reaffirm its commitment to pursuing safety as a top priority. My amendment speaks to this clear need to emphasize the importance of safety standards by ensuring that none of the funds made available in this Act may be used to limit the safety provisions enumerated in the recent NASA Authorization Act.

We must continue to work to ensure that adequate safety standards apply to all NASA endeavors, and particularly to manned space exploration. As I previously stated, I am a strong supporter of the International Space Station, and I hope that we can move forward with its mission. However, our mission for discovery can not be done in haste; instead we must ensure that all steps have been taken to minimize the risk to astronauts onboard.

I hope that my colleagues will join me in supporting this important amendment.

U.S. AND RUSSIA VIEW SPACE STATION SAFETY DIFFERENTLY

(By Mike Schnelder)

CAPE CANAVERAL, FL.—It was just four high-energy batteries, the kind that are found in a lot of military equipment such as walkie-talkie sets and night vision equipment. Similar batteries already were being used on the International Space Station.

But when NASA officials discovered last year that Russian space officials were allowing the four batteries on-board the space station without the proper testing, they objected strenuously. The batteries could be toxic and had a small potential to explode. The Russians went ahead anyway.

Nothing ever happened. But the friction caused by the batteries underscores the divide between the now hyper-safety-conscious Americans and what the Russians describe as their ''more flexible'' approach.

It's a different philosophy, explains Shirley McCarty, former head of NASA's safely advisory board: In the U.S. program you must prove it is safe. The Russian approach is ''prove it's not safe.''

After the Columbia space shuttle disaster, safety is getting even more attention by the U.S. Space program,

Tensions over the two countries' approaches are being played out in Houston and Moscow as both programs debate whether to allow a spacewalk by the current space station crew of just two men—astronaut Michael Foale and cosmonaut Alexander Kaleri. A spacewalk would leave the space station temporily empty. Previous spacewalks at the international space station have depended on a third crew member inside.

The Russians, however, are comfortable with the risk and carried out spacewalks on their Mir space station with just a two-man crew. They are pushing for a spacewalk in late February to do minor work involving payloads and preparatory work for a new type or cargo ship.

The Russians consider themselves less rigid and more inventive than the Americans, who tend to follow every letter in the technical manuals, said Sergei Gorbunov, a spokesmen for the Russian Space Agency.

''Here in Russia, we are more flexible in our approach to technical problems,'' Garbunov said. ''The Americans are more conservative in dealing with technical problems, but this isn't a fault.''

It may not be a fault but the different approaches contribute to communications problems that could lead to dangerous situations, NASA's safety advisory board warned in a report last year.

''They share safety concerns,'' Michael Suffredini, the station's operations and integration manager for NASA, said last week of the Russians. ''Sometimes we have a different view.''

Jerry Linenger, a former astronaut who lived aboard Russia's Mir in 1997, said there has to be a ''happy medium'' between the two approaches.

''The Russians are probably on one side of the balance, and the Americans are probably too much on the other side,'' Linenger said.

During Linenger's stay on Mir, the Russian space station suffered the most severe fire ever aboard an orbiting spacecraft, a near collision with a cargo ship, failures of onboard system including an oxygen generator, loss of electrical power and an uncontrolled tumble through space.

The current space station crew also is experienced with close calls. Foale was on Mir when it collided with a cargo ship. Kaleri was on Mir along with Linenger when the fire broke out.

The differences between the Russian and U.S. approaches to safety are as much from cultural as economic factors, said Linenger.

Russian industry, for instance, doesn't have the commitment to worker safety that the United States has adopted in recent decades through agencies such as the Occupational Safety and Health Administration. In addition, workers in the Russian space program haven't shaken off the Soviet-era habit of following orders without question, Linenger said.

''The Russians don't want to lose a cosmonaut any more than we want to lose an a astronaut,'' he said, but suggested that perhaps they were ''less used to protecting the worker . . . They're probably more willing to overlook a lot of things that we're not.''

The limited budget of the Russian space program also contributes to how it approaches safety, Linenger said. The cash-strapped space agency, after all, has allowed U.S. millionaire Dennis Tito and South African Mark Shuttleworth to pay for the privilege of being space tourists on the station despite the initial objections of NASA officials.

Most recently, the Russian space program disclosed that government funds allocated for building crew capsules and supply ships for the space station are only about half of what's needed.

''When you have a limited budget like they did when I was there, you can't afford to go to option B,'' Linenger said. ''Maybe we misinterpret that they're cavalier about things when they have no options.''

Linenger noted that NASA recently decided to send the current crew to the space station despite concerns from a NASA physician and scientist that exercise equipment and some water and air monitoring devices weren't working properly.

''When you're between a rock and a hard place. I'm not sure we would act any differently,'' he said.

Ed Lu, who returned from the space station last month after a six-month stay, said any differences in approaches to safety aren't noticeable.

It's really one big program right now,'' he said during an interview from space before his return. ''You can't really separate the organizations too much anymore.''

But members of NASA's Aerospace Safety Advisory Panel felt otherwise. They resigned en masse in September after being described as ineffective in a report by the Columbia Accident Investigation Board. Before resigning, members cited two other recent incidents in which miscommunication between the Russians and Americans on the ground had caused problems with how the space station was positioned.

''It just seems all the required operating procedures, the ground rules aboard the station, really hadn't been completely planned out between the various international partners,'' said Robert Schaufele, a former member of the safety panel and a professor of aircraft design at California State University.

But the two programs have learned from past problems, and new procedures have been put in place, said Bill Gerstenmaier, the space station's program manager for NASA.

Since the batteries incident, complaints or concerns can be taken up the command chain more quickly, said Arthur Zygielbaum, a former safety advisory board member.

And in recent years, eight NASA specialists have worked in Russia while 10 Russian specialists have worked with NASA in Houston to smooth out potential communication issues, said Joel Montalbano, lead flight director for the current space station mission.

With this communications foundation, Montalbano said, ''we can work better and stronger.''

Mr. MOLLOHAN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. I appreciate the gentlelady yielding.

NASA has been on the forefront of safety on the NASA side, these provisions she has worked on in 2005 to incorporate into authorizing. She is reaffirming these safety procedures in this amendment, and we certainly have no objection on that.

We accept the amendment and compliment her on her efforts to improve and insist upon safety in NASA operations.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman for his courtesy, I thank the ranking member, and I thank the Congress for accepting the importance of safety as we explore the beyond.

I simply say thank you to the staff of these committees, and I ask my colleagues to support it.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 41 OFFERED BY MR. UPTON

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. UPTON:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' or ''Federal Energy Management Program'' designation.

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

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, we don't intend to take very much of our time. We have debated this amendment on each of the appropriation bills thus far. We have been very fortunate to have the support of Mr. OBEY and Mr. LEWIS and all the subcommittee chairmen and ranking members.

I offer this with my friend and colleague, Ms. HARMAN, along with Mr. ENGLISH and Mr. LIPINSKI. It is a bipartisan amendment simply requiring that the Federal Government, beginning on October 1, purchase only ENERGY STAR light bulbs.

This will be a savings of hundreds of millions of dollars to the taxpayers over the course of the year, and it is something that has enjoyed, again, wide bipartisan support. I don't need to debate it further.

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

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

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

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

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

AMENDMENT OFFERED BY MR. JORDAN OF OHIO

Mr. JORDAN of Ohio. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. JORDAN of Ohio:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwises made available by a provision of law is hereby reduced by 3.0 percent.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. Mr. Chairman, we have offered this amendment for the eighth time.

Let me just help set a framework before I talk specifically about the amendment. Today we have approximately a $200 billion annual budget deficit. We have an $8 trillion national debt. We have a budget that we have been debating over the last several weeks and will complete the spending process of that next week, but we have a budget of $3 trillion annual budget.

We have an entitlement spending crisis looming, when we think about what's going to happen in the next 10 to 15 years relative to Social Security, Medicare, Medicaid. We have got a crisis that we have to begin to deal with.

Today, today the Federal Government spends approximately $23,000 per household. Now, with that as a frame work, I think it's fair to ask, is government too big or too small? If you ask that question of the average American family, my guess is when they think about those facts, $200 billion deficit, $3 trillion annual budget, $8 trillion national debt and an entitlement crisis that is looming, and a Federal Government that spends $23,000 per American household, if you asked the average American family if government is too big, my guess is they would probably say yes.

All this amendment does is begin to take that first step, that modest first step into getting our spending under control.

It says this: instead of in this appropriation bill, instead of spending $53.5 billion, let's just spend $52 billion, which happens to be the amount that we spent last year. So it's not a cut, as our friends on the other side will most assuredly say when it's their turn to speak. It's not a cut; it's simply level funding, holding the line on spending. It's a 3 percent reduction from what's in the bill, simply going to spend what we did last year.

That's not too much to ask when you think about the context we find ourselves in today in the United States of America. Here is why it's important, and I have said this every single time.

Again, every time I bring this amendment, I always articulate to the Chair of the subcommittee and the ranking member and the Chair and ranking member of the full committee that, you know, I don't do this to be a pain.

I really believe we have to begin to focus on reducing spending. I appreciate the work that the Appropriations Committee does. I appreciate the work of the subcommittee. But if we don't begin to get a handle on spending, we are going to have problems economically in the future.

The way it works is spending inevitably leads to more taxes. The American family is already overtaxed. That's why it's important. We start to get a handle on spending, so we can reduce the tax burden that the families across this country face.

Mr. Chairman, I would urge a ''yes'' vote on the amendment.

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

Mr. ISRAEL. Mr. Chairman, I claim time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

Mr. ISRAEL. Mr. Chairman, with violent crimes increasing for the first time in 15 years, with more pressure on the Federal Bureau of Investigation, less resources and less investments in keeping our communities safe is not the answer. Cutting programs to the FBI, cops on the streets, anti-meth programs is not the answer.

Our communities want safer streets. They want a vigorous response against crime. That's what this bill does.

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

Mr. JORDAN of Ohio. Mr. Chairman, I yield as much time as the gentleman would like to consume to the Chair of the Republican Study Committee, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, I thank the gentleman from Ohio, again, for his leadership in bringing this terribly needed amendment to the floor, his diligence in authoring this amendment on a number of these spending bills.

Again, although I wish we were debating other facets of the Federal budget today, I think it is very, very important to illuminate once again where we stand as a Nation on spending.

I was in a hearing earlier this morning in the Financial Services Committee. In that committee, we are talking about the possibility of a whole new Federal wind storm insurance program. I am not here to debate the merits of that, but it brought to mind that this Nation is facing a fiscal storm, and it's a storm that we see off our shore; but it is one that unfortunately, this body continues to ignore.

It continues to ignore this problem by growing the Federal budget at a huge multiple over inflation, growing the Federal budget way beyond the growth of the family budget. Ultimately, it's the family that has to pay for this, hardworking American families that are trying to pay for their transportation programs, trying to pay for their health care programs, trying to pay for their education programs.

I have no doubt that every single dollar in this bill can be used for a good purpose. There is not a doubt there, but when do we look at what happens in the aggregate? We have had spending debates going on for weeks and weeks now. Unfortunately, they do become somewhat similar.

But there are very important points that still need to be illuminated in this debate. Again, in every single spending bill brought to the floor, somebody can say, well, this is a good idea. But who goes back and looks at it in the aggregate? Whoever adds it all up and sees what we are doing to the least of these in our society, those who do not vote, and those who have yet to be born. I am speaking about future, future generations.

So all this amendment is asking to do, notwithstanding the language of the other side, this amendment seeks to cut nothing. This amendment seeks to level fund this particular appropriations bill, using the same funding last year that it will use this year.

Mr. Chairman, there are many people, many families all across America who would love the opportunity to make it on the same income they had last year, this year, this year to next year. So somehow we are trying to be convinced that something terrible and draconian is going on.

Frankly, our friends from the other side of the aisle always accuse us of cutting something. I wish, occasionally, that might be true.

But all spending is not created equal, and there needs to be priorities. There is no doubt that many items within this bill are a priority. But I don't believe it's a priority to impose an even greater tax burden on the American people, as the Democrats seek to do in their single largest tax increase in history. That shouldn't be a priority.

Nor should it be a priority to pass on debt to future generations, which ultimately I believe this bill will do. It

shouldn't be a priority to raid the Social Security trust fund, which, by definition, if we are running a Federal deficit, then any excessive spending continues to raid the Social Security trust fund.

So all we are asking is, is it easier to be on the road to fiscal responsibility and keep faith with future generations, or are you going to be on the road to fiscal irresponsibility and not keep faith? If you follow that road, here is what you are looking at. Listen to the words of our Federal Reserve Chairman, Ben Bernanke, who said: ''Without early and meaningful action'' to address government spending, particularly entitlements ''the U.S. economy could be seriously weakened with future generations bearing much of the cost.'' Those aren't my words. Those are the words of the Federal Reserve Chairman.

Now listen to scholars at the Brookings Institute, widely known as a liberal institution, no bastion of conservative thought: ''The authors of this book believe that the Nation's fiscal situation is out of control and can do serious damage to the economy in coming decades, sapping our national strength, making it much more difficult to respond to unforeseen contingencies and passing on an unfair burden to future generations.''

Yet week after week after week we have spending bills coming to this floor, growing government way beyond the rate of inflation, growing government way beyond the growth of the family budget, and it's the family budget that has to pay for Federal budget.

So here we have just one more chapter in this book of fiscal irresponsibility.

Now, again, I know there are many good programs in this bill. But why were so many of the other bills costing billions and billions and billions and growing these budgets 3, 4, 5, 6, 7 percent more than last year? Again, too often people are focusing on one individual aspect of this budget, and they are not focusing on the budget as a whole.

Let's listen to the words of the Comptroller General, the chief fiduciary officer in America, who said that the rising cost of government, again, particularly the entitlement spending, is a ''fiscal cancer,'' fiscal cancer that threatens ''catastrophic consequences for our country and could bankrupt America.''

Again, these aren't my words. These aren't the words of one lone Member. These aren't the words of the Member from the Fifth District of Texas. These are words of the people who most know about the fiscal condition of this Nation.

□ 1330

The Comptroller General has gone on to say, and I paraphrase, that we're on the verge of being the very first generation in America's history to leave the next generation with a lower standard of living.

Mr. Chairman, like many others on this floor, I'm in the next generation business. I've got a 5-year-old daughter and a 3-year-old son, and I am not indifferent as to leaving my children and the children of America with a lower standard of living. I can't sit idly by while this House week after week after week spends our children's future, spends them into bankruptcy, threatens to double their taxes. That's the magnitude we're looking at, doubling their taxes.

And so this is a very reasonable amendment. Frankly, I wish the gentleman from Ohio had done even more on his amendments. But level funding, that's all we're asking, Mr. Chairman. When you look at the consequences, can we at least take a bill and get a little smarter, a little wiser and spend the same amount of money next year that we did this year? And, frankly, it's the future of our children and our grandchildren that are on the line.

Mr. ISRAEL. Mr. Chairman, the gentleman said that we can afford to cut or shave budgets for anticrime programs like COPS. The gentleman did not support attempts to cut or shave the $90 billion in tax shelters that allow offshore companies to shelter their profits, open up P.O. boxes in Bermuda so that they don't have to pay their fair share of taxes. We invest a fraction of that $90 billion tax shelter, $693 million, to add 2,800 cops to the streets of neighborhoods. We want to make neighborhoods safer by adding more cops. The gentleman wants to make corporate offshore profits safer. That's a difference in priorities between our bill and theirs.

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

Mr. JORDAN of Ohio. Mr. Chairman, just a couple of things. I want to pick up on what the gentleman from Texas was talking about, families, and a lady from a family from our district, Theresa from West Liberty, Ohio, a small town in Ohio, said, when talking about spending, talking about taxes, talking about the growth of government, talking about the fact we've got an $8 trillion national debt, a $3 trillion budget, the government spends $23,000 per household, and all we're asking for in this legislation, all we've been asking for in each of these amendments, is to fund government at the same level we did last year, which all kinds of families have to do just like this family in West Liberty, Ohio.

''We're in the middle class, and we're the ones the tax hikes hit the hardest. We're trying to put our kids through college. Can't government live within their means?''

I mean, pretty straightforward. It's amazing how the American people get it. If you ask the American people in this framework, all this spending, all this debt, all this deficit, is it too much to ask to say, you know what, Government, just spend what you did before. And the playbook from the other side never changes. As the gentleman from Texas articulated, we want to spend what we spent last year in this appropriations bill. Not a cut. We want to spend what we did last year. Yet the other side will say, if we do that, the sky's going to fall, the world's going to end, everything will be terrible. Oh my goodness, we won't have cops on the street.

That's just baloney. We want to spend exactly what we spent last year, because if we don't, the ramifications, the consequences for future generations, as the gentleman from Texas pointed out, are huge. And it starts with the entitlement programs that everybody knows, Republicans and Democrats know, everybody knows those are going to be problems in the future.

That's all this amendment does. It's not Draconian cuts. It's not devastating. It's not the end of the world. It's not the sky is falling. It's saying, you know what, instead of spending $53.5 billion, which is what this legislation wants to do, let's spend $52 billion, exactly what we spent last year.

Mr. Chairman, that doesn't seem to be too much to ask when we're thinking about the context we find ourselves in, and, frankly, when we're thinking about the competition we face today in the international marketplace.

As the gentleman from Texas pointed out, our Comptroller has pointed out the problems we face. It's critical that we begin to get a handle on that. That's why we bring the amendment forward, that's why it makes common sense, and that's why I urge a ''yes'' vote.

With that, I reserve the balance of my time.

Mr. ISRAEL. Mr. Chairman, violent crimes increased 3.6 percent in the past 2 years for the first time in 15 years. The gentleman's response is to cut spending for police officers, child abuse programs, domestic violence programs and antidrug programs by 3 percent.

With that, I yield 30 seconds to the gentleman from Ohio (Mr. RYAN), a member of the committee.

Mr. RYAN of Ohio. I thank the gentleman.

I would just like to make a couple of points. The gentleman from Texas mentioned entitlements. I think it's important for the Members to recall that it was the Republican majority that passed a trillion dollars in spending on the Medicare part D program and had zero, zero ability for the Secretary of Health and Human Services to negotiate down drug prices to keep them under control.

And my good friend from Ohio made the point about families, this family in his district, a middle-class family. This new Congress raised the minimum wage which will help that middle-class family. This Congress in the Labor-H bill passed an increase of $600 or $700 million in the Pell Grant. They're trying to send their kids to school. That

will help. And we cut student loan interest rates in half. So that same family who has to borrow money will have to pay back $4,000 less over the course of the loan.

We're helping that family, and I'm glad we can agree on that.

Mr. JORDAN of Ohio. Can I inquire, Mr. Chairman, how much time our side has remaining?

The Acting CHAIRMAN. The gentleman from Ohio has 2½ minutes. The gentleman from New York has 12 minutes.

Mr. JORDAN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank the gentleman for bringing this amendment.

It's interesting to hear about all the savings that the majority party, Mr. Chairman, claims that they have saved. I'm interested to get to the debate on the farm bill so we can hear of all the savings that's in it, and we will see how the next tax increase is going to be explained as some type of offset, or, as they have done so well this whole 110th Congress, is the smoke-and-mirror thing. They do a great job with it. I believe when people do a good job, they should be complimented. I've never seen an illusionist as good, especially convincing people that they are actually getting something accomplished.

If this Congress really wants to get something accomplished, we'll pass the amendment from Mr. JORDAN, because it's real savings to the taxpayers of $1.6 billion. Now, in the scheme of things, and I never thought I would be up here long enough to say that that's a small amount of money compared to the amount of money that we spend in Congress, but it is a reasonable savings. And not only that, but it's an important first step, the first time in the 110th Congress, and really, I think, probably one of the first times up here that we've actually saved some money, and there's nothing wrong with that. And even though it's a small start, it's a good start.

This bill is $3.2 billion above last year, or a little over 3 percent more than it was last year. And while it's a modest increase, a 3 percent increase, I think that we would do much better going back to last year's level and learning to live within that means, Mr. Chairman, than trying to expand the programs.

Mr. ISRAEL. Mr. Chairman, I have the right to close; is that correct?

The Acting CHAIRMAN. The gentleman does have the right to close.

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

Mr. JORDAN of Ohio. Mr. Chairman, I know we have just 30 seconds, and the gentleman from New York will close.

Again, it's a straightforward amendment. It's not a cut. It's level funding. All kinds of families have to do it every single year across this country. Again, I don't think it's too much to ask for government to do the same, particularly when you look at the facts and the financial situation that we're facing.

With that, I yield back the remainder of our time.

Mr. ISRAEL. Well, here we go again. We've been here week after week after week and entertained amendment after amendment after amendment. I respect my colleagues for trying. Unfortunately, a majority of their caucus disagrees with them, as does a majority of Congress. These amendments keep coming up, and they keep getting defeated, and there's good reason for that, particularly with this bill.

Let me share some statistics with you, Mr. Chairman. I alluded to them before. Violent crime is increasing in the United States today for the first time in 15 years. In 2005, violent crimes increased 2.3 percent. 2006, violent crimes increased another 1.3 percent. From 2002 to 2005, Mr. Chairman, there were an additional 100,000 new meth users over the age of 12.

Now, there is a dangerous correlation, because at the same time these violent crimes are increasing, Federal investments in safe communities have been cut. From 2001 to 2006, funding for local law enforcement grants was cut 42 percent. This isn't just a cut in the rate of increase, this is a wholesale cut in Federal support for anticrime programs, 42 percent, from $4.4 billion to $2.5 billion. And not only is crime going up as a result of these Federal cuts, but local taxes, which in many cases are the most regressive form of taxation, are going up as well. Because the fact of the matter is that when you cut Federal law enforcement resources, the criminals don't go away. They stay on the streets. They keep robbing banks. They keep beating people up. They keep stealing. They keep conspiring. And so while the Federal Government has abandoned its commitment to keeping our streets safe, it's the local governments who are now responsible for trying to keep those streets safe. And so all this Federal cut is is a transfer of the obligation to local taxpayers. So what sounds like a cut on the Federal level ends up costing taxpayers even more and more to protect their communities.

Mr. Chairman, let's analyze some of these cuts while crime increases. Safe communities. This small group of Members, who disagree with every Republican on the Appropriations Committee who supported this bill, had no problem supporting a $90 billion tax shelter for the biggest offshore companies on Earth to protect their profits. We in this bill invest a fraction of that, $693 million, to add 2,800 police officers to our streets to protect our neighborhoods.

The State Criminal Alien Assistance Program. We can have differences on how to protect our borders. We all want to keep our borders safe, but if someone crosses our borders here illegally and then commits a felony, or several misdemeanors, and is arrested and incarcerated, most of us believe that the Federal Government ought to assume the financial obligation for incarcerating those people.

This small group of Members had no problem spending $14 billion on tax cuts for the biggest oil companies on Earth in the history of profit-making. We invest a fraction of that, $405 million, to reimburse local taxpayers for the costs of the incarceration of criminal aliens. What makes more sense to America?

The war on drugs. We learned in Iraq that you can't win a war when you underfund the troops. Well, guess what, Mr. Chairman. You can't win a war on drugs when you underfund cops on the streets. This small group had no problem spending billions and billions of dollars on Vice President CHENEY's no-bid contracts. We invest a fraction of that, $40 million, to fight illegal drugs with mobile enforcement teams; not mobile enforcement teams in Iraq, Mr. Chairman, mobile enforcement teams here at home.

Child exploitation. We fund 93 additional positions in U.S. attorneys' offices to fight child exploitation and enforce obscenity laws; 38 new positions in U.S. attorneys' offices to fight gang crimes. Gang crimes are proliferating. Gangs are a national problem. They cross not only State borders, they cross town lines and county lines and village lines. It requires a national investment to stop these gangs from preying on our children. We invest in stopping those gangs. This small group says, let's cut gang enforcement by 3 percent.

Domestic violence. We invest $430 million for the Violence Against Women Act for prosecutions. This small group says, we can protect the profits of big drug companies, we can protect the profits of corporations that register themselves at P.O. boxes in Bermuda, but we have to save the investment in protecting women from domestic violence?

Finally, Mr. Chairman, and this is the real kicker, to coin a phrase by my friend from Ohio several days ago, the war on terror. For the past 7 years, the FBI counterterrorist caseload has increased more than 100 percent, from 1,150 to nearly 2,400. How do they make the argument, Mr. Chairman, that as the counterterrorist caseload is going up 100 percent, we should shave resources by 3 percent to the FBI? I think most Americans understand that they can't go out and investigate terrorists, that that's the job of the FBI. We want the FBI to have those resources.

If there is money for oil companies, if there is money for offshore corporations, if there is money for Halliburton, how is it that we can't afford additional resources for the FBI in the global war on terror?

□ 1345

Mr. Chairman, I'll conclude by suggesting that this really is about priorities. And this is the debate we've had.

The sponsors of this bill have legitimate philosophies, and I understand their philosophies. Their philosophies are wrong.

They say government wants more of your money and that you should decide how to spend it. That's not true. They've spent the people's money on tax cuts for oil companies. We want to invest in COPS for neighborhoods. They've spent it on no-bid contracts for big companies. We want to spend it on investigators for the FBI. They spent it on protecting the profits of offshore companies. We want to invest it in protecting the safety of our neighborhoods.

That is why, Mr. Chairman, Republicans and Democrats, were united on this bill in the Appropriations Committee. Every Republican on the Appropriations Committee joined Democrats in passing this bill because it was common sense, the right investments, the right priorities. And that's why when this amendment is offered again on the floor for a vote, it will follow the same course and the same fate as every similar amendment before it. It will be defeated, not just by Democrats, but by Democrats and Republicans who understand that America would rather have their neighborhoods patrolled by more cops than have the offshore profits of companies at P.O. boxes in Bermuda protected by this small group of Members.

I yield back the balance of my time.

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

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

Mr. JORDAN of Ohio. Mr. Chairman, I demand a recorded vote.

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

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. SERRANO) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 1538. An act to amend title 10, United States Code, to improve the management of medical care, personnel actions, and quality of life issues for members of the Armed Forces who are receiving medical care in an outpatient status, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PRICE of Georgia:

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

SEC. ____. Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $750,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. I thank the chairman, and I'm pleased to come to the floor today and offer this amendment. And it's a little different vein and spirit than we've offered other appropriate fiscally responsible amendments for other appropriations bills, but it's similar. But I urge my colleagues to listen closely, because the nuance has changed greatly.

Before I do begin, though, I want to make certain that any Member listening, or anybody who has heard the previous discussion and the assertion that the amendments that are offered by this group of fiscally responsible individuals can't even get a majority of our own conference, that's not true. But there's a lot of untruth spoken on this floor. For a significant majority of the Members of at least the Republican side of the aisle clearly support fiscally responsible amendments. I'm hoping and praying for the day that our friends on the other side join us in that.

I do agree with my friends who spoke previously that this is about priorities. It is indeed about priorities. This amendment before us today would reduce the increase in the spending in this portion of the appropriations bills by $750 million a year, or $7.5 billion over 10 years. Mr. Chairman, I would ask that you remember that number, $7.5 billion over 10 years, because it's there for a reason.

But before I get into the specific reasons of that, I want to talk a little bit about the process and the disappointment that so many of us on this side of the aisle have in this process, and so the disappointment that many folks who have to be muted on the other side have in the process.

There were grand promises of bipartisanship as we began this session of Congress earlier this year. And bipartisanship is the least that we have had on virtually every single issue. And I understand at the beginning the new majority felt that they had to move forward with many of their issues, and that's appropriate. That's appropriate. That's their due, given the results of last November.

However, what we've seen recently has buried any guise of bipartisanship. And, in fact, the last 2 weeks have been astounding and actually point to more astounding activities over the next 10 days.

The SCHIP bill, the State Children's Health Insurance Plan, which was adopted in a bipartisan way 10 years ago, is up for reauthorization; and now this new majority plans in a unilateral and anti-bipartisanship way to cut Medicare to aid State bureaucracies; cut Medicare and give that money to State bureaucracies in an anti-bipartisan way.

The flood insurance bill we've got in the committee right now that passed last year never got through the Senate but passed the House last year. It passed, over 400 individuals to 4. And now we have in our committee today an anti-bipartisan bill that belies any attempt at bipartisanship by the other side.

And then the farm bill that was alluded to by my good friend from Georgia just a little bit ago. This farm bill that's going to be on the floor apparently tomorrow or today, depending on when the majority decides to bring it, came out of committee virtually unanimously, virtually unanimously, both sides of the aisle, bipartisan. And yet over the past 24 hours what we have seen is an anti-bipartisan bill that puts in that bill a tax increase of $7.5 billion.

Mr. Chairman, you remember the $7.5 billion that I mentioned before.

So this amendment before us today is an amendment to reduce the increase from 3.1 percent over last year's bill to 1.6 percent. So it would take that reduction in the increase and would utilize $750 million a year, or $7.5 billion to, attribute to the farm bill that would then make it so there wouldn't have to be any tax increases that my friends on the other side so love, but there wouldn't have to be any tax increases for that portion of the farm bill.

This is a fiscally responsible way. This is the kind of flexibility that I believe our constituents desire when they ask Congress and they ask Washington to be responsive to their needs, to respect their pocketbook, to make certain that they are able to keep more of their hard-earned money and not be subject to the kind of remarkable tax increases that we've seen by the other side of the aisle.

So I would encourage my colleagues to adopt this amendment, utilize those extra monies that the majority is so adept at finding, make it so that the farm bill needs no tax increases whatsoever.

I reserve the balance of my time.

Mr. SCHIFF. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from California is recognized for 15 minutes.

Mr. SCHIFF. I thank the chairman, and I'll be brief at the outset and intend to reserve our time for the conclusion of the debate.

But we're here again to really talk about what the priorities of the Nation are and the competing philosophies of the bipartisan majority and the small minority that has taken to the floor here today.

The value of the bipartisan majority is to invest in this country, to make sure that what we have been able to enjoy, the struggle and the sacrifice that our parents and their parents made, is a tradition that we continue in the sense that we want to leave an America that is stronger and that is safer than the one we inherited.

And efforts like this, to cut our investment in law enforcement, to cut our investment in trying to keep our communities safe, our police officers safe, are very shortsighted.

Now, we all believe that the budget has to be wrestled to the ground in the sense that over the last 6 years my friends in the Republican majority borrowed and spent into oblivion. We now have a massive national debt. As a result of that fiscal responsibility, we've got a problem on our hands that we need to wrestle to the ground, and we are. In the majority we have instituted pay-as-you-go rules, something that the prior majority, my friends in the GOP, were unwilling to do. That has been along the philosophy of when you're in a hole, stop digging. So we've stopped the digging.

At the same time, we can't stop investing in our country, we can't stop investing in our future, we can't stop investing in the security of our neighborhoods; and that's what this bill is about.

The cuts that my friends in the opposition are proposing here today have only one merit, and that is they're indiscriminate. They cut the top priorities along with the lower priorities, all at the same time.

My friends in the, not the minority party, because frankly, we have a great many Republicans who have joined us. All the Republicans on the Appropriations Committee support the work product. But the minority that's speaking here on the floor today isn't willing to do the hard work and to say this is a high priority; we can't afford to cut it. This is a lower priority; maybe we can trim this here. No, they're not willing to do that. They're willing to say let's cut everything equally, the essentials with the non-essentials. And let's not raise the revenue we need to support our law enforcement by ending corporate welfare. They've been unwilling to do that.

These are some of the philosophical differences we'll hear during the debate on this amendment.

Mr. Chairman, I'm going to reserve the balance of my time and look forward to an opportunity to address the House in a few minutes.

Mr. PRICE of Georgia. Mr. Chairman, I'm somewhat amused by my friend's comments. It brings to mind what I have come to describe this Congress as, and that is the Orwellian democracy that we see day in and day out. The accusation is that this side of the aisle spent too much money, so that side of the aisle is going to ''stop digging.'' Well, they're stopping digging to the tune of a 3.1 percent increase, billions of dollars of increase. So their response to don't spend that much is let's spend more. And that's where the Orwellian democracy comes in.

And the accusation from the other side that comes, that says, well, you don't want to spend this, you're going to cut this program, you're going to cut COPS, you're going to cut programs that are vital to our Nation, it's kind of like having your child come to you and say, I'd like to have an increase in my allowance. And say they were getting $5 a week. They wanted $10 a week, and you settled on $7.50 a week, and then your son or your daughter says, hey, you just cut my allowance by $2.50. That doesn't make any sense. But that's the argument. That's the argument on the other side.

So we endeavor to have fiscal responsibility. We endeavor to be responsible with the hard-earned tax money of the American worker.

I'm pleased to yield 2½ minutes to my good friend from Virginia, the chief deputy whip, Mr. CANTOR.

Mr. CANTOR. Mr. Chairman, I'd like to just first respond. I rise in favor of this amendment and respond to some of the remarks that were made on the other side of the aisle.

I think we can all agree that we must continue as a people to invest in our people, to invest in this country. All of us, all of us were elected by the constituents that we represent to leave an America stronger and more secure than the way we found it, stronger and more secure for our children and our grandchildren.

The problem is here, every time we get a chance, every time we turn around, we seem to be raising taxes. There is no way that we can leave an America stronger or more secure if we somehow cut off the economic engine that allows us to continue to make the investments in our people of this Nation and in our security.

There were remarks made about the national debt that we are now experiencing. Well, you know what? The national debt, frankly, is 1½ percent of GDP. And from all corners, from the economists to the former Federal Reserve Chairman to the current Federal Reserve Chairman, that 1½ percent of GDP is a lot lower than it has been recently, and it is due to the very forward-thinking economic and tax policies that we have in place which reward risk-based investment which, frankly, don't shun the notion that we should empower the families and the businesses of this country so that they can take care of themselves.

And you know what? The revenues in this Federal Government are up beyond that which we've seen before. That's the product of the economic policies. That's our key to success and security of this country.

Now, as far as the pay-as-you-go rules that the majority has adopted, you know what that means? That means never cut spending, always raise taxes.

□ 1400

That is why we are here opposing this because, yes, this amendment allows us not to have to raise taxes to fund the expansion of the farm bill that the majority has proposed.

Again, I would just ask my colleagues to support the gentleman's amendment because the bottom line here is what we are talking about is the difference between raising taxes and raising spending or somehow getting ahold of ourselves, applying some fiscal discipline so that we can show the American people that we hear them when they say there is too much waste and spending in Washington.

Mr. SCHIFF. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Chairman, I thank the gentleman for yielding.

It has been said a couple times here today about money in people's pockets. And I would suggest that under the leadership of the Democrats and the Republicans, who have been great, on the Appropriations Committee, we are putting money back in the pockets of average American people.

Only half of the people in my congressional district got a tax cut. Only half. And the ones that got it only got a couple hundred dollars. So when you look at the big tax cuts that supposedly went to people who live in Youngstown and Akron, Ohio, that was a couple hundred dollars, and you compare that with what we are doing with the Pell Grants, an increase of $500 or $600, that is going to people in my district. So we are already $400 ahead of the tax cut that the Republicans were so generous to give.

When you look at cutting student loan interest rates in half, saving $4,000 over the course of a loan, that is money in the pockets of people who live in most of our congressional districts.

And I am thankful for the concern for the American families, but I wish our friends on the other side, at least most of them, were around when we tried to give them a pay raise and increase the minimum wage. They are talking about taking money out of their pockets. We are trying to put money in their pockets. That is what we are trying to do here.

And as the gentleman from New York made the point a few minutes ago, we are funding 2,800 cops. We can't pass police and fire levies in my district because the cities just don't have the money, and we don't have the local economy.

The Federal Government does have a responsibility to make our streets

safer. That is what this bill does. That is what the chairman and the ranking member of the subcommittee have done. And that is why this amendment needs to go down. This is not the time to start cutting police officers going to our streets to make our communities safer so that we can grow our local economies.

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

I want to make just two quick points in response to my friend's argument that these are not real cuts, these are somehow imaginary cuts, and the illustration he gave of the allowance he gives his child. Two things, one factual and one philosophical.

On the factual side, my friend's across-the-board cuts will mean very real, very direct, very incontrovertible cuts, less money now than the year before in many vital programs; not every program, but many vital programs including some I will point out in my friend's home State of Georgia, things that law enforcement in Georgia and around the country care a great deal about. Real cuts. We will talk about some of them.

We can't hide behind an across-the-board amendment and say, we are not really cutting anything, because you are. Basically what you are telling your child in the allowance hypothetical is we are going to cut how much we are going to spend on your education, a real cut. We are going to cut how much we are going to spend on your health care, a real cut. Let's hope you don't get sick.

One of my friends in the opposition, in support of this same amendment, last week said, American families are just going to have to make the decision, we can't afford to have each of our kids go to college. Maybe we will have to choose one child who won't go to college. Well, philosophically the bipartisan majority of this House doesn't accept that for America. We believe every child who is bright enough to go to college ought to go to college. The fact that his parents may be rich or poor shouldn't matter. And we are willing to make the investments in our colleges to make sure that no parent has to say this child can go to college and this one can't because we are not willing to make the investment.

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

Mr. PRICE of Georgia. Mr. Chairman, once again I am amused by the comments of my good friends and colleagues on the other side.

The fact of the matter is the departments that run these programs that we are addressing right here asked for $2.3 billion less than our good friends on the other side are proposing us to spend, which means that they believe they can accomplish the goals that have been given to them with $2.3 billion less.

And they talk about all this wonderful caring they have for families. Well, the largest tax increase in the history of our Nation that they passed in their budget, about $2,700 per family, is a peculiar way of showing you are caring for the American family.

With that, Mr. Chairman, I am pleased to yield 2 minutes to the minority whip, my good friend from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank my friend for yielding. I am pleased to be here as a part of this debate.

I continue to hear as these debates go on that somehow these increases are not real increases, and I continue to be mystified by that. I think if my good friend from Georgia's amendment was approved, and I voted for his cutting amendment on each of these bills, if that amendment was approved, we would still have an increase in this bill of a little over 5 percent.

Now, I don't know how that calculates out to not an increase, but I am continuing to try to figure out how that is not an increase. I do know that that increase of 5 percent anywhere that I talk to Americans is an increase. And I know, more importantly, in the course of today and tomorrow that what my friend from Georgia is suggesting is that if we let this one appropriations bill grow by 5 percent, as we move on later into the discussion of the farm bill, we would have saved enough money in this 1.4 percent cut not to have a tax increase that puts the farm bill in jeopardy.

The farm bill is a bill that I voted for in the past and hope to vote for this year, but it is a bill that doesn't have to include a tax increase. But the $7.5 billion over 10 years that the farm bill needs could be gained right here if we would save $750 million of the increase in this bill.

I just urge my colleagues to look at what we are doing here, realize that we are jeopardizing important things by moving forward in a way that spends more money than we have to spend this year.

Most of these programs are good programs. I was a college president for 4 years. I believe in college education, in everybody having one. I don't believe that the reality is as stark as our friends on the other side would suggest. I believe a 5 percent increase used wisely would make all of these programs work effectively and for the American people, and we would be making the decisions we need to make for the other things we need to do.

I support this amendment.

Mr. SCHIFF. Mr. Chairman, I am happy to yield 30 seconds to my colleague from Ohio.

Mr. RYAN of Ohio. Mr. Chairman, I thank the gentleman for yielding.

It is very interesting and we need to continue to point this out: We had a measure within the first 100 hours we were here to cut $14 billion from the oil company subsidies, and my friends on the other side couldn't find the courage to vote for that, but they want to do it on the back of these COPS programs in our local neighborhoods. Ninety billion dollars' worth of tax shelters, they didn't vote for that, but yet they want to cut COPS programs in our local communities. They had the opportunity to stop funding these huge tax cuts and subsidies to the oil companies, refused to do that for fear of alienation, and now they choose to do it on the backs of these programs.

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

A couple quick points. Of course we hear the mantra from my friends on the other side of this bill's representing a tax increase when there is no tax increase in this bill. We have now heard the same statement applied to the farm bill. There is no tax increase in the farm bill.

My friends seem to think that the corporate welfare that we provide, if you cut corporate welfare, that somehow we are increasing taxes on average Americans; if we do away with offshore tax savings, that we are somehow doing away with the income of ordinary Americans. But I think ordinary Americans would rather have the investment in our law enforcement. They would rather have safe streets than safe shelters overseas.

And one point I wanted to make with respect to a comment that my friend from Georgia made. He said the departments here aren't even asking for the resources we are providing them. None of the agencies want the resources that they would be provided in this bill.

Maybe my friend represents a very different district than my own, but I have never had police officers from my cities of Burbank, Glendale, or Pasadena come to me and say, Congressman, we have too much money for cops. We have too many cops on the street. We don't want any of your help. Thank you, but no thank you.

Now, maybe things are quite a bit better in Georgia. Maybe there is no crime in Georgia, and maybe your police departments are saying, we don't need vests, we don't need cops, we are doing great, thank you, but no thank you.

That is not what I am hearing. What I am hearing is they have got greater responsibilities in the war on terror. They have got higher gang violence. They need the resources. They need the people on patrol. That is what I am hearing.

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

Mr. PRICE of Georgia. Mr. Chairman, at this point I am pleased to yield 2 minutes to my good friend from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Chairman, I thank the gentleman for yielding, and I thank him for bringing this important amendment.

Facts are stubborn things, Mr. Chairman. The CJS bill spends $53.6 billion. This amendment would reduce that by 1.4 percent, but it would still allow for

an increase in the Commerce-Justice, and Science spending. With the passage of this amendment that is being characterized as a cut in the CJS budget, this bill still increases by nearly $1 billion compared to last year.

And let me be clear on what we are trying to do, I think what the gentleman from Georgia is trying to do here, and that is we are trying to find a way to avoid having to raise taxes the way the Democrats are planning to do in the farm bill later today. I mean, the Democrat majority is planning to bring a $7.5 billion tax increase to the floor of the Congress in the context of the farm bill later today, and we are just trying to take this opportunity to make a cut in a single year that, if we did it over 10 years, we wouldn't have to raise taxes.

Now, that is being characterized as the work of a small minority versus a bipartisan majority. At least they are not calling us a fringe this week.

Well, I think if the small majority is the people that want to pay for increases in spending with budget discipline, and the bipartisan majority is the one that wants to pay for increases in spending by raising taxes, I am happy to be part of the small majority that I happen to think speaks for the overwhelming majority of the American people, who want this Congress to live within its means, who want this Congress in a bipartisan way to make the tough choices to put our fiscal house in order.

I commend the gentleman from Georgia. I thank him for his vision. I urge passage of the Price amendment, because if it passes, it will lay a foundation where we will not have to raise taxes by $7.5 billion in the farm bill later today.

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

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I had not intended to speak on this matter, but the rhetoric has gotten my attention enough that I thought I should share with the American people as well as my colleagues my early experience in public affairs.

I will never forget running for a school board, and people were talking about the Federal Government's beginning to get involved in education. I remember saying to those people, let us be very, very careful about going to Uncle Sam to finance our schools when traditionally that is the highest of State responsibilities, and they cooperate with local districts to provide for our schools and control them.

Uncle Sam then gave only 10 cents on the dollar for education, and those who gave the 10 cents wanted to tell us more and more what to do in our local school districts.

□ 1415

All these years later, I must say it's like 50 years later, we continue to want to tell people what to do in their local schools, and we're now giving them 90 cents on the dollar. Those who are talking about free gifts for people who are providing for educational activities, et cetera, et cetera, et cetera, eventually the folks who are sending their children for school, one way they will pay for that education, one way or another. For you could, in those days, I'm not sure what the figure is now, but in those days you could take every family that made $100,000 or more, and anything above that $100,000, tax it 100 percent, and you could run the government for 30 days.

The people are not stupid. They know, as you're playing games with them suggesting, oh, Uncle Sam has a free lunch here some way, the folks that you're talking to are having to pay the bills in the final analysis regardless, because all those rich people, you tax them 100 percent, and they will not run your government more than 30 or 60 days. And who pays for the rest of it?

Another point that is very important, in my view, the rhetoric that suggests that the Federal Government should do everything centers around the reality that the Federal Government has a responsibility to provide for the national defense, make an effort to provide security and freedom in the world, and then make sure our local government and our State governments are healthy. They are not healthy if you so discourage industry that they leave the country in order to be able to get their work done and produce the products that we need. Those rich oil companies that you're talking about, they're leaving the country. The light bulbs we were talking about earlier, they're all made in China. It's about time we recognize that Uncle Sam does not have every answer.

I'm going to vote ''no'' on this bill, in spite of what the gentleman from California said earlier. I have the privilege of being the ranking member on the committee, but I'm going to be voting ''no'' because it is about $2 billion over the President's budget request, and the agencies around know they don't need as much money as you folks want to spend on them.

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

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

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

Mr. OBEY. You know, Mr. Chairman, we've had a game going on in this Capitol for the last 6 years. It's called ''Shift the Shaft,'' and nowhere is it more clear than in what has happened with law enforcement funding.

As I said yesterday, we've had a Kabuki dance going on in this Congress for years. What happens is each year the President comes up with a budget. He's looking for things he can squeeze out of the budget to make room for tax cuts for millionaires. And so what does he do? He cuts the guts out of our assistance to local law enforcement, and then we wonder why the crime rate has gone up the last 2 years. He cuts the guts out of law enforcement, and then each year the previously Republican-controlled Congress comes in, they restore about one-third of those cuts, they say, oh, what good boys are we. Look at what we've done to help law enforcement. And at the end of that time, we're $1.5 billion below where we were in 2001 in terms of our assistance to local law enforcement. Now, maybe that makes sense to some folks; it doesn't make sense to me, not with the explosion of meth problems all over the country, not with the explosion of drug problems.

The prior Speaker of the House had a big thing about going after drug production in Colombia. We're spending hundreds and millions of dollars in Colombia, but we're not spending nearly enough money here at home to reduce the demand for those same drugs that are being produced in Colombia, and this amendment would cut that further.

The same crowd talking is the crowd that didn't mind providing $600 billion in borrowed money in order to finance that misbegotten war in Iraq. It's the same crowd that is willing to provide $57 billion in tax cuts to millionaires this year, paid for with borrowed money. But then they divert the public's attention from the cause of those on-the-cuff expenditures by saying, oh, we're going to focus a 1 or a 2 percent cut on law enforcement, a 1 or 2 percent cut on the National Science Foundation so we can get people to think that that's the problem that's causing the deficit and not our profligacy for the last 2 years.

Now our friends on the Republican side of the aisle say, oh, we've got this terrible tax cut coming in the farm bill. Baloney. What we're trying to do in the farm bill is to increase support for domestic nutrition programs so that, in addition to having 44 million people in this country who are walking around without health insurance, we don't also have a lot more kids walking around who are hungry. And we're talking about paying for that not by raising taxes on middle-class Americans, but by closing the loopholes on offshore foreign corporations.

Now, I'm not at all surprised that the Republican leadership cannot tell the difference between closing tax loopholes on special interests and raising taxes on the middle class. The difference is that on this side of the aisle we can, and that's why we're voting against your amendment.

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

Mr. PRICE of Georgia. Mr. Chairman, I am pleased to yield 15 seconds to my good friend from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank my friend for yielding.

I just want to clear up one thing. Let's clear the smoke out of the room here and put some facts in the discussion. The Clinton administration awarded the Halliburton contract. Mr. CHENEY only extended it. The Bush administration only extended it after trouble in the Middle East broke out.

Mr. SCHIFF. I thank the gentleman for his defense of the Vice President and Halliburton. I'm sure the Vice President has no connection, no history with Halliburton whatsoever.

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

Mr. PRICE of Georgia. Mr. Chairman, may I inquire as to how much time remains on each side?

The Acting CHAIRMAN. The gentleman from Georgia has 1¼ minutes remaining. The gentleman from California has 5½ minutes.

Mr. PRICE of Georgia. Mr. Chairman, I do want to point out that there isn't a corporation in this world that pays taxes that don't come from somewhere other than the back pockets of the American people. There isn't a single corporation in this Nation that doesn't pay taxes where that money doesn't come from individuals.

Corporations don't pay taxes; it's passed through, it goes to the individual. So to say that any increase in taxes on corporations doesn't affect the American people is ridiculous. It's ridiculous. To talk about the oil companies that have their taxes increased, all that the majority has done is driven us to greater reliance on foreign oil.

This amendment would decrease the increase of spending in this portion of the appropriations bill by 1.4 percent, $750 million a year, $7.5 billion over 10 years, in order to cover what the majority says is the desire and the need to have a tax increase for the farm bill.

This is the kind of fiscally responsible spending and appropriations that the American people are demanding. They aren't interested in a government that is so large that it can take away everything that they need. They believe they can make better decisions with their money than the government makes with their money.

And so we strongly urge our colleagues to adopt this amendment to avoid a tax increase on the farm bill.

Mr. SCHIFF. I thank the gentleman for pointing out that corporations don't pay taxes. I don't think that's quite true, but that certainly is the aim of my friend from Georgia, and my friends in the majority have been working hard for that object for some time.

I am happy to yield 30 seconds to my colleague from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the gentleman.

I just want to shed some light on some of the rhetoric we've heard. Ripe from the committee report, FBI field investigative resources used for criminal investigative matters have decreased 29 percent from nearly 6,200 agents to 4,400 agents over the same period. The committee is concerned over the decline in FBI criminal investigative resources, particularly in light of the recent announcement by the FBI that violent crime in communities across the Nation, murders, robberies, forcible rapes and aggravated assaults, rose for the second straight year.

Why would we want to cut the FBI $90 million when crime is increasing?

Mr. SCHIFF. I thank the gentleman for pointing out the cuts to the FBI and other law enforcement that would be occasioned by this amendment and others that my friends are offering.

The cuts go deeper. They cross the board in terms of everything that the Justice Department does. My friend's amendment would cut funding for victims of child abuse. My friend's amendment would cut funding for the COPS program. It would cut funding for violence against women, victims of violence against women. But let's hone in on a very specific, because my friend says, well, these aren't really cuts. Let me talk about one program specifically that my friend's amendment makes a very real cut to, not artificial, not Orwellian, not imaginary, and that's bulletproof vests.

Back in 2003, the Attorney General announced the Body Armor Safety Initiative in response to the failure of bullet-resistant vests. One in particular worn by a police officer in Pennsylvania was discovered that the xylan vests, when they were old and used, weren't stopping bullets the way they were supposed to, and so the Justice Department started a program to replace these vests.

The COPS program funds an effort to provide vests for local police departments. That program has been very successful. In my friend's home State of Georgia, for example, he can pick any city, Alpharetta City, the program bought 40 new bulletproof vests for the police officers in Alpharetta City. Across Georgia, there were 1,100 of these xylan vests replaced that needed to be replaced.

In the new COPS program that we're funding here, Alpharetta City got 25 new bulletproof vests. Cherokee County got 293 bulletproof vests. Cobb County got 566 bulletproof vests. DeKalb County got another 240. Georgia, in total, just in this particular year, I think 2005, got 4,789 new bulletproof vests.

My friend's amendment makes a real cut to the number of bulletproof vests we can provide cops, not a decrease in the rate of increase, but makes a real cut. Under my friend's amendment, the cops in Georgia are going to get fewer bulletproof vests than they would get without it and than they got last year.

Now, I can't go home to my district and tell the cops of Burbank, Pasadena and Glendale that I cut their funding for their bulletproof vests, but the indiscriminate nature of this amendment means that is exactly what it would do in my district, in my friend's district in Georgia.

My friend from Colorado, who has an amendment, I'm sure, for another across-the-board cut, Fort Collins, Colorado, they got five vests. Greeley City got 53 bulletproof vests. Longmont City got 28 bulletproof vests. Colorado, in this particular year, got 3,900 new vests. These across-the-board cuts mean fewer bulletproof vests for cops in Colorado.

My friend's amendment from Ohio, with even bigger across-the-board cuts, would be devastating in Ohio. Ohio, in this program, got 5,200 new vests. So what is that going to mean? A 6 percent cut. That means, what, several hundred fewer bulletproof vests? Well, that may not mean much to us here, but if you're one of those cops that can't get their vest replaced and that vest isn't going to work so well against one of those assault rifles or one of those other heavy-caliber munitions they're facing out there on the street, it means a heck of a lot.

And I don't know about my friend from Georgia, but I don't have the cops from my district coming to me and saying, we've got more money than we need. We don't need bulletproof vests. We don't need interoperable communications equipment. A lot of the cops out in the County of Los Angeles can't talk to each other because their communications equipment won't talk to each other. We fund that here. My friend's amendment cuts that here.

How can my friends, not on the bipartisan majority, but in the minority that has expressed themselves here today, say they're for law and order, say they're standing behind the men and women in uniform, and then make real cuts to what we provide? Or, as my chairman points out, if you don't just look at last year, compared to last year where we didn't do very well by them either, but if you look at where we were in 2001, we're going backwards, not forwards. We're not even at where we were 5 years ago.

This amendment is a mistake, and I urge my colleagues to reject it.

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

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

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I just want to expand on the excellent debate and the points that have been made in opposition to this amendment.

The fact is we are in a period of rising crime. In the last 2 years we have experienced a rise in crime. We are looking at an amendment that proposes an across-the-board cut.

The first thing you all need to understand about this amendment is that it is indiscriminate. It doesn't look at what programs are being cut. It doesn't talk about cutting one program more because it's a lower priority or that program less because it's a higher priority, or excluding some programs from being cut because they are a tremendously high priority.

My colleague just talked about State and local law enforcement. The previous amendment would have cut the

Justice Department by some $681 million. This amendment cuts the Justice Department by $335 million. Those are real dollars and real cuts to law enforcement. Those cuts translate directly to local law enforcement and the people that are actually fighting crime in the streets.

□ 1430

What the Federal Government has done to support those folks in the past is given them resources, as the gentleman just described. If you are the sheriff's department in rural America, or you are the chief of police in urban America, or if you are a local law enforcement coordinator, then you are hurt badly by this across-the-board cut amendment.

The last amendment was a $45 million cut to State and local law enforcement. That means, as the gentleman just eloquently described, a large cut to our State and local law enforcement.

I would like to describe another area of the bill that would be cut by this amendment. To emphasize how real these cuts are, let's look at NASA. We have acknowledged that NASA is not being funded at a level that allows it to meet its missions across the board. If you are at Glenn Research Center or the Ames Research Center, and you are out there listening to this amendment, you need to understand that across-the-board cuts are going to mean significant things to your institutes. It means you are going to have fewer resources when right now you have a mission that you already lack resources to perform.

Employees at Kennedy Space Center, Marshall Space Flight Center, Goddard Space Flight Center and Johnson Space Flight Center in Texas, or who live in the communities and depend on it will be impacted by this amendment.

Science. This amendment would cut $79.7 million out of the science account. In this bill we tried to increase the science account so they will be able to do their missions.

Aeronautics; $9 million. And out of exploration—Johnson Space Flight Center and Kennedy Space Flight Center ought to be really tuned in to this—$54.9 million.

A total cut for NASA, Mr. Chairman, of $246.7 million. NASA is concerned about that. NASA says, and let me read, ''The consequence of these cuts is that NASA will not be able to make as effective or safe a transition to the new systems as originally planned. There will likely be significant workforce impacts as a result. Thus these budget reductions have ripple effects over many years due to the highly integrated nature of the shuttle and exploration systems. Many shuttle employees are at risk with these across-the-board cuts.''

So, Mr. Chairman, this is just another reason of why we should be against these across-the-board cuts.

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

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

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I rise and with all due respect would ask my colleagues to simply read the amendment. The amendment states, total appropriations made in this act are hereby reduced by $750 million. That is not an across-the-board cut. That allows the agencies to determine where best they are able to absorb a decrease in the increase that they would be provided by this underlying bill. What we challenge with this 1.4 percent reduction in the increase is for each of those agencies to find 14 cents out of every $10.

Mr. Chairman, I would suggest that is what families do all across this Nation every day. So our priorities are the American family. Our priorities are the American family. We take our responsibility seriously to keep it fiscally prudent and fiscally responsible.

Mr. Chairman, we believe this amendment moves us in that direction. We would urge our colleagues to support the amendment.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

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

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

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

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

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment that I bring before the House is an amendment that I brought on at least two other appropriation bills. The section of the Code that it addresses, 274A(h)(3), is the section that defines those who are not lawful to work in the United States. It includes two categories of people. It would be those who are unlawfully present and those who are lawfully present without work authorization.

My amendment prohibits any of the funds that are appropriated under this act from being used to employ persons who are not lawful to work in the United States.

It is a standard amendment that I brought in the past. Should the gentleman ask me to yield, I would be open to that, obviously.

Meanwhile, the point that inspires me to come to the floor more than any other is a report that was released in June of 2006 by the Office of the Inspector General of the Social Security Administration that identified that approximately 11,000 employees were likely working for the government, 7 Federal agencies, 7 State agencies, and 3 local agencies, under nonwork Social Security numbers. All the Federal Government needed to do was run their databases against each other, the Social Security Administration and the Department of Homeland Security. They could have identified these employees.

The category that I have described only includes those who are lawfully present but not authorized to work, but there is another category of those that are not lawfully present that this amendment would address, as well.

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

Mr. KING of Iowa. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, this amendment, as we understand it, is merely a restatement of current law, which already prohibits the employment of unauthorized aliens. We don't read into it that it imposes any new burden on those who are using funds appropriated under the act. It is fully consistent with current legal obligations imposed on all employers, regardless of whether or not they use such funds.

We would accept the amendment, Mr. Chairman.

Mr. KING of Iowa. Mr. Chairman, reclaiming my time, I thank the chairman. I concur with the analysis that he has delivered to the floor of this House, Mr. Chairman. I would encourage adoption of my amendment.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. MUSGRAVE:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Appropriations made in this Act are hereby reduced in the amount of $267,755,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Colorado.

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

Mr. Chairman, this discussion is becoming very familiar as we go through these appropriations bills. This bill is $2.2 billion over the President's request. That is a percentage of 4.2 percent. It is $1.6 billion over last year's amount with an increase of 3.1 percent over last year. My amendment would take the increase from 3.1 percent to 2.6 percent.

Mr. Chairman, I have thought a lot about this. This has especially been on my mind today as we are getting ready to vote on the farm bill in the afternoon.

When I think about raising taxes to pay for these programs, there is not anyone in here that is doubting the worthiness of the way we are spending dollars in this bill. I personally have a son-in-law that is a police officer, so when you talk to me about bulletproof vests, that is something that I think about when I think about the young man that is married to my daughter and the father of my three grandchildren. So I want to say these are worthy things that we are spending these dollars on.

But we have to realize there is not an infinite supply of money that just falls out of the sky. We have taxpayers that fund all of these programs. And while the programs are worthy, and I support an increase, I merely want to take the increase from 3.1 to 2.6 percent.

As we get ready to consider the farm bill today, during the markup of the farm bill I offered an amendment, and my amendment basically said we would have a sense of Congress that the programs in the farm bill would not be paid for by a tax increase. Unfortunately, the chairman ruled that my amendment was out of order and it was not germane.

Yesterday, while we had a discussion with the Secretary of Agriculture over the farm bill, he said that perhaps Mrs. MUSGRAVE's amendment was the most germane of all the amendments, because we are looking at an enormous tax increase to pay for the farm bill.

In the Fourth District of Colorado, we have about 2 million cattle. We are eighth in the country in total value of egg production. We have an enormous dependence upon agriculture in our district. The whole northeastern and southeastern part of the State depends on agriculture as the basis of their economy.

We were told all along during the farm bill discussion that we were not going to have a tax increase. In fact, if I may quote the chairman, when I offered my amendment, he said, ''Nobody is talking about a tax increase here.'' Now, today, we have the farm bill coming up on the floor, and we have a tax increase.

I had to call the Farm Bureau today, my friends at the Farm Bureau. I talked to the Farmers Union. I talked to the wheat growers, the cattlemen, corn growers, telling the folks that now the rug has been pulled out from under us on this farm bill. We had an agreement. We no longer have an agreement. We are looking at a tax increase. Rural America, not just the Fourth District of Colorado, is looking in today to see what we do with the farm bill, and I am very disappointed that now we are looking at a tax increase.

When we think about the taxpayer out there, just average Americans, they work clear up into April to pay their taxes. April 30 is ''tax freedom day.'' I would like to have each young person that is getting ready to enter the workforce think about that. You work all through January, you work through February, you work through March, you work through April before you get to quit paying for government. When you think about it, Americans work longer to pay for government than they do for food, clothing and housing combined.

We need to show some discipline here, just a mere 0.5 percent. Again, increase the spending for these worthy needs, but take it from 3.1 to 2.6 percent.

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

□ 1445

Mr. ISRAEL. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

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

Mrs. MUSGRAVE. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentlewoman from Colorado for yielding.

As I listen to this debate, there are a number of things that race across my mind. One of them is the constant repetition of the statement, ''This is a real cut. This is a real cut.'' It is a real cut in a real big increase. So if you want to describe it as a real cut, you have to say a real cut in a real big increase or you're not telling the American people what is really going on here.

There are a few areas of our budget that are discretionary spending, and there are a few areas of our budget that aren't discretionary spending. Those that are on auto pilot we can't do a lot about in the appropriations process. Yet those that are discretionary spending, we can do something about. Yet the majority seems to be determined to continue to accelerate the increases in spending in the discretionary sections of our budget. It is like you are driven to grow this government no matter the price to the taxpayers.

So I have come in a realization here in the first 6 or 7 months of this 110th Congress: You guys really believe in what you do. I didn't think so before. I thought maybe there were some people who were a little cynical, but I believe now you really believe in what you're doing. I believe you really do want to grow this government. I believe you want to raise taxes. I believe you want to take the responsibilities off of all the people all the time and take it into a maternalistic, socialist government. I now believe that. You've convinced me. And you've been constant and you've been repetitive and you have been consistent and persistent in driving this growth of government across this floor of Congress.

One day, the American people will rebel to this if they can get over their apathy. I'm for the Musgrave amendment.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Members are reminded to direct their remarks to the Chair.

Mr. ISRAEL. Mr. Chairman, now we have been accused of supporting a socialistic government because we want to put more cops on the street and because we want the FBI to have more resources to go after terrorists who are trying to destroy democracy. For that we are a socialist government, Mr. Chairman.

Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I think it is funny that we got the socialism talking points back out, Mr. Chairman. Dusted them from 1992 and 1993, and now they are back out. But this is exactly right, Mr. ISRAEL. This is about putting agents, cops on the street. This is about national security. This is about protecting our country.

Now, I think it is important that we get a little bit into the details on a couple of these programs that the gentlelady's amendment is going to cut and that the previous two amendments were going to cut, too, because I think it is easy for us to say you are going to cut cops and cut the FBI. It doesn't sound like a whole lot.

But as the gentleman from New York stated earlier, there has been a decrease in FBI criminal agents by 29 percent from 6,200 to 4,400 agents. So what the committee did, in all its wisdom in a bipartisan way, said we need to hire more people. For what exact programs? Well, why don't we take a look here.

National security field investigations is one of the programs that would be cut under this amendment. Now, many of our friends on the other side of the aisle say, what, is the world going to end if we cut this by 0.5 percent? Is the

world going to end if we cut this by 1 percent? Is the world going to end if we cut this by 3 percent? Let's look at exactly what you're cutting. Just in this one little program, national security field investigations, the committee wants to hire 245 positions, 150 agents, 95 support personnel to increase the level of field resources dedicated to national security investigations. This amendment will cut agents from being on the street protecting the United States of America.

Let's look at another one, surveillance. This committee wants to hire another 50 people, 50 positions under the surveillance program to provide additional resources for the FBI to conduct surveillance in support of priority national security investigations. Do you think this isn't going to affect anything? There are going to be less agents investigating. There are going to be less agents listening to the terrorists who already may be in this country. This amendment will ensure that these agents don't get in the field, they don't get hired, and that they don't listen to what the terrorists are saying and hopefully protecting the United States of America from the next terrorist plot.

This is a dangerous amendment that puts this country's security in jeopardy.

Mr. ISRAEL. Mr. Chairman, before I reserve the balance of my time, I just remind the gentleman who accused us of being socialists that I think just about every Republican, including very conservative members of the Appropriations Committee, supported this bill. I don't believe they would appreciate being called socialists because they believe in cops on the street and more resources for the FBI. They are not socialists; neither are we. We are commonsense, mainstream Members of Congress who want to protect America's neighborhoods.

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

Mrs. MUSGRAVE. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, I rise to support the Musgrave amendment. I think it is the wise move to make. It shows good stewardship to come in and look at this budget and say, where do we slow the growth and how do we slow the growth?

As we all know and as we have learned from so many of our States that have balanced budget amendments that have to curtail the growth of the budget, across-the-board reductions work. They work. And the reason they work is because you get to go in and manage. The Departments get to manage where they want to make those reductions. We all know you can make those half percent reductions. Mr. Chairman, they have been proven to work.

The thing that is so very interesting to me is, even if this were to pass, making a half percent reduction and saving the taxpayers $268 million, which is what Mrs. MUSGRAVE is seeking to do, you would still have an increase. You would still have an increase in Science, Commerce, Justice spending. That would be there.

But what we are seeking to do is rein in what the Federal Government spends. We can sit here and argue about the particulars of budgeting. We can talk about how baseline budgeting always sets us up for saying whatever is put on the table is a cut, and we can talk about how zero-based budgeting might be a better approach to how the Federal Government goes about setting its annual budget.

But one thing we know is this, that the liberal elites always want to come in and spend more. They never get enough of the taxpayers' dollar. We are seeing that this is proving to be the ''hold onto your wallet'' Congress. As I said last week when our friends across the aisle were calling us the ''fringe,'' FRINGE does mean ''fiscal responsibility includes no government excess.''

Mr. ISRAEL. Mr. Chairman, while they talk about cutting the increase, criminals keep increasing. There has been a 3.6 percent increase in violent crimes. We believe at least we should keep pace with those criminals so we can put them behind bars and bring them to justice.

I yield such time as he may consume to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Chairman, we had an opportunity within the first 100 hours to cut $14 billion from going to the oil companies. We supported it. Our friends on the other side of the aisle rejected that approach; they would rather take it out of security. So I think it is important we go back.

My friend from Tennessee said where do we slow the growth. Well, we tried to slow it from going to the oil companies and we tried to slow it from going to corporations who harbor themselves in these far-off distant lands to avoid paying taxes. Our friends choose to take it out of security.

Let's look at a couple more of these programs because sometimes the details hurt. Crimes Against Children, which is a program we have, the committee wanted to have an increase of 14 positions to provide a coordinated investigative, operational and intelligence effort to combat crimes against children and to address child abduction, predators who sexually assault children, and child prostitution. There will not be 14 positions to protect our children if this amendment passes.

How about this one, weapons of mass destruction directorate. Sounds like a pretty good idea post-9/11, and in a bipartisan way it passed out of committee. Here is what it will do. The committee wants to hire 146 positions, 29 agents, 69 support personnel, to develop the essential baseline capabilities to build a dedicated weapons of mass destruction program designed to prevent, prepare for, and respond to the threat of weapons of mass destruction. If this amendment passes, we are going to have less agents trying to find folks who are in our country trying to unleash weapons of mass destruction.

How about the Data Intercept and Access program; 41 positions, 6 agents, 35 support to provide the technical expertise, training and necessary equipment to execute lawfully authorized electronic surveillance of data network communications facilities trying to protect us. This bill has some essential components to it.

This committee went to great lengths to make sure that they would make the proper investments. This is very well thought out. I think we would be hard-pressed to find any American who would read this and say no, you know what, we should not hire that many agents. We should give that money to the oil companies. I don't think there are many Americans who would say that.

One more before I yield back. Render Safe Mission, the RSM program; nine positions, three agents, six support personnel to address the White House directive, the White House directive, giving the FBI the mission to respond to devices involving weapons of mass destruction within the United States and its territories. Within the United States. This is not about Iraq. This is not about Afghanistan. This is about funding nine positions in this one specific field, people who are experts to keep this country safe.

I think the more we get into these programs, the more ridiculous some of these amendments seem. The American people would not support a 0.5 percent decrease in these programs, not a 1 percent decrease in these programs, not a 3 percent decrease in these programs. These are essential.

When you look at the money, Mr. Chairman, that has been wasted in Iraq on unbid, no-bid contracts, no oversight provided at all, when you look at the $14 billion we tried to get off the oil companies, that makes sense. Get that money. Don't get it on the backs of FBI agents who are going to be operating surveillance operations here in the United States.

Mrs. MUSGRAVE. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I want to thank the gentlelady for yielding. I rise in support of her amendment.

Mr. Chairman, I want to tell a story for you and other people that might be listening about a gentleman who was a wide receiver for the Atlanta Falcons. His name was Alex Hawkins. One night he didn't come home. He had a history of maybe carousing around and staying out a little bit too late. He didn't come home one night, so he snuck in the door early the next morning, and his wife said, ''Hawk, where have you been?''

He said, ''Well, I got in kind of late last night and didn't want to wake you

up, and I fell asleep outside in the hammock on the porch.''

She said, ''Alex, that hammock has been gone for a year.''

He looked kind of puzzled and he said, ''Well, Honey, that's my story and I'm sticking to it.''

That is what the other side is doing. They have a story, and they are sticking to it.

I want to give you, Mr. Chairman, a math problem. Other people who want to work this math problem can, too, but I want to give you a math problem. If you take $53.6 billion and you multiply it times 0.025 percent, Mr. Chairman, will you get more than $53.6 billion? I think you will. I think it will be an increase over that number. So what this amendment does, it gives an increase over last year's spending.

Now, did the FBI come in and say, We don't need any more money? I doubt it. So really and truly, if you want to take the kind of logic that the majority is taking because they can't do math very well, then the FBI could have come in and said, You know what? We want $10 billion more. Well, I can't give you that. So in reality, they are cutting the FBI from the request that they made even though they are getting more money.

□ 1500

Now, this is fuzzy math, I know, and, Mr. Chairman, for any young people that might be listening to this, I hope you don't get confused. I know all these speeches are somewhat, Mr. Chairman, like an algebra problem, but we are asking, this is an increase? It is an increase over last year for these FBI agents and these police officers. It is not a cut. I don't know how else to explain it.

And, you know, I'm sure that Alex Hawkins knew that his wife knew that he was lying, but that was his story, and he's sticking to it. The same thing goes to the majority party.

The sad part about this, Mr. Chairman, is when we're all going to realize the truth, and many of us realize it's the truth now, it is when the taxpayers of this country and those family budgets are getting judged.

Mr. ISRAEL. Mr. Chairman, may I inquire as to the time?

The Acting CHAIRMAN. The gentleman from New York has 6½ minutes remaining. The gentlewoman from Colorado has 4 minutes remaining.

Mr. ISRAEL. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Chairman, I would like to continue the math analogy and the math equation here.

What do you get if you have a weapons of mass destruction directorate program that has 146 positions, and you cut that budget by .5 percent or 3 percent? Well, we won't get into the details, but you get less than 146 positions. That is a cut.

What do you get if you cut the Render Safe Mission program that wants to hire nine people, and you cut that by 1 percent? You're going to get less than the nine people.

Stop cutting national security.

Mr. ISRAEL. Mr. Chairman, I yield 30 seconds to the gentleman from California.

Mr. SCHIFF. Mr. Chairman, I just want to say I enjoyed the Hawkins story, but I think if we were going to apply that analogy here, it would be this.

A police officer goes to you in your district office and says, Congressman, there was money in the budget for my bulletproof vest.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The gentleman will suspend.

Members are advised to address their remarks to the Chair.

Mr. SCHIFF. Mr. Chairman, I think the better analogy would be, the police officer goes to my friend and says, Congressman, there was money in the budget for my bulletproof vest. What happened to it? I don't have my vest.

And the gentleman said, well, we didn't cut the money for your vest; you're wearing it. But the officer says, I've got no vest on. And the Congressman says, that's my story, and I'm sticking to it.

It may be a good story, but it doesn't protect him from bullets.

Mr. ISRAEL. Mr. Chairman, I reserve the balance of our time.

Mrs. MUSGRAVE. Mr. Chairman, I yield 2 minutes to the gentleman from Florida.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I'm a little confused by this debate. I'm not the most sophisticated person in the world, but if you have an increase, and then you decide to reduce the size of that increase, it's still an increase.

You know, when you cut down to the chase, look, I think this is the question. Yes ask the American people, is the Federal Government so efficient, so perfect that it cannot absorb a slight reduction in the size of the increase, because it's so efficient that every single penny is used perfectly, and, therefore, a reduction in the size of an increase, oh, is devastating because we have such a perfect Federal Government that we can't even reduce the size of the increase?

Now, again, I'm not real sophisticated, but back home, if you get an increase, or you say I want a 10 percent increase, and if you have a real job, a normal job like most Americans, and they go to their bosses and say, hey, I would like a 5 percent increase in my pay, and the boss says, I can't give you a 5 percent, I'm going to give you a 4½ percent, is that a cut in salary, or is that an increase in salary, but half a percent less than what you asked for?

And again, if we thought that the Federal Government was so good, so efficient and so perfect that it can't absorb that, then don't support this amendment. But if you think that the Federal Government may be just a little bit imperfect, they might waste just a tiny bit of money, but maybe there's just a little bit of money that we could use elsewhere, then I would suggest, I'm not going to get into the rhetoric on the math, but again, if you think that the Federal Government could maybe absorb a little bit less of an increase, then this is a very modest decrease of the size of the increase.

I thank the chairman.

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

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

Mr. OBEY. Mr. Chairman, the last comments I think demonstrate that this debate is in danger of descending into something that resembles a high school debate, and we appear to be edging toward having a dictionary debate, arguing about whether something is a ''cut'' or an ''increase''.

With all due respect, in an adult world, that's not the issue. In an adult world, the question is what is the size of the problem you're trying to attack, and is our response to it sufficient?

And with all due respect to those on the other side of the aisle who are objecting to this bipartisan product, with all due respect, we think we have a serious problem that requires a serious response.

In the area of law enforcement, we have seen our support for law enforcement grants drop by $1.6 billion since fiscal 2001. That is almost a 36 percent drop. That isn't a dictionary problem. That's a problem on the street for every community in America.

We also see at the same time we have a rise in the crime rate, which requires a response, regardless of our dictionary definition, and we also have an explosion of meth use. Have you ever seen how screwed up a kid can be after meth has gotten done with him? It's a godawful sight, and I've seen plenty of it.

So what we're trying to do is to have an adequate response, and the reason that we are having a significant increase in law enforcement funding this year is because we're trying to dig out from that hole that we've been put in since 2001 by these systematic reductions in law enforcement assistance, at the same time that the crime rate is rising.

And then the second thing we are trying to do is to recognize that we're going to have a lot more people in this society in the next 10 years. We're going to have a lot more low-paid workers all around the world from China to you name it competing with American workers for jobs, and we've got two ways to combat that. One is education, and the other is technology. And the only way we're going to stay on the cutting edge of technology is if we make much larger investments in the National Science Foundation.

Politicians in both parties fall over themselves talking about what they're going to do for the National Institutes of Health, but I don't hear many discussions about what we're going to do

to provide support for the even more basic science research that is then used by everyone else in this society to determine what kind of a future we have.

Without that investment in science, our economy lags. If our economy lags, our jobs lag. If our jobs lag, our wages lag, and that means that we wind up with a huge family income deficit. We wind up with a huge education opportunity deficit. We wind up with a huge scientific knowledge deficit, and that cripples our country's future.

And that's why we're not going to engage in this silly little debate about whether something is an ''increase'' or a ''cut''. The question is, does it have a good impact or a bad impact on America? And this amendment is being sponsored by people who know the cost of everything and the value of nothing. That's the difference between us.

Mrs. MUSGRAVE. Mr. Chairman, I ponder much of what the gentleman has just said. I certainly know about the scourge of methamphetamine in my district. As I said before, I have a son-in-law that I love dearly that's a policeman, so, Mr. Chairman, I hope the other side is not implying that we do not have concerns about these issues, because we do.

Another thing that I know, having talked to many police officers, one thing that they would really like to see is families raising their children, moms and dads caring for their children, nurturing them and teaching them and trying to steer them away from the very destructive path of getting on things like methamphetamine and just seeing their lives spiral downward.

So you know what I'm standing up for today, Mr. Chairman? I'm standing up for the American taxpayer. And, you know, maybe we do need a dictionary, and maybe we do need a thesaurus, and maybe we need to talk about semantics, but I want to say that we are looking at a situation here where the appetite is insatiable for increased spending. It's insatiable.

There is a day of reckoning. You know those charts that my dear friends, the Blue Dogs, put outside their office now. It's not $8.8 trillion. It's $8.9 trillion and growing. There is a day of reckoning. Those taxpayers that have to work until April 30 to get to tax freedom day, I mean, they're thinking about this spending in this Nation.

No matter how worthy the cause, we need spending restraint. We need to get on a path of fiscal discipline, and the American people understand that. No matter how worthy the cause for the spending is, there is a limited amount of dollars that the taxpayers can afford to pay.

So I'm hoping that we will move in the right direction, and I hope that we can have support for this modest 50 cents on $100 amendment.

The Acting CHAIRMAN. The time of the gentlewoman has expired.

Mr. ISRAEL. Mr. Chairman, how much time do I have left?

The Acting CHAIRMAN. The gentleman has 5½ minutes.

Mr. ISRAEL. Mr. Chairman, the gentlewoman has exhausted her time?

The Acting CHAIRMAN. She has. Her time has expired.

Mr. ISRAEL. Mr. Chairman, I will just make a brief point and then yield to the gentleman from Ohio.

With the deepest respect to the gentlewoman, no one is implying that there is not concern by every Member of this body for those who have drug problems, for those whose lives are being ruined by meth. But you can't just wish these problems away. Somebody's got to take responsibility for working to end those problems.

Just like you can't wish them away, you can't expect that they are going to be dealt with by cutting investments in antidrug programs or even cutting the rate of increase, if you want to use the other side's terms.

We've put $40 million in this bill for mobile enforcement teams for antidrug programs; not mobile enforcement teams in Iraq, mobile enforcement teams right here at home to help the gentlewoman's constituents with those problems, to provide for a better future. We're investing in that future. We can't just wish these problems away. You've got to respond to them, and that's what we are trying to do.

Now, if the other side made the argument that we could cut giveaways to big oil companies and cut offshore tax corporate giveaways and cut all this corporate welfare and then cut these important criminal justice programs, then their arguments would have more credibility. Their arguments lack credibility because they're saying we can afford all these corporate giveaways, but we can't afford enforcement teams on drug abuse, we can't afford more cops on the street while crime is increasing, we can't afford counterterrorism initiatives and extra agents at the FBI while al Qaeda is planning against us.

This is just a difference in priorities, Mr. Chairman. We are strong on crime. We also understand that if you're going to be strong on crime, you can't just say it, you've got to do it, and frankly, it takes investments to do it.

That's what this bill does, and that's why every Republican on the committee supported this bill when it was in the committee, and that's why this amendment will be defeated by Republicans and Democrats alike.

Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Chairman, I thank the gentleman, and I just want to go through a little bit of the details here and some of the logic and some of the facts.

There's been an increase in crime. There's been an increase in methamphetamine use. So the committee said, as Mr. OBEY stated, in reaction to that, we're trying to, we'll do the southwest border and methamphetamine enforcement program, hire eight positions, four full-time equivalents, in order to attack a poly-drug-trafficking organization located along the southwest border by increasing DEA's intelligence gathering, detection monitoring and surveillance capabilities. Most of the methamphetamines coming into our country are made in California or in Mexico, out West, very close to the gentlewoman's district.

What this program does is it hires people to try to address this problem, and basically there's been a DEA hiring freeze.

□ 1515

We want to increase this. We want to spend money, invest in this program, one, because we will allow the DEA to hire more agents to address this issue that is growing, so you need to grow the agents that are going to address the issue.

But, two, this is going to save us money in the long run. When Mr. OBEY says the price of everything and the value of nothing, that's what we're talking about. Why wouldn't we want to make this small investment to try to prevent the long-term consequences of these young people with drug treatment, in prison, with insurance claims, this has a long-term ripple effect that will cost us 10 times the amount of money.

Finally, the gentlelady said, I hope you don't mean to say that we don't want to address this issue, or this issue isn't important to us. I think it's important to note that the President's budget, when he submitted it to the Congress of the United States, terminated this program. He cut it completely. He zeroed it out.

I hope our friends on Capitol Hill will take a walk down Pennsylvania Avenue and let the President understand the kind of importance that this program has and ultimately the amount of money that will save us.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

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

Mrs. MUSGRAVE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 37 OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 37 offered by Mr. CAMPBELL of California:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Each amount appropriated or otherwise made available by this Act that is not

required to be appropriated or otherwise made available by a provision of law is hereby reduced by 0.05 percent.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, in listening to all this discussion, I have to think that the taxpayers of America have to wonder what's going on here, that in this bill there has been a proposal to say, well, we'll let these government agencies spend 100 cents on the dollar, 100 percent of everything they had last year. Oh, it's terrible, we can't do that.

Then there was one at 102 percent of what they had last year. No, we can't do that. Then there is one at 102.5 percent of what they had last year. No, it's terrible. They can't do that.

So here's one more try. What this does is reduce the increase in spending by .05 percent. That is 5/100 of a percent. That leaves them with a whole lot of money and a lot more of an increase, almost the same increase they had last year.

Now, I am sure, Mr. Chairman, that the people of America can't understand why people on other side of the aisle, the majority Democrats, would have a problem with this. I can't understand it either.

I think perhaps they don't understand what this is. Now, this amendment would save the taxpayers $27 million. Now, that's real money, $27 million, by which the deficit will not increase. We have a deficit, and we are robbing the Social Security surplus. It's $27 million we would save the taxpayer.

I have five explanations, five examples I would like to give here to perhaps help my friends on the other side of the aisle understand just what this proposal is to see if there is anything, anything at all that they believe is possible to reduce spending. Is there any waste in government?

Is there anything government can do for only 103 percent of what they had last year? First of all, this does take the spending increase from 3.5 percent to basically 3.45 percent, basically the change in the interest. That's number one.

Number two, it still increases spending in these Departments by $1.574 billion over last year, $1.574 billion more.

Let me give a third example. This is a $100 bill. This represents how much the government is spending on these programs now. Here's three more dollars and five cents. This bill represents this bill as it's currently written, the $100 they had last year, three more and five more cents. Here, Mr. Chairman, is how much the government would have to get if this amendment were to pass, $100, $3, but not the 5 cents; 5 cents on $103. Somehow this is going to greatly damage programs and what we are doing.

Let me give a fourth example. The gentleman from Ohio mentioned in the last debate a particular function that he said would have 245 agents under their bill as proposed. If this amendment were to pass, how many agents would there be? Well, there would still be 245 agents, but you would have to tell one of those agents that they would only work a 7-hour day instead of an 8-hour day. That is the significance of this bill.

Now my final example, if we look at the entirety of this blue donkey as a complete government program as proposed by my friends on the other side of the aisle, we have seen a proposal already to have 99 percent.

Now, when you look at them, you may say, well, gosh, they look almost the same. That's because they are almost the same. I don't know if you or others can see the change we made, but what we did was we tried to reduce about 1 percent of the total donkey surface area up in the air, but, no, that's been rejected.

So we said let's make it 99.5 percent of what you want to spend, still an increase over the last year, but of what you want to spend a little more here. There is still not much difference, I think, to most people, but, no, can't do that.

So on the last bill I proposed a quarter of a percent cut. Quarter percent. Could you get by on quarter of a percent less of an increase than what's been proposed? That was ''no'' also.

Now we are trying again, 5/100 of 1 percent. Let me try to do that graphically here. I do have a blue marking pen, 99.95 percent of the increase that you want, you can hardly tell the difference. But if we do this on every bill, every bit of spending over the government, we will eventually start to save money.

This is the way it works. The average American taxpayer understands that, that if I put away $10 a week, $10 a month, eventually I will have quite a bit of money. But I have to have the discipline to do it. That's what we are trying to say here.

We have a deficit. We are robbing the Social Security surplus. One thing that is not in dispute is that we are heading for a fiscal train wreck. Within 30 years, Social Security and Medicare and Medicaid alone will eat up 100 percent of the taxes currently received. What are we going to do? Are we going to double or triple taxes, or are we going to reform those systems, reform government and start now?

Yes, it's 30 years from now, but if we don't start on it now, the problem will be closer and bigger and closer and bigger. We see that if the other side is not willing to do this, what will they do, other than increase taxes?

Now, we see tax increases going on now. We have seen a budget that includes either the largest or the second largest tax increase in American history, and right now we are seeing tax increases proposed by the Democrat majority on minority groups, on smokers, they are a small minority group. Then just this evening we will probably have one on foreign companies who are setting up businesses and creating jobs in America.

Now the other side I know says, oh, no, that's not a tax increase. I would like to read you a letter here. This is a letter from BART GORDON, who is a Congressman from the Sixth District of Tennessee, a Democrat, to the chairman of Ways and Means, and he says: ''Concerns have been raised by Bridgestone America, a company with facilities in my district, about the impact the proposed Farm Bill offset would have on them. Bridgestone is concerned that the 30 percent withholding tax imposed by the proposal would have a broad and negative impact on its legitimate international business operations.

''I understand the importance of ensuring that multi-national companies are not able to abuse tax loopholes to avoid paying taxes, but we must also be careful not to punish legitimate business practices and discourage foreign companies from insourcing operations in the United States. Concerns have also been raised about the effect this withholding tax will have on our international treaties.''

That, Mr. Chairman, is a Democrat, not a Republican, talking about this tax, this withholding tax. It's a potential impact on jobs in America and the potential impact on trade agreements we have with other countries that will affect the ability of American companies to do business overseas.

Now, it's quite a contrast, because that's what they are proposing. The majority keeps proposing tax increase after tax increase after tax increase, and they will start on minority groups, and they will move to everyone, because they can't get it done without everyone. All we're asking here, all we're asking here is 5/100 of a percent, one nickel on $100, a slightly less increase so we can begin the process of spending less, not taxing more.

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

Mr. ISRAEL. Mr. Chairman, I claim time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

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

Mr. CAMPBELL of California. Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from California.

Mr. Chairman, I have been sitting here listening for a while to the debate on this bill, and I have been struck by several issues that have come up that I think need to be mentioned. Some have been mentioned before, but some new ones.

I am often asked by school groups what's the difference between Democrats and Republicans? I say to them

the very quick definition is Democrats think they know how to spend your money better than you know how to spend your money. Republicans think that the less government we have, the better off we are; and the more money you are allowed to keep, the better off this country will be. I think that this debate certainly exemplifies that.

I agree with some of my colleagues who said before, the appetite of the Democrats is absolutely insatiable for increased spending. They never met a program they didn't love to spend money for. They would take every dime. They will take every dime, every penny from the American people that they can possibly take and spend it on programs they think are important.

They talk about investing government money. The government never invested any money. It spends money. The private sector invests money and gets results.

I would challenge my colleagues on the other side of the aisle. Show me the results of these spendings that you do, and then maybe you can argue a little bit about an investment.

The other thing that I am struck by is how much last year in this same debate that the Democrats said the free-spending President Bush, busting the budget, doing all this spending; and now they are coming here and defend programs that the President zeroed out because they were ineffective, and they want to put the money back in.

□ 1530

That is the height of hypocrisy. There is a limited amount of money that Americans have, but the Democrats don't know that. They want to take it all. And it is true that the budget they passed earlier this year contains the largest or second largest tax increase in America, and that to pay for their programs they are going to have to have more tax increase.

This amendment would save a small amount of money, $27 million, but it is a step in the right direction. We have got to start reining in spending, and those of us who have come here in the last few years understand that, those Republicans do, and we want to see the Federal Government more responsive to the American taxpayer, less profligate, and more interested in saving our freedom, not in taking it away by taking away our money and reducing our choices.

Mr. ISRAEL. Mr. Chairman, it warms my heart to know that the gentlewoman in her district visits schools and talks to local schoolchildren, and emphasizes those values of civility and tolerance and mutual understanding in our classrooms, and doesn't try to separate people by Democrats and Republicans.

I hope that the next time the gentlewoman goes into those schools and talks to those schoolchildren, and they ask her, Mr. Chairman, ''What are you doing to keep us safe from al Qaeda and the terrorists who are planning against us,'' that she will say to them, ''My proudest moment, young children, is that I cut the FBI budget by 0.05 percent, while approving tax cuts of $14 billion to the biggest oil companies on Earth.''

I think those children would rather be investing in the FBI to keep them safe than be giving away those billions and billions of dollars in tax cuts to the biggest oil companies in the America.

I reserve the balance of my time

Mr. CAMPBELL of California. May I inquire, Mr. Chairman, as to how much time is remaining on both sides?

The Acting CHAIRMAN (Mr. MCGOVERN). The gentleman from California has 2½ minutes remaining, and the gentleman from New York has 13 minutes remaining.

Mr. CAMPBELL of California. I reserve the balance of my time.

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

Mr. CAMPBELL. I yield the balance of my time to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Chairman, this has obviously been a spirited debate by men and women on both sides of the aisle who I respect. But I do think if the American people are watching this debate, and I hope they are, we need to dispose of one issue very clearly, and that is there is indeed a dictionary over on that part of the floor, and every amendment that was brought here today is either going to increase spending in this account or level funding. But according to the logic of our friends on the other side of the aisle, if you fund something at a lesser quantity than somebody else wants it, then you have a Draconian cut. Well, if they are increasing this bill 3.1 percent, that is a cut below 3.5 percent. It is a cut below 4 percent.

If all these programs are so good, why did you cut them? Why didn't you increase it 6 percent? Why didn't you increase it 8 percent? So let's dispose of that argument right now.

Again, the only budget that is being cut here, Mr. Chairman, is the family budget. And the family budget is being cut as part of this single largest tax increase in American history contained in the Democrat's budget resolution, which I know they tried to run away from. Now, they said earlier that: We know the cost of everything and the value of nothing. Maybe they need to know the value of hard-earned paychecks in American families.

So they need to think about the Zapata family in Kaufman, Texas, because when they put their tax increase on them, let me tell you what the Zapatas have to say. ''If taxes on my family are increased that much, this could seriously affect my life. My mortgage is adjustable and will most likely go up. If the taxes go up, it would be devastating, and I could face foreclosure.''

They don't know the value of the paycheck to the Brooker family in Wills Point. ''No increase in taxes. My family is one breath away from losing our home as it is.''

Those are the budgets that are being cut today, Mr. Chairman, not only by the single largest tax increase in American history, but they are about to bring a tax increase to try to fund their farm bill by taxing jobs. They are saying somehow foreign companies are evil when they come to America and they invest and create jobs, in my district among other districts.

So there is a real choice here: Increase the family budget, or increase the Federal budget. We come down on the side of the family budget.

Mr. ISRAEL. Mr. Chairman, I yield as much time as he may consume to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I thank my colleague from Texas for reading a letter from constituents out in the State of Texas. But I wonder how that family in Texas would feel if that family were asked: Do you think that we should continue to allow oil companies to earn the greatest profits in the history of any industry, in the history of the world? Or, do you think we ought to take some of those oil revenues and devote them to putting more cops on the street? I think that family would say, ''You know, I would be willing to pay a little less at the pump or have the oil company earn a little less at the pump if it meant pumping a little more of that money into the FBI to keep me safe, or if it meant another bulletproof vest for a police officer.'' I think that family would say the record profits of that industry, that we had a chance to actually take some of those resources and plow it into this country, invest in this country, I think that family in Texas would say, ''That means more to me than making sure that these companies enjoy corporate welfare and astounding profits.''

Now, my friend says this is only a $31 million cut. How much difference could that really make? But my friend isn't willing to say where he would cut the money. He wants to spread it around. But he used the example of the FBI. Let's say we devoted this entire cut to the FBI, and it simply means that you would have one FBI agent working a few less hours. Instead of working maybe an 8-hour day, 5 8-hour days, they would work 4 8-hour days and a 7-hour day. Well, I don't know how much they are paying FBI agents in my friend's part of the State; I am from a different part of California. I don't think they pay them all that much. I think if you cut $31 million out of the FBI, you are cutting a lot of positions out of the FBI.

Mr. CAMPBELL of California. Mr. Chairman, will my colleague yield?

Mr. SCHIFF. My colleagues have already had 15 minutes.

Mr. CAMPBELL of California. Just to answer your question.

Mr. SCHIFF. I am not yielding my time. My colleague had 15 minutes to try to make his point.

So I don't think cutting $31 million out of the FBI makes sense. And this gets back to the question that our Chairman posed: What is the need? And are we devoting the resources that meet that need?

The need that I am hearing, the need that our Homeland Security Committee is hearing, the need that the 9/11 Commission recognized is the need to make greater investments in the safety of our country. That is the need that we are recognizing in this bill.

Do we need those extra FBI agents? Yes, I think we do. Do we need those extra cops on the beat? Yes, I think they do. I wish my friends in the opposition who fight so hard for our friends in the gun industry would fight half as hard for our cops to have the best that they need here in this debate on the House floor today.

I think we need to make these investments in our future. I think we need to make these investments in our American family. And, I think that my colleagues in the minority here, not in the minority party, because, again, this bill enjoys the support of the bipartisan majority. But the minority viewpoint that is expressed here today, I think they need to ask: What would these families choose, if we give them the real choice, not between whether they invest in the FBI or they don't invest in the FBI, but whether they invest in the FBI by ending corporate welfare for oil companies? I think the answer would be yes. I think the answer would be absolutely. And I think the answer would be, we want to invest in the country, make it stronger, make it safer, give our children a chance to grow up in safer neighborhoods.

That is the answer I think that letter writer and others around the country would give and have given, and that is why I urge this amendment to be defeated.

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

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. I yield to the gentleman from California.

Mr. CAMPBELL of California. I thank the gentleman from New Jersey.

I just wanted to clarify that my colleagues' arguments from California were very fine arguments, except they don't apply to this amendment. This amendment does make a 0.0005 or 5 basis points, one-five-hundredths of a percent reduction in the growth of each program equally across the board. So it is 5 cents on $100 of everything.

I appreciate the argument. It is clear that our friends on the other side of the aisle believe that government cannot survive on this, but they believe that all kinds of people, companies, entities can survive on a whole lot less than that with the taxes they want to increase. It is a very clear distinction, Mr. Chairman, between 5 cents on $100 across the board on every program, which I think would be fine, versus all of the various tax proposals, increase proposals, that you have both on various minorities, like smokers and foreign companies, and in your budget on basically every taxpayer in America.

Mr. ISRAEL. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding.

Again, I would just point out that my friend hasn't shown any willingness to trim the profits of his friends in the oil industry by 0.00000005, which would amount to probably about the same $31 million we are talking about here. He is only willing to take that $30 million out of our law enforcement efforts across the board, but not out of oil industry profits. And that is the difference in philosophy, I think, between my colleague and myself.

MR. ISRAEL. Mr. Chairman, during this debate we have seen all sorts of charts and heard about all sorts of numbers and saw a display of dollars. Here are the statistics that count, Mr. Chairman:

The past 2 years, violent crimes in America are up 3.6 percent. Federal law enforcement grants have declined 46 percent. So, under their leadership, Mr. Chairman, Federal support for local law enforcement has already been cut 46 percent; now we are saying we should cut it another five-hundredths of a percent.

FBI counterterrorism casework is up 100 percent. Meanwhile, FBI investigative resources are down 29 percent.

So what we have here, Mr. Chairman, is more criminals on the streets, and an attempt to reduce investments in cops on the streets. What we have here, Mr. Chairman, is a bigger caseload of potential terrorists, and the FBI being told, ''Shave your budgets.'' That is how far some ideologues will go, Mr. Chairman.

I can't imagine any American watching these proceedings, and then hearing the news, learning about the National Intelligence Estimate, which says that al Qaeda is proliferating and regenerating, and saying, ''Now is the time to cut the FBI budget,'' or, ''Now is the time even to reduce increased investments in the FBI.''

Al Qaeda is not cutting the rate of their increase, Mr. Chairman. Terrorists are not cutting the rate of their increases, Mr. Chairman. This is not the time to begin cutting these budgets.

The other side is talking about specific reductions in the number of FBI agents on counterterrorism cases. They are talking about a specific reduction in the number of deployments of cops on the street; crime going up, Federal law enforcement grants going down. There is a correlation between the two. And now we add insult to injury by saying, let's cut it another 0.05 percent, or one-five-hundredths of a percent.

I want to close, Mr. Chairman, by reminding the Chairman and the American people through the Chairman that this debate really isn't about one-five-hundredths of a percent; it is about what priorities make sense to the American people: $14 billion tax cuts to the biggest oil companies on Earth, or 2,800 cops on the street; $90 billion in tax shelters for offshore companies that register their headquarters in Bermuda to avoid paying their fair share of taxes here, or more cops on the street?

□ 1545

The gentleman talked about a family in his district. I don't know of any family in my district that gets to sit at their table, their kitchen table with their accountant and be given the advice that they should register themselves at a P.O. box in Bermuda to avoid paying their fair share of taxes in the United States. You know what they want for their tax dollars? Cops on the street, FBI agents protecting them. That's what they want. They don't have the right to just go off to Bermuda, register themselves at a P.O. box and not pay taxes.

We understand that every tax dollar has to be jealously safeguarded, and that's what we do in this bill. The difference between us is not one-five-hundredth of a percent. The difference between us is $90 billion. They would rather spend that $90 billion on those offshore companies with P.O. boxes in Bermuda. We would rather spend a fraction of that making sure that there are cops on the street, that kids are protected from meth, that women don't have to deal with domestic violence, that they can be prosecuted, that the FBI has counter-terrorist agents, that they have investigative resources. Because as I said before, all the statistics bear it out, crime is increasing. Terrorists are proliferating. They are not cutting their budgets. They are not cutting their numbers. They are not even cutting their rate of increase. And we should not turn our backs and allow them this advantage, their advantage in the name of a one-five-hundredth of a percent cut in this budget.

This isn't substance. This is politics. And if it weren't so serious, it would be silly.

We want cops on the street and counter-terrorist agents with the FBI. That's what the American people want. That's why every Republican on the Appropriations Committee supported this bill. And that is why, at the end of this debate, we go back to where we were at the beginning of this debate.

This is a small group of Members, a fringe group of Members who say 3 percent's not enough, 2 percent's not enough, 1 percent's not enough. We're going to go to one-five-hundredth of a percent to make our case.

Every single one of those amendments has been defeated on every single one of these bills because Republicans and Democrats in the mainstream know better. We understand the priorities of the American people. And

that is why this amendment will face the same fate as all the other amendments before them. It will be defeated.

And Mr. Chairman, let me make one other point. With all due respect to my friends, they have spent more taxpayer dollars prolonging this debate offering amendment after amendment after amendment, keeping this House in session when every single one of these amendments was defeated, than the one-five-hundredth of a percent cut that they're offering today.

I would suggest to the other side that they could save taxpayers a lot more money by doing these amendments once, getting them over with, let them get defeated as they always have, and let this Congress go on with the business of the American people and putting cops on the street and investing resources in the FBI to keep them safe.

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

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

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

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. CONAWAY

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

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

The Acting CHAIRMAN. A point of order is reserved.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONAWAY:

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

SEC. ____. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

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

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, in the immortal words of Doc Holiday in Tombstone, ''Our hypocrisy knows no bounds.'' Both sides equally applied.

The arguments earlier that half of a percent cut, 5 basis points of a cut, as if that's some sort of a draconian decision to be made, the truth of the matter is the committee, the subcommittee had a fixed amount of money to work with, and they chose to make some trade-offs. They chose to fund more here and less here, more here and less there. But none of those decisions that they made were couched in the terms of some sort of mean spiritedness.

And at the risk of prolonging the debate, which I think is an important debate for us to have, I'm going to offer up an amendment that I know has a point of order which stands against that.

Before I do that though, I'd like to quote something from Justice George Sutherland. A lot of us heard earlier about the way tax planning is done, used, misused, and it was used in the pejorative; that only big oil companies or other companies could use the code that we currently have in place, that you and I and our colleagues put in place, to affect their tax affairs and that families don't get to do that. Well, I would argue based on this quote: ''The legal right,'' and that's a right, ''of a taxpayer to decrease the amount of what otherwise would be his or her taxes, or altogether avoid them by means which the law permits, cannot be doubted.'' Gregory v. Helvering, Justice George Sutherland.

So as we listen to this debate about how much we ought to spend, let's understand that we put in place this code, and if we don't like the way that's done, then there are forums to debate that, and we ought to have that debate. But let's not denigrate people who are using the code we put in place to lower their tax liability and call that some sort of a pejorative.

This is the classic argument that you cannot throw enough money at any subject to fix it. And that's what we heard from the other side; that the more money you throw at it, the more you're going to fix the problem. And I don't necessarily agree with that.

My colleagues on the other side used the word ''take'' in reference to revenues from oil companies, and that's exactly what they would intend to do. They would take those revenues and spend them the way they would like to. Legitimate way of doing government.

I'll also argue that in the next 2 weeks we may have some sort of a conversation about an energy bill, and during that time frame we will argue vociferously that there's enough in reinvestment in domestic sources of energy, and those revenues taken from these mean, ugly oil companies would otherwise go back into that reinvestment into energy.

So, as I mentioned, our hypocrisy knows no bounds.

My amendment is simple. All of this great work that's been done, and bad work according to our colleagues on the other side, or wasteful work according to our colleagues on the other side, to try to reduce spending in the bill is for naught.

In addition to the ringing defeats that my colleagues endure, were they to be successful, the rules of this House do not allow those cuts to actually be implemented. If my colleague had actually won the argument that we could trim 5 cents out of $100 out of this budget, whichever budget, that money would still get spent. The money that stays within the 302(b) allocation, which is code for inside the beltway stuff, but then would simply not get spent. And so we've spent hours and hours and hours down here debating, trying to reduce the spending in a particular bill.

The harsh reality is that were we to win some of those amendments, it would simply be a piratic victory, because that money would still get spent.

My amendment, sense of Congress, would say were we to win one of those arguments, that money, the reduction in spending would actually go against the deficit, or, heaven forbid, that we would ever be in a surplus circumstance, that money would increase the surplus.

So this is something I'm trying to point out on each one of our bills, that we've got a goofy set of rules that only you and I understand, only you and I appreciate, and maybe only appropriators embrace, that does not allow all of this hard debate and work to really mean anything at the end of the day.

And so while I challenge my colleague's characterization of our use of this debate time as wasteful in some way, I think it's important for the American people to understand as they go about managing their affairs that we couch the terms of managing our affairs, their affairs through us, in those kinds of terms.

So, Mr. Chairman, I understand that a point of order lies against this, and I will not prolong the debate much further. I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

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

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield a moment to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, we have reviewed the amendment, think it's a good amendment, and we are willing to accept it.

Mr. GARRETT of New Jersey. Reclaiming my time, I appreciate the chairman's acceptance of the amendment. I will just spend 30 seconds just for the edification of the membership of the conference as well what the amendment does.

This amendment harkens back to the days when, not too long ago actually, the various Federal Government agencies, when taking part in international conferences overseas, would send upwards of 70, 80, 90, 100, over 100 members of their Departments or agencies to these various conferences, spending, obviously, an excessive amount of taxpayers' dollars. And as we've heard from both sides of the aisle in an appropriate manner, we are here to set priorities. And I agree with the effort on both sides of the aisle, and that's exactly what this amendment does. It says let's pick a reasonable number, in this case it's 50, a limitation as to the number of members of any agency to go on these international conferences.

This amendment has been accepted in the past, and once again I appreciate the chairman accepting this amendment. I'm not sure whether the ranking member is also in agreement with it as well.

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

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

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

Amendment No. 1 by Mr. STEARNS of Florida.

An amendment by Mr. FLAKE of Arizona on the Lobster Institute.

An amendment by Mr. FLAKE of Arizona on the East Coast Shellfish Research Institute.

Amendment No. 25 by Mr. PENCE of Indiana.

Amendment No. 41 by Mr. UPTON of Michigan.

An amendment by Mr. JORDAN of Ohio.

An amendment by Mr. PRICE of Georgia.

An amendment by Mrs. MUSGRAVE of Colorado.

Amendment No. 37 by Mr. CAMPBELL of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. STEARNS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 202, noes 212, not voting 23, as follows:

[Roll No. 734]

AYES—202

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

NOES—212

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

NOT VOTING—23

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Fossella
Gutierrez
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Musgrave
Paul
Shays
Spratt
Tierney
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There is 1 minute remaining in this vote.

□ 1623

Messrs. INSLEE, HOLDEN, BAIRD, DINGELL and MITCHELL changed their vote from ''aye'' to ''no.''

Mr. BILBRAY and Mr. KAGEN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on the Lobster Institute on

which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 87, noes 328, not voting 22, as follows:

[Roll No. 735]

AYES—87

Akin
Bachmann
Barrett (SC)
Barrow
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Deal (GA)
Dreier
Duncan
Everett
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Goodlatte
Graves
Hall (TX)
Heller
Hensarling
Herger
Hill
Inglis (SC)
Issa
Jindal
Johnson (IL)
Keller
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McHenry
Miller (FL)
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Tancredo
Terry
Thornberry
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—328

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baker
Baldwin
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—22

Abercrombie
Baird
Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Fossella
Hunter
Johnson (GA)
Jordan
Kennedy
King (IA)
LaHood
Michaud
Musgrave
Paul
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There is less than 1 minute remaining in this vote.

□ 1628

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on the East Coast Shellfish Research Institute on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 77, noes 337, not voting 23, as follows:

[Roll No. 736]

AYES—77

Akin
Bachmann
Barrett (SC)
Barrow
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Broun (GA)
Burton (IN)
Buyer
Campbell (CA)
Cannon
Chabot
Coble
Conaway
Cooper
Deal (GA)
Dreier
Duncan
Ehlers
Feeney
Flake
Foxx
Franks (AZ)
Gingrey
Graves
Heller
Hensarling
Herger
Hill
Inglis (SC)
Issa
Jindal
Johnson (IL)
Keller
Kline (MN)
Lamborn
Linder
Mack
Marshall
McCarthy (CA)
McCaul (TX)
McHenry
Mica
Miller (FL)
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Sullivan
Tancredo
Terry
Thornberry
Weller
Westmoreland
Wilson (SC)

NOES—337

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baker
Baldwin
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Chandler
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley

Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—23

Baird
Brady (TX)
Burgess
Cantor
Carter
Castor
Christensen
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Fossella
Garrett (NJ)
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Musgrave
Paul
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 1632

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. PENCE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 215, noes 205, not voting 17, as follows:

[Roll No. 737]

AYES—215

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carnahan
Carney
Chabot
Clay
Coble
Cole (OK)
Conaway
Costello
Cramer
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kind
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Sali
Schmidt
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Tancredo
Tanner
Taylor
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Young (FL)

NOES—205

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

NOT VOTING—17

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Musgrave
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 45 seconds remain in this vote.

□ 1638

Mr. ENGLISH of Pennsylvania and Mr. LEWIS of California changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. UPTON

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 404, noes 16, not voting 17, as follows:

[Roll No. 738]

AYES—404

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Chabot
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOES—16

Blackburn
Cannon
Inslee
Johnson, Sam
Jones (NC)
Lewis (CA)
Linder
McCrery
Paul
Peterson (MN)
Peterson (PA)
Pitts
Simpson
Tancredo
Walsh (NY)
Young (FL)

NOT VOTING—17

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Musgrave
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 30 seconds remain in this vote.

□ 1642

Mr. ABERCROMBIE and Mr. WELCH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. JORDAN OF OHIO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 138, noes 282, not voting 17, as follows:

[Roll No. 739]

AYES—138

Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Broun (GA)
Brown (SC)
Buchanan
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cantor
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Keller
Kingston
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Wamp
Westmoreland
Whitfield
Wicker
Wilson (SC)

NOES—282

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)

Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—17

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Herger
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 1645

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 159, noes 261, not voting 17, as follows:

[Roll No. 740]

AYES—159

Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Broun (GA)
Brown (SC)
Buchanan
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Drake
Dreier
Duncan
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Giffords
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Keller
Kingston
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Westmoreland
Whitfield
Wicker
Wilson (SC)

NOES—261

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

NOT VOTING—17

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Hobson
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains on the vote.

□ 1649

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. MUSGRAVE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 186, noes 235, not voting 16, as follows:

[Roll No. 741]

AYES—186

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kingston
Kirk
Kline (MN)
Lamborn
Levin
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—235

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

NOT VOTING—16

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in the vote.

□ 1652

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 37 OFFERED BY MR. CAMPBELL OF CALIFORNIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 192, noes 228, not voting 17, as follows:

[Roll No. 742]

AYES—192

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

NOES—228

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks

Dingell
Doggett
Doolittle
Doyle
Edwards
Ehlers
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Frank (MA)
Frelinghuysen
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—17

Brady (TX)
Burgess
Carter
Castor
Clarke
Cubin
Davis, David
Davis, Jo Ann
Fortuño
Hunter
Johnson (GA)
Jordan
King (IA)
LaHood
Michaud
Smith (TX)
Young (AK)

□ 1656

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DAVID DAVIS of Tennessee. Mr. Chairman, due to a meeting with the President at the White House this afternoon, I was not present to cast my votes on rollcall votes 734 through 742. Had I been present, I would have voted yea on the Stearns amendment—rollcall 734, ''aye'' on the Flake amendment—rollcall 735, ''aye'' on the Flake amendment—rollcall 736, ''aye'' on the Pence amendment—rollcall 737, ''aye'' on the Upton amendment—rollcall 738, ''aye'' on the Jordan amendment—rollcall 739, ''aye'' on the Price of Georgia amendment—rollcall 740, ''aye'' on the Musgrave amendment—rollcall 741, and ''aye'' on the Campbell amendment—rollcall 742.

PERSONAL EXPLANATION

Mr. JORDAN of Ohio. I was at the White House this afternoon with several of my colleagues to brief the President on our recent trip to Iraq. As a result, I was absent from the House Floor during a series of rollcall votes.

Had I been present, I would have voted ''aye'' on rollcalls 734, 735, 736, 737, 738, 739, 740, 741, and 742.

Mr. MOORE of Kansas. Mr. Chairman, with today's passage of the fiscal year 2008 Commerce-Justice-Science appropriations bill I am pleased to acknowledge the inclusion, in this important legislation, of funding to begin the implementation of the National Windstorm Impact Reduction Program.

In 2004, the National Windstorm Impact Reduction Act, legislation championed by Rep. RANDY NEUGEBAUER and myself, became law. On its road to passage, H.R. 2608 (P.L. 108–360) enjoyed widespread support in both the House and the Senate. The enactment of this legislation established the interagency National Windstorm Impact Reduction Program (NWIRP) to improve windstorm impact assessment and streamline the implementation of federal mitigation efforts to minimize loss of life and property due to severe windstorms like hurricanes and tornados.

All states and regions of the United States are vulnerable to windstorms, and we all share in the cost of repairing the several billion dollars in economic damage caused each year by these storms. Vulnerabilities also continue to grow as our communities grow, but improved windstorm impact measures have the potential to substantially reduce future losses. Sadly, up to this point few resources have been committed to research and program coordination in this area, and no funding has been appropriated to begin the implementation of the NWIRP.

While federal programs cannot eliminate the occurrence or dangers of future windstorms, the programs authorized as part of the NWIRP, if properly funded, will help policymakers, private industry, and individual homeowners adopt strategies for reducing risks to human life and economic loss. The NWIRP also provides an important new opportunity to initiate badly needed research to understand how wind affects structures, to enhance windstorm damage collection and analysis, and to develop and encourage the implementation of mitigation techniques.

The language included in the House version of the fiscal year 2008 Commerce-Justice-Science appropriations bill will direct much needed funding to the National Science Foundation, the National Oceanic and Atmospheric Administration, and the National Institutes of Standards and Technology that will allow each agency to begin the implementation of each distinct component of the NWIRP for which it is responsible. Again, I am very pleased with the inclusion of this funding in the House version and strongly encourage its inclusion in any conference agreement on this legislation.

Mr. CONYERS. Mr. Chairman, I rise in support of this vitally important appropriations bill that addresses a wide range of our nation's critical needs. H.R. 3093, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2008 provides local communities with the help they need to keep our streets safe; makes significant increases into scientific research to keep our Nation's economic preeminence in the world; and bans civil rights and privatization abuses furthered by the Bush administration.

Last year, the FBI reported that violent crime had its biggest increase in over a decade. Under Republican control from 2001 to 2006, funding for state and local law enforcement grants was cut from $4.4 billion to $2.5 billion—a 43 percent decrease. This bill reverses those trends, making major investments into restoring state and local law enforcements grants. It appropriates $725 million for Community Oriented Policing Services (the COPS program)—$693 million over the President's request and $183 million above 2007—to support local law enforcement agencies, including $100 million for the ''COPS on the Beat'' hiring program, not funded since 2005. The Congressional Research Service estimates that 2,800 new police officers can be put on America's streets with these funds. The President's budget would have cut these grants by 94 percent.

H.R. 3093 also funds the Office on Violence Against Women at $430 million, $60 million above the President's request and $48 million above 2007, to reduce violence against women, and to strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking. It provides $1.3 billion for the Office of Justice Programs for grants to state and local organizations to fund activities like crime prevention, the State Criminal Alien Assistance Program, Drug Courts and Byrne Grants. It also appropriates $400 million for the Office of Juvenile Justice and Delinquency Prevention for state and local grants to address the problems surrounding juvenile offenders, including $100 million for a competitive youth mentoring grants program.

To keep our Nation's economic preeminence in the world we need to stay on the cutting edge of science and technology. To that end, H.R. 3093 makes significant investments in scientific research at the country's top agencies devoted to science. It provides $28 billion, $2 billion above 2007 and $1 billion above the President's request, for science and science education as part of the Innovation Agenda to keep America competitive in the global market. The bill also tackles the enormous challenge of global climate change, with $1.86 billion for research and development projects to study what is happening, what could happen, and what we can do about it.

The bill also funds other essential federal programs including the Legal Services Corporation, for civil legal assistance to people who are unable to afford it, allowing an additional 31,000 low-income client cases to be concluded. The program was funded at $400 million in 1995 and has been cut repeatedly since. A 2005 study found that for every eligible person served, another was turned away due to lack of resources. This bill provides $377 million for that program, $28 million above 2007 and $66 million above the President's request. H.R. 3093 also appropriates $333 million for the Equal Employment Opportunity Commission, to reduce the backlog of pending cases—projected to increase 70 percent from 2006 to 2008 under the President's request—and requires that all complaint calls be handled by EEOC employees, cancelling the outsourcing of this service.

Finally, the Commerce, Justice and Science Appropriations bill prohibits administration policies that have infringed on our civil rights and curbs privatization policies that have led to waste, fraud and abuse. H.R. 3093 bars the FBI from authorizing National Security Letters in contravention of the law, a practice that we

have examined in the Judiciary Committee. The Justice Department's Inspector General has found multiple instances of FBI abuses and misuses of its authority in issuing these letters. The bill also prohibits the privatization of work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Inc. It also allows federal employees the same appeals rights as contractors after decisions are made on public-private competitions.

Mr. Chairman, I am pleased to support this bill because it gets us back on the right track after six years of misguided cuts whose disastrous effects are now becoming apparent with the FBI's latest crime statistics. This legislation deals literally with life and death issues that need to be given adequate resources. H.R. 3093 will put more police on our streets, aid crime victims, help juvenile offenders get their lives back on track, and provide critical legal services to those who can't afford it. It also makes vitally important investments in our Nation's economic future by encouraging scientific research. Finally, it protects us from government and contractor abuses. The New Direction Congress is once again working to align the priorities of the Federal Government with the needs of the American people.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today in support of H.R. 3074, the FY08 Commerce, Justice, Science, and Related Agencies Appropriations bill.

I want to thank the Chairman OBEY, Chairman MOLLOHAN, Ranking Member FRELINGHUYSEN, and the Appropriations Committee for their hard work on this piece of legislation.

This bill will keep our communities safe by providing increased funding for the Community Oriented Policing Services Grants Program and the Byrne Justice Assistance Grants Program.

Both of these programs assist our law enforcement agencies by providing grants for the hiring of additional police officers.

The CJS Appropriations bill also provides assistance for the Office on Violence Against Women.

The COPS program, Byrne Justice Assistance Program, and the Office on Violence Against Women would not have been severely under funded in the President's budget and I commend the committee for their work to fund these vital programs.

This bill also contains vital funding for two projects in my district: the Houston YMCA of Greater Houston's Apartment Outreach Project and the Harris County Integrated In-Car Mobile Technology Project.

The YMCA's Apartment Outreach Project will provide for staffing and supply costs for this program which combats youth crime and gang activity in Houston's apartment complexes.

The Harris County Integrated In-Car Mobile Technology Project will provide county sheriff officers with mobile data computers to link with license plate recognition technology.

Unfortunately, this bill does not provide funding for several projects that I strongly support.

These projects would have provided funding for the Harris County, TX to acquire a 10 acre tract of land for the Buffalo Bayou Partnership plan to redevelop the bayou and funding for Houston Community College to purchase equipment for training programs conducted by its Public Safety Institute.

While it is impossible to fund all of the projects that we request, I believe that these programs need federal funding.

Ms. MATSUI. Mr. Chairman, I rise today today to express my support for the National Textile Center. Textiles are an important part of our daily life and of our Nation's economy. It is imperative that we remain internationally competitive in this industry. The National Textile Center does exactly that—ensure that the fiber, textile, and apparel industries in our country have the research and innovations needed to continue to be viable and competitive.

The National Textile Center is a consortium of eight coordinated locations across the country. They have come together in a nationwide effort to promote research and education in developing new and innovative fabrics and materials. These are important collaborative centers that develop new fibers, fabrics, and manufacturing methods with broad ranging applications.

I am proud that one of the partners of the National Textile Center is the University of California Davis. Their participation in this national research consortium benefits the education, workforce development, and economy of the Sacramento region and our entire country. A key project at U.C. Davis funded by the National Textile Center is the development of new personal protection clothing to keep our first responders and military safe. We cannot turn our backs on these vital workers, whom we trust with the health and safety of our Nation.

The National Textile Center funds important interdisciplinary collaborations that translate to many other industries. Basic research funded by this important consortium has applications that will reverberate in many fields, such as biomedical applications, electronics, and nanotechnology. I urge my colleagues on both sides of the aisle to join me in supporting funding of the National Textile Center. We need to oppose efforts to strike funds from this important program that benefits constituents nationwide.

Mr. GINGREY. Mr. Chairman, as we begin debate on the FY2008 Commerce, Justice, Science Appropriations bill, I want to highlight the National Textile Center (NTC). The NTC is a 15-year-old grant program that supports research at nine member universities, including Georgia Tech, and is the main source of innovation for U.S. textile, fiber and apparel industries. In Georgia, the textile, fiber and apparel industry is the state's largest manufacturing employer with annual payroll of $500 million. It is imperative that this industry continue to benefit from the infusion of new ideas and talent that is the basis of the programs of the National Textile Center. National Textile Center projects in Georgia have lead to improving Georgia industry processes including new approaches to carpet recycling and new environmentally friendly approaches to dyes and bleaches that lower costs, increase competitiveness, and improve the local plant environmental impact. Outside of helping the textile industry respond to rapidly changing market demands, the NTC has also inspired and trained highly skilled talent for the U.S. textile industry and created educational opportunities in science, engineering, and technology for U.S. citizens and permanent residents from K–12 through the doctoral level.

Mr. Chairman, the National Textile Center has clearly been an excellent steward of past funding provided by the Department of Commerce. With this in mind, I ask Chairman MOLLOHAN, Ranking Member FRELINGHUYSEN, and my colleagues in both bodies to preserve current funding and remember the importance of this program during the Conference process.

Mrs. BOYDA of Kansas. Mr. Chairman, when most of us think about law enforcement, we imagine police patrolling the streets, or we think of lawyers and judges in a courtroom. But there's another chapter to the law enforcement story. Once a criminal has been caught, tried, and convicted in federal court, the U.S. prison system is charged with detaining him—sometimes for the rest of his life.

Just as Congress talks about supporting police and protecting judges, we need to talk about supporting our prisons. In recent years we have seen the Federal inmate population grow without a corresponding increase in the number of corrections officers. This is a dangerous situation that we cannot allow to continue.

Since 1980, the population of inmates in Federal prisons has increased from 24,000 to almost 200,000—an 830 percent increase. Unfortunately, funding hasn't increased nearly that fast, and too many facilities are facing staffing shortages. Right now, Federal prisons are overcrowded by about 37 percent.

Frankly, that isn't right. We can't claim to be tough on crime and neglect our prisons. Congress has to provide enough funding to the Bureau of Prisoners to ensure the safety of our guards and the quality of our prisons.

As a member of the House Corrections Caucus, last month I authored a letter to the House Appropriations Committee requesting increased funding for the Bureau of Prisons. Together, we requested $427 million over 2007 for the Bureau of Prison's ''salaries and expenses'' account and $210 million for the ''buildings and facilities'' account. Unfortunately, resources are stretched thin and that amount could not be met.

In order to continue managing the increasing prison population and providing a safe work environment for our correctional officers we need to provide the BOP with the necessary funding. We must ensure that the BOP receives the funds it needs to conduct maintenance on current facilities and build the new facilities necessary to deal with overcrowding.

Congress can never remove all of the risk from the job of guarding a prison. Risk accompanies any law enforcement job. But we can provide the resources to help our guards do their jobs as safely as possible and demonstrate that we are tough on crime.

Mr. WELDON of Florida. Mr. Chairman, today I rise to explain the purpose of two amendments I submitted to H.R. 3093, the Commerce, Justice, Science Appropriations Bill of 2008. While I had planned to offer these amendments, I was disappointed that just prior to offering my amendments to the bill on the House floor, was informed that the Chairman of the Appropriations Subcommittee on Commerce, Justice, Science was going to object to my amendments and insist on a point of order against them. After discussion with the Parliamentarian, who said the point of order would be upheld on a technicality, I decided to not offer my amendments. I am disappointed that the Democrat majority chose to object to my amendments on a technicality, particularly when you consider that technical objections were waived for a host of other provisions in

this same bill. I believe if is important to explain here and get on the record the substance of these amendments and why they are critical to securing our homeland.

My first amendment (No. 14) would have tied funding for the Community Oriented Policing Services (COPS) program to whether recipients are complying with the federal prohibition on sanctuary policies. Sanctuary cities have been prohibited under Federal law (8 U.S.C. 1373 and 1644) for more than 10 years. Yet, there is no enforcement mechanism and no penalty for those cities that choose to disobey the law.

My amendment would have prohibited COPS funding from going to State or local governments that have sanctuary policies which prevent cooperation between local or state police and federal immigration authorities or prevent local or state police from enforcing immigration laws.

Terrorists know all about sanctuary cities and the concealment that such cities provide. The 9/11 terrorists are a case in point. Two of the 19 hijackers on September 11, 2001, ran afoul of police months and days before the attack.

Mohammed Atta was ticketed in Broward County Florida in the Spring of 2001 for driving without a license. Atta was in the U.S. on an expired Visa and was in the U.S. illegally. If the local or state police had looked into Atta's immigration status, the leader of the 9/11 attacks would have been departed 5 months before the attacks took place.

In addition, of the 48 Al Qaeda operatives who operated in the U.S. between 1993–2001, including the 9/11 hijackers, almost half were illegal aliens. Sadly, jurisdictions with sanctuary policies would not only prohibit their apprehension, it would also prohibit the police from informing federal officials of their immigration status so that they could commence deportation proceedings. Three of the Fort Dix Six—the men who tried to pull off a terrorist incident at Ft. Dix, NJ—were pulled over by local police for traffic violations. Three of these individuals had run-ins with police 75 times, but no one ever checked their immigration status. They were all in the U.S. illegally. The jurisdiction in which they were charged supposedly had a sanctuary policy ... which explains why they were never reported to federal immigration officials.

We cannot fool ourselves into thinking that terrorists do not know about these sanctuary jurisdictions... so harboring illegal aliens creates an environment where terrorists can easily hide and not be found out. I want to be clear that I do not believe that all illegal immigrants are terrorists. Very, very' few illegal immigrants are terrorists. But those few who are terrorists can kill thousands of innocent Americans, as only 19 did on September 11, 2001.

Obviously, the COPS program adds to our arsenal in combating crime by increasing the number of police in our communities. But funding increased police presence while at the same time not reporting known illegal immigrants to federal authorities, as is the policy of jurisdictions with sanctuary laws, is contradictory and self-defeating. If we simply allowed our law enforcement officers to follow Federal law by requiring them to inform immigration officials of violations of immigration laws, we would likely need fewer police officers to enforce our laws.

Why would we need fewer officers? Because requiring local jurisdictions to cooperate with the Federal agencies to quickly and efficiently deport illegal immigrants, particularly those engaged in criminal acts, would help reduce the size and capabilities of criminal gangs. A large percentage of those who populate violent criminal gangs, including MS–13, are illegal immigrants. Violent criminal gangs are making these communities unsafe. FBI Director, Robert Mueller, has even declared MS–13 as the top priority of the bureau's criminal-enterprise branch.

Even more, the gangs that are populated by illegal immigrants have increased the threat to our homeland. Honduran Security Minister, Oscar Alvarez, even stated that Al Qaeda might be trying to recruit Central American gang members to help terrorists infiltrate the US. Additionally, Salvadoran President Tony Saca echoed this theme, saying he could ''not rule out a link between terrorist and Central American gang members.''

My second amendment (No. 15) would have tied funding for the State Criminal Alien Assistance Program (SCAAP) to whether recipient jurisdictions are complying with the federal prohibition on sanctuary policies (8 U.S.C. §§1373 and 1644). The amendment would have given priority in SCAAP funding to those communities that are cooperating with federal immigration officials in deporting illegal immigrants, rather than State or local governments that have sanctuary policies and simply release criminal aliens back onto U.S. streets.

My amendment says if you expect to get federal money for incarcerating illegal immigrants you must also report them to federal immigration authorities so that they can be deported, rather than being released back on to U.S. streets. If a community cannot live by this policy, it is only right that they not get a taxpayer subsidy.

What's amazing is how much money sanctuary cities are raking in from the Federal Government. During fiscal 2005, the Justice Department distributed $287.1 million in SCAAP payments to 752 state, county and local jurisdictions. Seventy percent of SCAAP funds went to just 10 jurisdictions: the states of California, New York, Texas, Florida, Arizona, Illinois and Massachusetts; New York City; and two California counties, Los Angeles and Orange.

Many of the largest recipients of SCAAP funds are sanctuary cities that refuse to cooperate with Federal authorities on immigration enforcement. Some of the largest sanctuary cities and counties that received SCAAP money in 2005 include New York City, Los Angeles, San Francisco, San Diego, Houston, and Seattle.

It seems as if we did not learn anything from 9/11 about the need to treat illegal immigration seriously and recognize that the failure to enforce our immigration laws can endanger our national security?

Some of America's most important cities are sanctuary even though it is prohibited under Federal law. And it is time that the Federal Government stops turning a blind eye to sanctuary cities. If a community chooses to be a sanctuary, they should no longer expect to receive the largess of taxpayers from across this country.

Once again, I am disappointed that the Democrat majority would not permit these amendments to be considered for all up or down vote. However, I will continue to work to address this serious national security concern.

Mr. HOLT. Mr. Chairman, I rise in support of this appropriations bill.

One of the most important roles of government is ensuring public safety. Over the last several years, the Federal Government simply has not been providing enough support to local and state law enforcement. The Justice Department's Uniform Crime Report statistics have now shown for 2 consecutive years measurable increases in violent crime nationwide. The Bush administration clearly has its priorities skewed, as the budget it proposed for the Community Oriented Policing Services (C.O.P.S.) program for Fiscal Year 2008 was a mere $32 million, a reduction of over half a billion dollars from last year's level.

This bill addresses that problem by increasing C.O.P.S. program funding to $725 million, and designating $100 million of that amount to be used to hire an additional 2800 police officers nationwide.

There is simply no question that our country's far more robust commitment to putting cops in the streets in the 1990's help reduce violent crime over the last decade. According to the General Accountability Office ''C.O.P.S. funded increases in sworn officers per capita were associated with the declines in rates of total index crimes, violent crimes, and property crimes.'' The same GAO study showed that between the years of 1998 and 2000, C.O.P.S. hiring grants were responsible for reducing crime by about 200,000 to 225,000 incidents—one third of which were violent. Across the state of New Jersey, approximately 4,790 officers were hired by local police departments using C.O.P.S. funds. This meant an additional 628 police officers and sheriff deputies walking the beat in the local communities of my Congressional District. Further, 33 school resource officers were hired to ensure that our children's schools are safe. The committee's increase in funding for this program for Fiscal Year 2008 is a welcome change from recent years, but I hope it will only be a down payment on much larger increases to come. Ideally, we should return to the kind of funding levels that gave us the kind of nationwide police presence we enjoyed in the last decade.

I am pleased that the committee has provided a robust increase for the Edward Byrne Memorial Justice Assistance Grants Program by more than $80 million over the Fiscal Year 2007 level to $600 million. These grants are vital to our local communities—they help local law enforcement organizations get the support they need to combat violent crime, particular gangs and drug-related criminal activity.

In the area of science funding, the bill provides for much needed increases in the overall budget of the National Science Foundation, and for science education funding. Recent history has shown that when the federal government invests in science programs and education, our Nation as a whole benefits.

When funding for the National Institutes of Health was doubled during the previous decade, many students recognized the opportunity and acted accordingly. Federal seed money fostered high-income, highly desirable jobs and entrepreneurial companies that lead the 21st century economy. Their innovations have made the U.S. the global leader in the life sciences and biotechnology.

Earlier this year, I led more than 80 of my colleagues in an appeal to this committee that it increase overall funding for the NSF as well

as education-specific funding. I'm pleased that the committee responded by increasing NSF funding to $6.509 billion, $80 million over our collective request, as well as adding $72 million specifically for science education funding. I want to thank the chairman of the full committee, Mr. OBEY, and the subcommittee chairman, Mr. MOLLOHAN, for demonstrating a commitment to make meaningful investments in the NSF's physical sciences and engineering programs.

Finally, the Commerce Department portion of this bill provides badly needed additional funding to address perhaps the greatest threat to our collective future—global climate change.

The committee has added $171 million over the President's request to help fund a number of key climate change initiatives, including a comprehensive study of the problem, as well as changes to National Polar-Orbiting Operational Environmental Satellite System (NPOESS) program to ensure that critical climate monitoring sensors are added onto future NPOESS platforms. It is vital to both our economic and our national security that we take whatever measures are necessary to gain a comprehensive understanding of the mechanisms that drive global warming so that we can implement the full range of measures necessary to combat it.

Mr. Chairman, I commend the committee for bringing us a bill that reflects the priorities of the American people, and I urge my colleagues to vote for it.

Mr. SHULER. Mr. Chairman, I rise today in strong opposition to the amendment put forward by the gentleman from Arizona.

We should not be reducing the funding for the National Textile Center. Our national economic prosperity has grown from the formidable work ethic of the American people and vigorous investment in all areas of science and technology. We must not lose the scientific commitment which has brought our Nation so far and can help us go so much further.

The National Textile Center conducts advanced research work with life-saving applications. Some examples include the use of micro-technologies to develop heart stents, and three-dimensional weaving techniques to produce life-saving armor. Beneficiaries of the National Textile Center's work include firefighters, police officers and soldiers who require protective clothing that allows them to carry out their dangerous jobs. I am proud to have several companies in my district including 3Tex and FirstChoice Armor who are working closely with the National Textile Center to produce the next generation of life-saving textile products.

The research conducted by the National Textile Center is also advancing our understanding of more efficient textile manufacturing. New developments spearheaded by the National Textile Center help make our industrial processes more effective and help ensure we remain competitive in the international arena.

I urge my colleagues to vote against this amendment and maintain our national commitment to investments in science and technology that provide real benefits to American workers and real solutions for the greater good.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008''.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. SNYDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3093) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes, he reported the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 562, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole?

PARLIAMENTARY INQUIRY

Mr. MANZULLO. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. MANZULLO. Is it appropriate at this time to ask for a re-vote on each and every amendment just voted on?

The SPEAKER pro tempore. The Chair has just queried on that matter.

Mr. MANZULLO. Thank you.

The SPEAKER pro tempore. If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of California. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LEWIS of California moves to recommit the bill, H.R. 3093, to the Committee on Appropriations with instructions to report the same back to the House promptly with a deficit neutral amendment to provide:

(1) additional funding for Department of Justice immigration law enforcement capabilities (including investigative, prosecutorial and incarceration programs); and

(2) funding for the State Criminal Alien Assistance Program at the level authorized pursuant to section 1196 of Public Law 109–162.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. Madam Speaker, the motion I have at the desk is a motion to recommit to recognize the fact that right now this country faces a crisis on its borders.

Illegal immigration not only affects those of us who represent States on the border, it is a pervasive problem across the country. The Homeland Security Appropriations bill that passed the House earlier this summer included significant increases for more Border Patrol agents and other border protection efforts.

□ 1700

The homeland security bill represents an important piece of our immigration enforcement system, but it does not fund all of it. It is this bill that funds prosecution and incarceration of the most violent criminal aliens, such as drug dealers, human traffickers and gang members. It is this bill that provides critical assistance to State and local law enforcement agencies that are on the front lines of the immigration problem.

As we increase our border enforcement efforts in the Department of Homeland Security, we must make sure that the Department of Justice has the funds it needs to fully prosecute and incarcerate all of the criminal aliens arrested by the Border Patrol and Immigration and Customs Enforcement. In addition, until the Federal Government is able to secure its borders, we must provide our local governments with sufficient resources to reimburse them while they protect our communities.

Because my colleague from California, DAVID DREIER, former chairman of our Rules Committee, has been most involved in this issue and is on the point of our attempting to find a solution in California, I yield the balance of my time to Mr. DREIER to round out this discussion.

Mr. DREIER. Madam Speaker, I thank my friend for yielding.

Let me just say that in the 109th Congress, Mr. LEWIS and I joined together to offer an amendment to the Violence Against Women Act which actually authorized a level of $950 million for the reimbursement to the States for the incarceration of illegal immigrant felons. At that time, Madam Speaker, 414 Members of this House voted in support of that bill. Just yesterday, 338 Members voted in favor of the amendment that we offered which had an increase to a level of $460 million total for the issue of the State Criminal Alien Assistance Program. It is literally a drop in the bucket. Even with this new level, State and local governments will, Madam Speaker, only receive 10 cents on the dollar that they expend for the incarceration of people who are in this country illegally and commit crimes.

I believe that it is absolutely essential, if we're going to allow State and local governments to work on the very, very important crime problem that

they have, that we should step up to the plate and take on the responsibility that only the Federal Government can address, and that is the security of our Nation's borders.

Madam Speaker, any Member who votes against this motion to recommit is, in fact, voting to not provide reimbursement to State and local governments for this onerous responsibility which we have thrust upon them by virtue of the fact that we are not securing our Nation's borders.

Vote to support the motion to recommit that Mr. LEWIS is offering here so that we will have a chance to provide that very, very important support for State and local governments and the security for the constituents who we represent.

Mr. LEWIS of California. Madam Speaker, reclaiming my time, and I won't use any more time, I appreciate very much Mr. DREIER's assistance in this matter. I urge very strongly that all Members vote ''aye'' on this motion to recommit.

Madam Speaker, I yield back my time.

Mr. MOLLOHAN. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Madam Speaker, I rise in opposition to the motion to recommit. If I heard the gentleman from California correctly, I believe he misspoke and said that he encouraged a vote against the motion to recommit. Of course he's not against the motion to recommit, but if he were, that would be the only place that I agree with him on this amendment.

Obviously this is a killer amendment. This is the ''I got you'' amendment. It provides for promptly returning the bill back to the House. That means that the bill will not pass today on the Floor. That's the ''got you'' part of each one of these motions to recommit. It means we wouldn't be able to pass the bill here today.

Additionally, the amendment asks for additional funding for the Department of Justice immigration law enforcement capabilities. We just had a number of amendments proposing across-the-board cuts during this proceeding. Many of their supporters have argued that there's too much money in these bills and in these accounts. We're funding this bill substantially above the President's request, $3.2 billion above last year and $2.3 billion above the President's request.

It would always be good to have additional funding in law enforcement, but we're proud of how robustly we are funding law enforcement, and particularly for State and local law enforcement, which is $1.7 billion above the President's request. Those funds help with the local law enforcement, including prosecutorial, incarceration programs, and many others across the board. While this bill is well in excess of the President's request, much of that is for funding for law enforcement above last year's levels.

The other provision of this motion to recommit would fund the State Criminal Alien Assistance Program at the level authorized. Let me just suggest that the State Criminal Alien Assistance Program is a privileged account in this bill. We began funding through subcommittee at $375 million. In full committee, it increased to $405 million. On the floor, this program was again increased now to $460 million. It is certainly getting its fair share of funding relative to other accounts in the bill.

Indeed, if this motion to recommit were passed and were acted upon, we would have to go back and cut State and local law enforcement, FBI, DEA, and meth programs. We would have to cut law enforcement funding that puts police on the streets, that hires additional FBI agents, additional DEA agents, and funds meth programs.

If we approve this motion to recommit, we would really have to go back and cut all of that funding.

Madam Speaker, I yield to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Madam Speaker, I concur with the suggestion that this motion to recommit be defeated.

As the author of the amendment yesterday to increase SCAAP funding by $55 million, I can certainly not be counted as someone who does not support funding for State and local alien incarceration programs.

On the other hand, we had offsets for our amendment yesterday, $55 million in offsets, and if I had found additional offsets that didn't adversely impact the Drug Enforcement Agency or the FBI or the COPS program or the National Science Foundation, I would have suggested an even bigger amount. I couldn't find those offsets.

Mr. HOYER. Madam Speaker, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Maryland.

Mr. HOYER. Madam Speaker, this is not about substance. This is about killing this bill. The gentleman will say it comes back promptly. It doesn't come back promptly.

We spent 14½ hours trying to get money to law enforcement, immigration enforcement and all the other objects in law enforcement, first responders, in this bill. This is about killing this bill. This is about delay. This is about politics, trying to give some of our people a bad vote.

Vote this motion down because it is not real. It is not for substance sake. It is not for the objective as it is articulated in the amendment. It is designed to fail. Reject this chicanery on this floor. Vote ''no.''

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. DREIER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 209, noes 215, not voting 8, as follows:

[Roll No. 743]

AYES—209

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

NOES—215

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

NOT VOTING—8

Clarke
Cubin
Davis, Jo Ann
Hunter
LaHood
Michaud
Myrick
Young (AK)

□ 1726

Mr. LAMPSON and Mr. HILL changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Mr. SHAYS. Mr. Chairman, on July 26, I was participating in a briefing on National Security and I missed the first vote.

I take my voting responsibility very seriously and would like the CONGRESSIONAL RECORD to reflect that, had I been present, I would have voted "no" on recorded vote number 743.

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

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 281, nays 142, not voting 9, as follows:

[Roll No. 744]

YEAS—281

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

NAYS—142

Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
English (PA)
Everett
Fallin
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Price (GA)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Wamp
Westmoreland
Whitfield
Wicker
Wilson (SC)

NOT VOTING—9

Clarke
Cubin
Davis, Jo Ann
Hunter
LaHood
McDermott
Michaud
Sherman
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1734

Ms. GINNY BROWN-WAITE of Florida changed her vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. McDERMOTT. Mr. Speaker, I regret that I was unavoidably detained and missed rollcall 744, final passage of H.R. 3093, the FY08 Commerce, Justice, Science and Related Agencies Appropriations Act. Had I not been detained, I would have voted in favor of final passage.

PROVIDING FOR CONSIDERATION OF H.R. 2419, FARM, NUTRITION, AND BIOENERGY ACT OF 2007

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 574 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 574

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. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, 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 except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and the amendments considered as adopted by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) The amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, modified by the amendments printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived.

(b) Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules and amendments en bloc described in section 3 of this resolution.

(c) Each further amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against further amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived except those arising under clause 9 or 10 of rule XXI.

SEC. 3. It shall be in order at any time for the chairman of the Committee on Agriculture or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules not earlier disposed of or germane modifications of any such amendments. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture or their designees, 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. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 5. During consideration in the House of H.R. 2419 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mr. TIERNEY). The gentleman from California is recognized for 1 hour.

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

I yield myself such time as I may consume, and I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 574.

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

There was no objection.

Mr. CARDOZA. Mr. Speaker, House Resolution 574 provides for consideration of H.R. 2419, the Farm, Nutrition, and Bioenergy Act of 2007 under a structured rule.

The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture.

The rule waives all points of order against the bill and its consideration except for those arising under clause 9 or clause 10 of rule XXI.

The rule makes in order 31 amendments.

Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, as the subcommittee chairman on the House Agriculture Committee, and as a member of the Rules Committee, I am pleased to offer this progressive Federal farm policy act for consideration today.

Over the past year, the Agriculture Committee members have traveled across this country, from north to south, from east to west, hearing directly from farmers and ranchers about the state of agriculture in our country. Across rural America we have heard from farmers and ranchers from all walks of life talking about the promise of American agriculture, the immeasurable innovation and success and commitment to sustainable farming.

The 2007 farm bill builds on past successes of Federal farm policy by providing a reliable safety net for commodity crops, expanding access to conservation programs, increasing participation in domestic nutrition programs, and, perhaps most of all, most near to my heart, this bill dwarfs any previous Federal investment in specialty crops, which account for nearly 50 percent of American agricultural production.

Chairman PETERSON, Ranking Member GOODLATTE, and the entire Agriculture Committee were able to craft an equitable, fiscally sound farm bill that preserved the farm safety net while including critical funding for important new programs.

Furthermore, the 2007 farm bill contains unprecedented reforms to payment limitations and crop insurance programs that will reduce waste, fraud, and abuse so often identified with the farm program.

More importantly, this bill is completely paid for. During the past election, Democrats promised to live within our means like every household in America is forced to do and stop writing blank checks with reckless abandon. We pledged to exercise spending restraint to stop shouldering our Nation's needs on the backs of our children and grandchildren. Mr. Speaker, I am proud to say that we were able to do exactly that.

You will hear a lot of talk from the other side of the aisle about this bill raising taxes, but this is simply a scare tactic in an attempt to score political points. This is completely untrue.

Let me set the record straight before we even begin. This bill does not raise taxes. The 2007 farm bill closes tax loopholes that just 5 years ago the Bush administration and its own Treasury Department identified as tax abuse. In a policy paper issued by the Office of Tax Policy in May of 2002, the Bush administration identified how corporations headquartered in tax havens use this loophole, and a June 18, 2002, New York Times article stated that Republicans in Congress also thought that this tax loophole needed to be fixed. These are the facts.

Lastly, Mr. Speaker, I must take a moment to thank Chairman PETERSON, Speaker PELOSI, Leader HOYER, and the entire leadership team for their tenacity and sincerity in creating a farm bill that we can all be proud of and stand behind.

Not everyone got everything they wanted, and, frankly, they shouldn't. The farm bill should never be a place to line up at the trough and recklessly suck up needed resources. In the end, while people didn't get everything they wanted, everyone got what they needed. That speaks volumes about the quality of this bill and tells me we ended up in exactly the right place.

I have never been more proud of a piece of legislation, Mr. Speaker, and I look forward to telling my constituents in the 18th District of California that the United States Congress has

accomplished what was thought to be an impossible feat. I urge my colleagues to support this rule and the underlying legislation.

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

□ 1745

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

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

Mr. HASTINGS of Washington. Mr. Speaker, the largest overall industry in my State is agriculture and food processing. I represent the central part of Washington State where a wide variety of agriculture products are produced, including apples, cherries, pears, wheat, dairy hops, wine grapes and potatoes, just to name a few. In addition, our farmers and ranchers are stewards of the land, and many of them participate in conservation programs that fall under the farm bill. For these reasons, my constituents have a lot at stake when it comes to farm policy.

The Committee on Agriculture has historically worked in a bipartisan manner, especially on such important issues as the farm bill. Just over a year ago, I was pleased that the Agriculture Committee came to my district and held a farm bill hearing in Yakima, in my district. Mr. CARDOZA, now Chairman PETERSON and Ranking Member GOODLATTE were all there. I appreciate their having traveled to my corner of the country to hear directly from the farmers in central Washington.

They heard firsthand the importance of specialty crops, fruits and vegetables to the overall ag economy. I'm pleased that the underlying bill, the Farm, Nutrition and Bioenergy Act, as approved by the committee, recognizes the needs of specialty crop producers by increasing investments in the Market Access Program, the Specialty Crop Block Grant Program, the Fruit and Vegetable Snack Program, and establishes a much needed National Clean Plant Network. These are all important steps in the right direction.

Unfortunately, all of the good things in this bill and the spirit of bipartisan cooperation were completely overturned by a last-minute addition of a multi-billion dollar tax increase. This surprise offset is totally unacceptable because it will cost American jobs, and it has completely bypassed the public process of discussions and hearings in the respective committees of jurisdiction, and it has disrupted the tradition of bipartisan cooperation on farm policies.

I have many speakers, Mr. Speaker, on my side who will be discussing the impact of these surprise tax increases, again, that were not subject to hearings or markups by the appropriate committees. The full scope of these tax hikes and fees just appeared at the Rules Committee this morning at 8 a.m., with no one willing to testify about them or disclose the full impact of these measures on our economy. And we are talking about multi-billion dollar increases.

Mr. Speaker, I also want to take this opportunity to express my disappointment that a bipartisan amendment I submitted to the Rules Committee with the support of Mr. MCNERNEY from California, Mr. HOEKSTRA of Michigan, was not made in order to help American asparagus growers. Under the Andean Trade Preferences Act of 1991, the Congress gave Peru duty-free access to the U.S. market on a unilateral basis. This was done in the hope that it would encourage the Peruvians to develop alternatives to growing narcotic-producing crops.

Unfortunately, it led to a flood of Peruvian asparagus imports, which has devastated the asparagus growers and processors in my home State of Washington, Michigan and in California. The U.S. International Trade Commission has repeatedly cited U.S. asparagus as the one farm commodity substantially harmed by the Andean Trade Preferences Act.

My amendment would have simply given the Secretary of Agriculture the option of providing transition payments to these growers. After all, American asparagus growers were not harmed by their own actions, but rather by government's antidrug policies. They should not have to pay the full brunt of the price.

Unfortunately, the leadership of this House has decided that these growers don't deserve a place at the table. We are poised to give billions away under this bill, but the House leadership can't find time to help these small farmers who were harmed by their own government.

Mr. Speaker, the rule denies Members the opportunity to represent their constituents by coming to the floor and offering amendments to this bill. It prohibits a separate vote on whether or not to include billions of dollars in tax increases, and it denies open debate on those issues. Therefore, I urge my colleagues to vote against this restrictive rule.

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

Mr. CARDOZA. Mr. Speaker, I yield 3½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank my colleague from California for yielding me the time and for his work on this legislation.

Mr. Speaker, I rise in support of this rule and in support of the underlying legislation.

My colleagues, tonight millions of people here in the United States and around the world, many of them children, will go to bed hungry. They may not be in this Chamber, but they must remain in our thoughts. This bill does not go as far as I would like in tackling hunger, but it represents real progress and real reform.

I want to commend Chairman PETERSON and his colleagues on the committee for their hard work, but I also want to thank Speaker PELOSI and Congresswoman ROSA DELAURO, both of whom have worked personally and passionately with us over the last few days to make improvements to the nutrition programs in this bill.

The bill before us begins to reverse some of the terrible damage done to nutrition programs over the past several years. For too long, hungry people were an afterthought in this Congress. For too long, people on food stamps fell further and further behind as the Republican Congress searched high and low for more ways to cut taxes for rich people. Those days have come to an end, Mr. Speaker.

It has not been easy to find funding for these vital programs, and here's why. Unlike the Republicans, we are actually paying for the bills we pass. It would have been easy to put the cost of this bill on the national credit card. Instead, the increases to the nutrition program in this bill are paid for in this bill. That is an enormous and welcome development.

Further, the bill includes increased guaranteed funding for the George McGovern-Robert Dole International Food for Education and Child Nutrition program. McGovern-Dole has a proven track record of fighting hunger and promoting education by providing meals to chronically hungry school-age children in the world's poorest countries. Where the McGovern-Dole program is offered, enrollment and attendance rates increased significantly, especially for girls. Providing food at school is a simple but effective method to get children into school, improve literacy, and help break the cycle of poverty.

These programs demonstrate America's generosity and goodwill, and they reflect our deepest moral values. They promote our national security, and they offer an alternative to children who otherwise might be recruited by groups that provide meals in return for becoming child soldiers or for attendance at extremist schools that serve as a breeding ground for hatred and violence.

By making the funding guaranteed, we can stop the practice of beginning a school feeding program only to cut it off when Congress doesn't appropriate enough money, because the only thing more cruel than not feeding a hungry child is feeding a hungry child for a while and then stopping.

As I said, Mr. Speaker, the bill before us does not do as much as I would like. And I will keep fighting, through the amendment process and beyond, to increase funding for hunger and nutrition programs here at home and around the world. This is not the beginning of the end. It's the end of the beginning. This is a start.

Mr. Speaker, hunger is a political condition. We have the resources to

end hunger. What we need is the political will. Let us rededicate ourselves to helping those who need help the most.

I urge my colleagues to join me in support of this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the ranking member of the Rules Committee, Mr. DREIER of California.

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

Mr. DREIER. Mr. Speaker, I rise in strong opposition to this rule and to the previous question.

Let me just say that as I listened to my friend from California talk about the fact that he looks forward, at the end of this debate when he is successful, to telling his constituents in California that the impossible has been achieved, I have to say that he may or may not be right at that point.

But I will tell you something that has been achieved with this, Mr. Speaker, and that is an end to bipartisanship when it has come to dealing with this issue of our farm policy. And to me, that's a very, very sad statement when you look at people who've been very committed to this bill, like Bob Goodlatte, the former chairman of the committee, now the ranking member who's going to be speaking in just a few minutes, and you look at so many others who because of the way this issue has been mishandled and because, in fact, there is in excess of a $10 billion tax increase.

Now, my friend in his opening remarks said, don't be fooled, don't let them claim that this is a tax increase. Well, I know that we are dealing with so-called tax loopholes. That's the way it's described. But the fact of the matter is, if you look at those, Mr. Speaker, who are impacted by this, great tax ''cheats'' out there like Toyota, Daimler Chrysler, Honda, the Bayer Corporation that makes the baby aspirin that's provided, these are people who are ensuring that our consumers have access to great products, and they obviously are complying with the law. And now we somehow are demonizing all of these people, calling it closing tax loopholes when, in fact, what we're doing is we're putting into place a dramatic tax increase, not just to deal with the farm issue, Mr. Speaker, but to deal with a wide range of programs that are not related to farmers whatsoever.

In fact, one person gave me a figure that only 11 cents of every dollar is actually being expended to help our farmers.

Vote ''no'' on the previous question and ''no'' on the rule.

Mr. CARDOZA. Mr. Speaker, a short response.

I'd just like to say that if these folks were complying with Federal and State law, why are they sending their receipts through Caribbean islands?

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

Ms. MATSUI. Mr. Speaker, I rise today in strong support of the rule we are considering today.

Mr. Speaker, the Farm, Nutrition, and Bioenergy Act of 2007 is an important bill that outlines the funding for our country's agriculture policy, its conservation approaches and its nutrition programs. These initiatives touch each of us in some way, whether we're from rural, suburban or urban districts. The farm bill impacts all of us.

I want to applaud Chairman PETERSON, Ranking Member GOODLATTE and Speaker PELOSI for bringing forward this fine bill.

My district is in one of the fastest growing areas in California. Sacramento is also at the bottom of one of the most farm-rich watersheds in the country. We are at the confluence of two great rivers, the American and, our namesake river, the Sacramento.

As our population grows and as our climate continues to change, our natural resources are impacted first. Farmland is often the first to feel the effects of changing weather and climate patterns, and in the Sacramento watershed the farmers are the stewards of the land. I'm ready to work with local landowners to develop voluntary comprehensive conservation plans that address present and future needs.

I want to thank Chairman PETERSON for working with me to designate the Sacramento River watershed as a region of national priority in the regional water enhancement program. This designation and the promise of future funding will go a long way toward developing the Sacramento River watershed over the next 40 years.

Building on this designation, I look forward to convening a coordinating committee which will address the preservation of working lands and water management within the watershed.

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

Above the city of Sacramento, there are 500,000 acres of rice and 500,000 acres of specialty crops. My district is proof that the distance between urban and rural communities gets smaller every single day.

Our communities have different needs, but we share a common goal: to protect, preserve and enhance our way of life. I believe that preserving working lands can do just that. This should be an important priority for our entire region.

Finally, I applaud the chairman's commitment in providing $1.6 billion to specialty crop producers. These funds are critical to the producers' daily operations. They will foster progress in research, conservation, pest and disease programs and nutrition.

I ask my colleagues to support this rule and final passage of the Farm, Nutrition, and Bioenergy Act of 2007.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the ranking member of the Budget Committee and a member of the Ways and Means Committee, Mr. RYAN of Wisconsin.

Mr. RYAN of Wisconsin. I rise in opposition to this rule, Mr. Speaker, for many reasons. Number one, this has become common practice for the new majority. But the farm bill reauthorization calls for massive new entitlement spending, no serious reform, and it makes a complete mockery of the PAYGO process. Number one, this is not a fair rule.

An amendment that I offered on a bipartisan basis with Mr. BLUMENAUER from Oregon to cap farm payments, which was made an order in 2002, which received 200 votes, was denied.

□ 1800

So based on the lack of fairness on this rule, I urge that it goes down.

But what about the substance of this bill? This bill extends farm commodity programs with no real reforms. At a time of record-high prices and prosperity for many farmers, this extends the commodity programs at 5 years with no reform. The payment limit is a sham. It has thin window-dressing payment limits on commodity programs while actually removing the payment limits on the marketing loan program. It has an anticompetitive tax increase in here which will raise taxes on American businesses that are owned by foreign companies: Nestle, Case New Holland, Chrysler. This will tax jobs out of America, and it increases entitlement spending.

And the only reason this bill ends up adding up on paper is because of a bogus $4.7 billion timing shift. CBO has already told us that this bill will spend $5 billion more than it pretends to spend simply out of the timing window within which it spends. What that means, Mr. Speaker, is on paper they are showing savings. In reality and in real life, they are spending over the limit, and they are breaking the budget by at least $5 billion.

And what is worse, Mr. Speaker, is this engages in the worst form of protectionism. This bill raises taxes on our taxpayers, raises prices on consumers, and it does so at the expense of people in the developing world. It hurts people in the developing world from lifting their own lives up out of poverty and despair.

So while we had a chance to have a good, bipartisan farm bill that had reform, that brought the market reform to bear, that could have helped the family farmer, we are saying no.

The farm bill ought to be about helping the family farmer in tough times, not giving million-dollar checks to big farmers, not giving checks out at good times. Unfortunately, that is what this bill does in addition to the phony PAYGO and shifting of $4.7 billion around like Enron accounting.

With that I urge a ''no'' vote on this rule.

Mr. CARDOZA. I would suggest that the other side knows a lot about Enron accounting, Mr. Speaker. But we also made three substantive commodity cut amendments in order: the Kind amendment, the Udall amendment, and the Davis amendment.

Mr. Speaker, I would like to at this time yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, I thank the gentleman from California for his leadership on the Rules Committee and leadership on the Agriculture Committee in helping us work through this.

I want to also thank the extraordinary generosity, personal and political, with his time, Mr. PETERSON, who was extremely responsive to all the concerns of the Members, and Mr. GOODLATTE for his excellent work on this bill.

Mr. Speaker, I support this rule. First of all, two things: One, this bill is a departure from the past farm bills, and I will just give a few straight-out facts. One, commodity programs have been cut 43 percent compared to what they were in the 2002 farm bill. Two, conservation spending has been increased 32 percent. Three, nutrition has been increased 46 percent. So there is a clear change in emphasis.

Second, there is in this rule 33 amendments that have been allowed to be in order, including amendments that will allow this Congress to take further action, if it so chooses, on commodity reform. And that is done with the consent and the approval of the Chair of the Agriculture Committee.

So, Mr. Speaker, this bill clearly reflects the necessity for reform and balance in the farm bill. And, number two, the rule clearly allows this body to have this as a first step and to consider more dramatic reform.

Finally, I want to address the MILC program, or the milk program, that is of particular concern to dairy farmers in Vermont. Our farmers in Vermont are hanging on by their fingernails. A year ago when milk prices were at record lows, they also experienced horrible weather, high energy prices, high grain prices, and the folks who hung on did so against extraordinary odds. And how they did that I will never know. But I can tell you this, and I believe what is true for us in Vermont is true for every State across this Nation: Local agriculture not only is essential to our economy, but it is essential to our environment. It is essential to our definition of who we are. And what we must do in this bill that Mr. PETERSON in the committee and Mr. GOODLATTE in his work begin to do is put an emphasis on local agriculture. Is it a beginning? It is just the beginning because we have to do more in the commodity program, in all of the farm policies that recognize that it is our family farmers who should be the intended folks that we are trying to help.

We, in this farm bill, by preserving the MILC program, are at least providing to the hardest-working family farmers a lifeline when, through forces that are completely beyond their control, they need some assistance to stay in business. And, Mr. Speaker, that is an important component of this bill, and I thank the Chair for including it.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 15 seconds.

I have a letter in front of me from a number of companies that are subsidiaries of companies that are based abroad, and they say in this letter to oppose the tax increase and vote against the rule on H.R. 2419. And one of the signatories of this letter is Ben and Jerry's Homemade from my friend's home State of Vermont.

Mr. Speaker, I yield 3 minutes to the ranking member on the Committee on Agriculture, Mr. GOODLATTE.

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

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

Mr. Speaker, this is a sad day for this Congress. Farm bills are written in a bipartisan fashion. And I appreciate the comments of the gentleman from California and others, the gentleman from Vermont, about the hard work that the House Agriculture Committee put into creating a bipartisan farm bill. There is a lot to like in it; there are things to dislike in it.

But this rule turns that bipartisan process on its head. It has poisoned the well in terms of bringing this to fruition. It has made this farm bill, no matter its fate here today, unlikely to have any future beyond this House of Representatives because of the tax increase that has been placed in this legislation, because of the fact that Members who are accustomed to seeing an open rule when dealing with the farm bill.

Historically no one can recall a farm bill process as closed as this one, Members denied the opportunity to deal with provisions brought into this legislation like labor provisions and so on, not allowed to offer an amendment to take out Davis-Bacon provisions that have no business being in farm bill legislation. And it is, in my opinion, very disappointing.

Now, some have said that this is not a tax increase, this is closing tax loopholes. Businesses all across America are speaking up and pointing out that this is sweeping tax reform that has received no hearing. Here we are with an Agriculture Committee bill dealing with something that should have been dealt with in the Ways and Means Committee, but was simply handed out and said, here, take this. Take this tax increase as the pay-for for a substantial cut in agricultural programs that the Budget Committee did not address properly.

We have been trying for months to get fair treatment on the promise that we would be given an appropriate offset. We reported the bill out of the committee, and now we find what we are going to do is put American jobs up against American farmers. What kind of an outrage is that?

This rule should be voted down. It is totally unfair to American farmers and ranchers to see a good, bipartisan farm bill put at risk over a tax increase that will have a dramatic impact not only on the businesses that are subsidiaries of foreign-owned corporations providing millions of jobs here in the United States, but also on the trustworthiness of investment in the United States when we begin violating 58 different treaties that we have negotiated with other countries, and then, the ultimate, when those countries start retaliating against us, saying, if you violate a treaty, we certainly can, too, and affecting American investment abroad.

This is a very bad tax increase. It is a tax increase, not a ''closing the loophole.'' It is a very, very harmful one and should be the basis for Members to oppose this bill and bring the bill back appropriately.

Mr. Speaker, I rise to express my opposition to this rule. Apparently, the Speaker and the Chairwoman of the Rules Committee have decided to dispense with the annoying procedures of the committee process and serious floor debate. The rule before the House begins by limiting amendments to a select few, denying Members the right to offer amendments. In living memory, there has never been a rule this restrictive on a farm bill which is traditionally considered under an open rule.

As a result, the provision requiring Davis-Bacon wage rates on the new loan guarantee program for the next generation ethanol plants that would effectively eliminate the program in many rural States will go unchallenged. Also immune from floor action, is a provision that prohibits States from contracting private concerns to help deliver food stamps or upgrade their delivery systems to provide better service for recipients. The result is that State employee unions will be protected at the expense of State taxpayers and those who need the program. These are only examples of issue after issue that Members will be denied the right to address.

But then we come to the self-enacting portions of this rule. There is a 75-page amendment from the chairman of the Agriculture Committee that moves hundreds of millions of dollars around, cuts programs passed by the committee without consultation and adds new programs from other jurisdictions that spend huge sums of money. If you vote for this rule, that becomes a part of the bill without amendment.

Another self-enacting provision sweeps in billions of dollars in offsets by raising fees and royalties on off-shore oil production. Yet another spends nearly $1 billion for a mandatory international feeding program. Finally, a more than $7 billion tax increase is automatically made a part of the bill. This tax increase comes to the floor as if by magic. ''It was not considered in ways & means where it would have been noted that the provision violates up to 50 Senate-ratified international tax treaties that are the basis of international tax treatment for all trade.

In fact, this tax increase idea has been bumping around for over a decade without receiving any appreciable support. Now the

Democrats are trying to attach this bad idea to a popular bill in an unamendable form. Members should be very careful not to rush to accept this rule. The fate of thousands of companies in our districts and more than 5 million U.S. workers will be jeopardized if we thoughtlessly support this rule.

I have worked on the Agriculture Committee since I first came to Congress and I have enjoyed being part of a committee that always prided itself on a bipartisan legislative process. In all those years, I have never witnessed or experienced a situation that discarded the committee product to this extent or that precluded the members of the committee and the general Membership of the House from legislating on major portions of the bill.

Mr. Speaker, this rule puts in jeopardy every Member's right to legislate and every Member's ability to rely on the careful deliberations of the committee process to produce fully vetted legislation for floor consideration. When that process is violated, we end up with a rule like this one that was cobbled together in the dead of night and contains tax increases that put at risk millions of American jobs. There is only one response possible to a rule like this and that is to join me in voting this rule down.

Mr. CARDOZA. Mr. Speaker, I would like to set the record straight. The gentleman would like to say that this is the first time we have had a structured rule. That is absolutely not the case.

In 1996, the farm bill that year, when the Republicans were in charge, allowed 16 amendments. It was a structured rule. This rule allows 31 amendments.

Further, Mr. RYAN accused us of busting the budget because of timing shifts. Let me just point out that the 2002 farm bill had $2.6 billion in timing shifts, and the 2006 budget resolution had $1.5 billion in shifts, with a total of $4.1 billion in timing shifts on their watch.

Mr. Speaker, at this time I would like to yield 2½ minutes to the chairwoman of the Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, this year we fought to make sure Americans do not just get more of the same from this Congress for its agriculture policy and the farm bill. And we should be proud of the results: genuine reform-oriented legislation reflecting our new priorities. By closing a loophole that even this administration labeled tax abuse, we are stopping foreign-based tax dodgers and fulfilling some of this bill's most important obligations.

By sponsoring a marker farm bill for the Northeast and Mid-Atlantic States, I sought to highlight our regions and, I believe, serve the entire country. We secured a major increase in conservation support for programs like EQIP and the Farm and Ranch Land Protection Program, and we made sure that there was a place in this bill for specialty crops.

What are specialty crops? Fruits and vegetables that are farmed in my part of the country, in Middle Atlantic States, in California. This is related to healthy diets in this Nation, crops that are so crucial nationwide, from New England to California.

And with an agreement on the implementation of mandatory country of origin labeling, this bill represents a victory for consumers and a positive first step toward improving food safety in the United States.

Most importantly, we are addressing a top priority: nutrition. The Food Stamp Program is one of the most effective programs to help low-income Americans secure an adequate diet, to help children and families to reach their full potential. This bill represents a real strategy to stop the erosion of the food stamp benefits and actually take us in the right direction, a long overdue improvement for our most vulnerable populations.

Today food stamps are feeding 40 percent of all rural children, yet the current benefit of approximately $1 per person per meal is appallingly inadequate. This bill increases the minimum standard deduction to $145 for 2008. It then indexes it to inflation. It increases the maximum benefit. And we are taking steps to improve benefits for working families with child care costs, indexing to inflation the asset limit, which has effectively barred many poor households with modest savings from receiving any benefits a all.

For many long years, we have failed to meet our obligations, failed to act while too many Americans have gone without adequate healthful food. Today in the Congress we should take pride in acting, finally, to improve domestic nutrition.

Let's pass a responsible farm bill. I urge my colleagues to support the bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to a classmate of mine, a member of the Ways and Means Committee, Mr. WELLER from Illinois.

Mr. WELLER of Illinois. Mr. Speaker, I came to Washington this week with plans to vote for a bipartisan farm bill, a good bill that came out of committee. Lo and behold, I read that the Democrat leadership demanded that the Ways and Means Committee come up with a tax increase to pay for expansions beyond for food stamps and other programs.

Well, look what they brought to the floor: a tax increase on foreign-owned U.S. manufacturers, foreign-owned U.S. companies that are creating jobs in our districts. Mitsubishi's North America plant is in my district. BASF, Pinkerton. And you know what is interesting is there are 235,000 jobs in Illinois, my State, that are generated by foreign-owned companies. And you know what? The Ways and Means Committee abdicated its responsibilities on this provision. No hearings were held. No markup was held. No one knows the consequences of this tax increase. That is why this rule needs to be voted down.

It is one thing if you say there is a loophole that needs to be changed, but I am amazed that members of my own committee are coming to this floor defending a provision where they don't know the answers on whether or not it is going to cost jobs in our districts.

Vote this rule down.

□ 1815

Mr. CARDOZA. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. I thank the gentleman for yielding.

I, frankly, find it astonishing that we're going to have people representing farmers today that are going to be voting against a bill so important to rural America, a bill that enjoys the support of the farm bureau, the farmers union, the commodity groups, so many vital to the food production of our country. And why? Because they're worried about these companies based in places like Bermuda that want to take their money earned in the United States, route it through places like Switzerland, and park it in the bank back in those islands, those beautiful Caribbean islands where they don't have taxes. They would rather protect the tax cheaters in Bermuda than help the farmers in this country. And man, I would hate to go home and try to sell that one, because if that's not priorities tipped on their head, I don't know what is.

It's time for this body to do what's right and pass a farm bill so vital to rural America and the family farmers in our country.

Vote ''yes'' on this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Texas, a member of the Ways and Means Committee, Mr. BRADY.

Mr. BRADY of Texas. Mr. Speaker, this tax increase, however called, ripped from the headlines, ''Cayman Islands, tax cheats, tax dodgers, Caribbean.'' The only thing they didn't work in was Paris Hilton and Lindsay Lohan.

The fact of the matter is I had planned to vote for this farm bill until this ''dark night'' tax increase. And here's the key. You hear them talk about 2002. The Treasury Department said ''close the loophole.'' There is a reason they're not talking about 2007, because since then, in the 5 years, this Congress closed those loopholes. The Treasury Department closed those loopholes. And that same Treasury Department they cite today says this is a tax increase that jeopardizes U.S. jobs, cuts investment to this country, violates tax treaties, and keeps companies from creating jobs in the United States. And it also punishes U.S. energy companies for exploring in our deep waters and for honoring their Federal contracts.

This rule is a sham and deserves to be voted down.

Mr. CARDOZA. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from California has 11½ minutes remaining. The gentleman from Washington has 15¼ minutes remaining.

Mr. CARDOZA. Would the gentleman like to take some of his time at this point?

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Georgia, a member of the Ways and Means Committee, Mr. LINDER.

Mr. LINDER. I thank the gentleman for yielding.

In 1928, two gentlemen in Congress by the names of Smoot and Hawley drafted a bill to reduce tariffs to broadly increase markets, particularly for farmers. And after 4 years, it became not a tariff reduction bill, but a tariff increase bill. And all our trading partners responded in kind, leaving us a dust bowl in the ''Grapes of Wrath.''

If you don't think they're going to respond in kind to this, you're nuts. Toyota is not located in Barbados. Honda is not located in the Caribbean islands. These companies pay huge American taxers and hire millions and millions of our neighbors. They sell product in this country, they sell product for dollars. And the only value that dollar has for them is to spend it in a dollar-denominated economy, and they spend in America and they buy companies.

If you don't believe that this 4 to $6 billion tax increase on foreign capital is going to cause a response, you're simply not paying attention to history.

Vote this tax increase down.

Mr. HASTINGS of Washington. Mr. Speaker, I inquire of my friend from California, we have a number of requests for time, and I'm not sure that I have enough time. I wonder if the gentleman would entertain a chance to expand our time on both sides.

If the gentleman would, I would like to ask unanimous consent that each side get an additional 10 minutes.

Mr. CARDOZA. I respect the gentleman from Washington, but we will have a significant amount of time in the discussion of the bill in chief.

Mr. HASTINGS of Washington. Mr. Speaker, I would just communicate with my friend to at least keep his options open, if he wouldn't mind, later on and maybe we can revisit this.

With that, Mr. Speaker, I'm pleased to yield 1 minute to the gentleman from Michigan, a member of the Ways and Means Committee, Mr. CAMP.

Mr. CAMP of Michigan. I thank the gentleman for yielding.

This rule will raise $7.5 billion in taxes on U.S. employers. Higher taxes are just one consequence of today's rule. It turns a blind eye to the 58 tax treaties that have been negotiated by this Nation since the 1950s.

By ignoring those treaty obligations, that invites the retaliation other speakers have talked about. These are our friends and neighbors who work for these employers, over 5 million of them in the United States. And these aren't necessarily obscure businesses you've never heard about. The effect of this provision may be on companies like DaimlerChrysler, Michelin Tires and Miller Brewing. And I say ''may'' because we don't really know. We've never had a hearing. We've never had testimony. It is part of the American fabric that people have a chance to speak about laws and provisions that may affect them. There has been no voice given to the people that may be affected by these rules, the 5 million employees.

So I think to unexpectedly change these rules for these employers with zero debate is a dangerous precedent, and I will vote down the rule.

Mr. CARDOZA. Mr. Speaker, at this time I yield 15 seconds to the gentleman from Texas.

Mr. DOGGETT. New York Times, June 18, 2002. ''There would be no effect on legitimate multinational corporations like DaimlerChrysler that have not used a haven to avoid American taxes.''

Yesterday, 2:41 p.m., letter from Unilever Global Affairs vice president. He says that his company, which owns Ben and Jerry's, would not be affected by this bill.

What we've heard is nonsense. It's not evidence. Claims, not evidence.

Mr. CARDOZA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I rise to inform my colleagues of a Fair reform amendment that I and others will offer later in this debate.

For too long, our farm programs have given billions of taxpayer subsidies to a few, but very large and wealthy, entities. This has got to change. Our Fair reform amendment will reform these commodity programs so they act like a true safety net.

Simply put, let's help farmers when they need it. Let's not when they don't. The committee bill before us, however, will continue to give taxpayer subsidies to individuals with an adjusted gross income of $1 million. It will spend $26 million in subsidies to commodity producers who are receiving at or near record commodity prices.

Our reform, however, will establish a real revenue-based safety net in case prices collapse. But the savings we find in phasing out direct subsidy payments we reinvest in rural America: $3 billion more for voluntary conservation programs, $6 billion for nutrition programs to combat hunger in this country, $2.6 billion for specialty crops and healthy foods programs, $200 million for rural development programs, $1.1 billion for McGovern-Dole, all of which is paid for in this current farm bill.

The opportunity for reform has never been better, given the strong market prices that exist today. Our reform amendment is fair and completely justifiable.

I urge my colleagues to support real reform so we can help family farmers when they need it, and so we can go home and justify it to the American taxpayer.

Mr. HASTINGS of Washington. Mr. Speaker, at this time I would like to insert into the RECORD a letter that I referenced earlier in which the signature to this letter is Ben and Jerry's Homemade, Inc.

DEAR MEMBER OF CONGRESS: As U.S. subsidiaries of companies based abroad, we are writing to express our strong opposition to including Rep. Lloyd Doggett's bill, H.R. 3160 in the farm bill. This measure is a discriminatory tax targeted specifically at companies insourcing jobs into the U.S. We urge you to vote against the Rule on H.R. 2419 to demonstrate that you oppose targeting companies with significant employment in the United States.

Companies like ours play an important role in the growth and vitality of the U.S. economy, provide high-paying jobs for five million Americans and account for almost one-fifth of all U.S. exports. Discriminatory measures, like the Doggett legislation, send a hostile signal to our companies and other international investors. This bill will certainly dissuade companies like ours from choosing the United States as a location for job creating investment.

The provision under consideration would violate many of our bilateral tax treaties and could lead to retaliatory actions by other countries or withdrawal by our treaty partners from exiting treaties, harshly affecting U.S.-based businesses.

Congress has not held any hearings on this issue. There is no evidence that existing safeguards in current treaties are not effective. Further, if material tax abuses were evident; Treasury Secretary Paulson would not have strongly opposed this proposal.

We urge you to vote against the Rule on H.R. 2419 and to demonstrate your opposition to discriminatory tax increases on companies that support employment in the United States.

AEGON USA, Inc, Akzo Nobel, Alcatel-Lucent, Alcon Holdings, Inc, Allianz of America, BASF, Ben & Jerry's Homemade, Inc., Honda North America, Inc, ING Americas, Inc, Panasonic Corporation of North America, Suez Energy North America, Swiss Re, Thomson Corporation, Unilever.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, I want to thank the Rules Committee for allowing debate on the Manzullo amendment to help the EQIP program. However, I'm deeply concerned about the Democrats' attempt to pit people who work for manufacturers against agriculture by a midnight tax increase against manufacturing workers.

The offset to pay for part of the farm bill would strongly discourage future foreign investment in the United States.

Nissan USA, owned by Nissan based in Japan, borrows money from their finance unit based in the Netherlands. Under our current tax treaty with the Netherlands, no tax is applied. However, under the Doggett amendment, a new 10 percent tax would be applied to this transaction, and the Netherlands would then most likely view this as an abrogation of our tax treaty and seek renegotiation or outright annulment,

thus hurting our overall trade with the Netherlands.

In the northern Illinois district that I represent, the one which led the Nation in unemployment in 1980 at 25 percent, 14,000 manufacturing workers lost their jobs, 200 companies closed up. I just lost another one yesterday. Nissan Forklift in Marengo, Illinois, would be hit with a 10 percent increase. They're not based in Bermuda.

These are common American people, the ones who get up at the crack of dawn. They represent the manufacturing people of this country, and the Democrats are hurting them.

Don't hurt my workers. Don't raise taxes on a bill you have had no hearings on because you don't know. You have to examine what it does to the everyday worker. The Japanese, the English, the Italians, the Swedes, the Germans have all saved manufacturing jobs in my congressional district. I know what I'm talking about.

Vote against this rule. Vote against this bill. Vote for the American worker, who is glad to have his job because somebody came in and invested the money in American manufacturing.

Don't lay off American manufacturers because of a bill that you haven't even researched.

Mr. CARDOZA. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, if this House of Representatives wants to stand up for the people of America, they will stand up and vote for this rule and for this bill.

We spent many hours, way into the midnight hours, working and bringing every party together. This is not a tax increase; the other side knows it. Their leader said these words President Bush said in his 2008 budget: ''Some foreign companies are inappropriately avoiding taxes that other American businesses pay by using this loophole.'' This is what the Republican President said. This is not raising taxes; it is closing a loophole. Vote for the rule.

Mr. HASTINGS of Washington. Mr. Speaker, I want to once again inquire of my friend from California if we can have extended time on this. I would ask unanimous consent for 5 additional minutes on both sides.

Mr. CARDOZA. We object, Mr. Speaker.

Mr. HASTINGS of Washington. Mr. Speaker, I am disappointed that that happened, because we have seen the passion on this side of people talking about tax policy that has not had a hearing in the committees of jurisdiction in both cases, and we are restricted to only 1 hour to talk about that, without any extension at all.

With that, Mr. Speaker, I would like to yield 1 minute to my friend from Texas, a member of the Agriculture Committee, Mr. CONAWAY.

Mr. CONAWAY. Mr. Speaker, for 18 months I've worked, along with my Democrat colleagues, to try to craft a bipartisan bill that we could be very proud of. Last week, it went through committee with some very hard work on both sides, both sides gave a little, got a little, and we thought left the committee with a great bipartisan bill, a bill which would have Democrats and Republicans for it, and perhaps Democrats and Republicans against it, but a bipartisan bill. We were assured on every turn there would not be a tax increase.

I was a member of the bipartisan whip team on Tuesday and was told as late as noon that there would be no tax increases to pay for the $4 billion. I was misled, and that's unfortunate.

All of the good bipartisan work accomplished by this committee has been squandered by, I believe, the top leadership of the Democratic Party in an attempt to strip Republican support for this bill away. We were going to have a bipartisan bill that was going to pass this floor. We're not going to have that now.

I vote against this rule. It's unfortunate that the other side has seen fit to waste the good bipartisan work that we did. If we can't trust what we tell each other, you cannot work in a bipartisan manner.

Mr. CARDOZA. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy and his hard work.

I witnessed for several hours yesterday the great challenges the Rules Committee faced, but I must confess that this rule puts a lot of us in a very difficult position. I am disappointed, to say the least.

This is not just a farm bill; it's the most important rural economic development bill, the most important trade bill, the most important opportunity to broaden the benefits for family farmers and ranchers, and the most important environmental bill that we will vote on this year.

Sadly, I will say at least that leadership did allow the amendment that I'm pleased to work with my friend, Mr. KIND, Mr. FLAKE and Mr. RYAN, the Fair amendment, to at least be heard, but it's only going to be heard for 20 minutes a side. They refused to allow debate on specific areas of meaningful reform, like the legislation that I had proposed to cap at $250,000 an absolute limit. I think it's a serious miscalculation.

This bill deserves to be fully and fairly debated. Now, I almost said I fear that minority voices would be shut out. But it's not the minority of Americans who share the views and objectives that it's time for meaningful reform. Because of the complexity, the misinformation and the powerful special interests that are involved here, it means that this shot that we have, our one shot for the next 5 years, is critical.

Sadly, there is always an excuse to not do all that we can do. Coddling cotton multimillionaires while talking big and delivering modestly is a failure of political will.

I hope at least my colleagues will vote for the Fair amendment. And I hope that the debate, as it proceeds, will be administered as fairly and as openly as possible to allow as many voices to be heard as we can ask.

Mr. HASTINGS of Washington. Mr. Speaker, I certainly associate myself with my friend from Oregon's remarks.

□ 1830

We have different issues. But I think the issue is exactly the same.

With that, I yield 1 minute to my friend from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, first of all, I want to say, again, the Agriculture Committee worked in good faith and in a bipartisan way to come up with a good product, a good bill. We all patted ourselves on the back. We thought we had accomplished that.

Now we see a tax provision that has been put into this at the last moment, a tax provision that has never been vetted. It is a complex tax provision that abrogates treaties. Furthermore, it is a tax provision that is going to hurt the very companies that produce pesticides and fertilizers that are helping our farmers.

My farmers are trying to recover from Hurricanes Rita and Katrina. This provision is going to hurt them. This provision threatens this bill. Frankly, I am offended that we are here at this point in time.

Furthermore, I had an amendment that would have addressed a problem in the bill with the Food Stamp Program. The States need adequate flexibility to create efficiency so that we can take care of our neediest citizens. That amendment was not allowed to go forward in this debate. It certainly deserves a full and open debate, as the previous speaker said.

Our States need this flexibility. It is going to cost the State of Indiana over $100 million. Other States need this flexibility as well.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise in strong opposition to this rule. For several months, the House Agriculture Committee worked in a bipartisan manner to pass a bill that would make historic investments in conservation, nutrition and renewable energy, while maintaining strong support for American farmers. The committee put aside partisan differences and worked together on a bill that meets the needs of American farmers, without raising taxes.

Today House leadership has brushed aside months of hard work by Republicans and Democrats on the House Agriculture Committee and decided to insert a 600 percent tax increase on manufacturers who employ 5.1 million Americans workers and pay $325 billion in wages. Additionally, the anticompetitive Davis-Bacon provision included in this bill would drive up the

cost of building ethanol plants and discourage alternative energy production.

Yet today, this rule does not allow Members a vote on striking these provisions. Right now, governments throughout the world are cutting taxes for job traders to attract investment. The Democratic proposal will drive investment and jobs out of America and greatly diminish America's competitiveness.

Mr. Speaker, for these reasons, I strongly oppose this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to a former member of the Rules Committee, the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. Mr. Speaker, just 2 days ago, the House was on track to pass this year's farm bill with a bipartisan vote. Then, in the eleventh hour, the Democratic leaders blindsided America with the news of how they were going to pay for this bill: by putting 5.1 million American jobs at risk.

This bill imposes massive tax increases on businesses, violates trade treaties, discourages investment in America and weakens U.S. competitiveness internationally. It costs good manufacturing jobs.

For instance, in my district in Ohio, Honda employs more than 16,000 Ohioans and has invested more than $6 billion into my State. Its suppliers employ an additional 40,000 Ohioans. Tax receipts from Honda provide revenue for 53 Ohio cities and 43 school districts. Honda is by no means alone in its contributions. U.S. subsidiaries in Ohio employ more than 200,000 Ohioans.

Mr. Speaker, the Democrats have shown their true colors again. We need not sacrifice American manufacturing jobs for a strong American agricultural economy. They can and should coexist.

Mr. CARDOZA. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Speaker, this rule asks a very simple question of all of us: Whose side are you on? Do you stand with overseas corporations who exploit American tax loopholes, or do you stand with American farm families who pay their fair share every day? Whose side are you on?

Let me point out where I and my Democratic colleagues stand: We stand with American farm families who plant, who grow and who harvest everything we eat. We stand with those most in need. We also support a strong nutrition program. We stand with our Nation's children, and are providing them with access to fresh fruits and vegetables. We stand with local agricultural businesses connecting local farmers to their communities to bring their products to market. And we stand for responsible reforms to our Nation's agriculture policy.

The question is simple: Whose side are you on?

We do not sit in the boardrooms. We do not represent corporations who take advantage of loopholes in our tax codes that even the Bush administration and the Treasury Department have said need to be plugged.

Mr. Speaker, I urge my colleagues to support this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to a member of the Agriculture Committee, the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Mr. Speaker, I am on the side of those who would like an open process. I am extremely disappointed with this tax provision. It can be characterized however one might wish to characterize it. But I am on the side of a process that is open, where a tax provision has a hearing and gathers input from the general population so that we can move forward with good policy.

As a representative of a heavily agricultural district, I hope that we can pass a farm bill that is good, sustainable policy. We are well on our way.

As a member of the Agriculture Committee, I was proud of the process. It was very polite. Actually, the committee process was very open. Then all of a sudden we are blindsided, Mr. Speaker, with this tax provision.

It is extremely disappointing to me, Mr. Speaker, and I hope that we can defeat this rule so that we can open up the process perhaps and move forward with good policy and a good, open process.

Mr. CARDOZA. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Ways and Means Committee.

Mr. DOGGETT. Mr. Speaker, farm and ranch families deserve a safety net, and fiscal responsibility demands that we pay for it. We pay for this farm bill, every penny of it, and some of it is done by stopping one group of multinational corporations from dodging their United States tax liability. For too long they have enjoyed a free ride from these Republicans, at the expense of other American taxpayers. It is wrong, and we are putting a stop to it.

Our target is very narrow: No company headquartered in the United States of America will have its taxes go up one penny, nor will it have any significant impact on any foreign corporation with whom we have a tax treaty, as we do with most developed countries. Indeed, 90 percent of the revenue, according to the nonpartisan staff of the Joint Tax Committee, comes from companies that have tax hideaways with these countries down in the Caribbean that have no tax treaty and no corporate taxes or little taxes. And the remaining 10 percent of revenue from their proposal, most of it is going to be simply a matter of shifting taxes between countries in tax credits.

I have listened to these Republicans identify one company after another that they cried big crocodile tears about, and I haven't heard them identify a single company that is likely to have an increase in its taxes as a result of this proposal.

There are others hiding in the shadows that know they have no justified case. And they have some of their friends out front, including one company that I read an e-mail from yesterday saying they don't like my bill, but it doesn't affect them a penny. That is the people that own Ben and Jerry's.

Well, today the Administration may be teaming up with those willing to kill this farm bill by defending these foreign tax evaders, but that is not the tune they were singing 5 years ago when in this Treasury report they said ''an appropriate, immediate response, an immediate response, should address the U.S. tax advantages that are available to foreign-based companies because of their ability to reduce the U.S. corporate tax on income from their American operations.''

Mr. BRADY says Treasury did something about it? They sat on their rear and didn't do anything about it. And if you need any proof of that, gentleman, turn to the President's budget 5 months ago. He turned to this same source of revenue and all this job-killing tax proposal you are talking about. How many jobs did his $2 billion proposal that he put out here 5 months ago in February kill? Well, you haven't suggested there are any, because even this President, President Bush, admits there is a problem here that needs to be fixed, and this committee gets about fixing it.

You talk about jeopardizing 5 million jobs. What a lot of nonsense. That is all the jobs of all the foreign subsidiaries in the United States, the vast majority of which are corporations that are not touched by this proposal.

Your problem isn't jobs. Your problem is you never met a tax loophole you didn't like. You never met a tax dodger you didn't want to help. You have done a good job of doing it, and it is time we fix that.

I don't know why it is that a farm and ranch family in High Hill, Texas, or a drugstore on the main street of Bastrop, Texas, ought to have to pay higher relative taxes on their earnings than some multinational with a fancy CPA and a law firm and a hideaway in Bermuda.

It is wrong, and each of us must stand to choose between the two.

POINT OF ORDER

Mr. PEARCE. Mr. Speaker, I have a point of order. Are we requested to address our comments to the Chair?

The SPEAKER pro tempore. The gentleman should seek recognition rather than interjecting from his seat.

But the gentleman is correct that Members should address the Chair when they are speaking, and not others in the second person.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. MCCRERY), the ranking member of the Ways and Means Committee.

Mr. MCCRERY. Mr. Speaker, the previous speaker, the gentleman from Texas, talked about a memo from

Treasury 5 years ago. The fact is, since that memo was sent out, or since that study was done, Treasury has undertaken a very aggressive policy of amending tax treaties with countries to solve the problem that was mentioned in that study. Also, in the jobs bill that we passed just a couple of years ago, we legislatively attacked the problem that was mentioned in that study. So steps have been taken, both legislatively and regulatorily, to solve that problem.

The President's budget, the gentleman himself said it raises $2 billion, approximately. His provision raises twice that. So it is apples and oranges, and obviously his provision is much broader than what the President's budget contemplated.

But, you know, I was just sitting there listening to this debate, and Americans out in the country watching this must be shaking their heads. You have got Democrats who are saying one thing and Republicans who are saying just the opposite. Republicans: It is a tax increase. Democrats: It is not a tax increase, it is a loophole closure. It is like they have been brainwashed by somebody and we have been brainwashed by somebody.

Mr. Speaker, we could have avoided this, I believe, if the majority had followed regular order; if they had allowed the Ways and Means Committee, the committee of jurisdiction over the Tax Code, to hold a hearing on this provision, to flesh it out, to hear experts on both sides, or all sides, and then let us discuss it and ask questions, probe.

Mr. DOGGETT is one of the smartest Members of our committee, and he knows a lot about the Tax Code, and especially the treatment of international companies doing business here in the United States, and I give him that. But, dadgummit, we should have had a chance to honestly debate this, and not have the majority just throw it in overnight on a farm bill, without even sending it through the Ways and Means Committee. That is wrong. That is a lousy way to legislate. It is wrong.

That is why Members on both sides of the aisle should vote no on this rule, to give this House the opportunity to act responsibly and to give the Ways and Means Committee back some of its honor. It is getting gutted by actions like this week after week after week. I am tired of it, and I ask the House, not Republicans or Democrats, Members of this proud House, to go back to doing things properly, and then maybe we will figure out something in between that we can all support.

□ 1845

Mr. CARDOZA. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. Both sides have 3¼ minutes remaining.

Mr. CARDOZA. Does the gentleman from Washington have any remaining speakers?

Mr. HASTINGS of Washington. I have more speakers than I have time, and I would like to inquire of my friend if he would like to entertain the proposition I offered a moment ago.

Mr. Speaker, I ask unanimous consent for 5 additional minutes for each side.

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

Mr. CARDOZA. Mr. Speaker, I object to the request to extend debate. As the gentleman from Washington knows, there will be another hour of debate on the bill and then 31 amendments. There is ample time to debate this bill, so I would have to object.

The SPEAKER pro tempore. Objection is heard.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Mexico (Mr. PEARCE), a member of one of the committees that was denied any opportunity to talk about the tax provisions.

Mr. PEARCE. Mr. Speaker, I thank the gentleman for yielding, and it is always imperative that we discuss issues that are brought forward.

Members of Congress often point to other countries who abridge treaties, who abridge contracts of our companies working in those countries, and they claim foul. Recently Hugo Chavez nationalized the oil industry and the electricity and oil companies. Yet the people who work for oil companies that are U.S. oil companies trying to push back that takeover were told why shouldn't we do that, your own government is doing it; we have the right.

They are referring to the language that is in this bill that affects the offshore leases, the '98–'99 leases. The Washington Post described the actions that were taken back on H.R. 6, which are very similar to these actions, as ''heavy handed.'' The stability of contracts, this heavy-handed approach, an attack on the stability of contracts would be welcomed in Russia, Bolivia, and others have been criticized for tearing up revenue-sharing agreements with private energy companies.

Mr. Speaker, we are doing things that affect oil companies and energy prices to Americans. I oppose this rule because it violates the rule of law.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY), a former member of the Rules Committee.

Mr. GINGREY. Mr. Speaker, while I see good reforms and programs in this farm bill, I also see onerous provisions such as a massive tax increase on foreign companies who are providing good jobs here in the United States, and Davis-Bacon restrictions on biofuel production plants that drive up costs far beyond any included incentive grants.

In 2003, a constituent of Georgia's 11th District named Greg Hopkins took a big risk and decided to construct and operate a biofuel production plant called U.S. Biofuels in Rome, Georgia. He found a market demand, and that is the reason for his plant. But in order to make a profit, Greg has to minimize costs wherever possible. If the United States is serious about moving our country to alternative fuels, we don't need restrictions like Davis-Bacon prevailing wages.

It is clear to me that the Democratic leadership of the 110th Congress is more interested in doing favors for deep-pocketed labor union supporters than protecting domestic biofuel producers, and I must oppose this rule and the underlying bill.

Mr. HASTINGS of Washington. Mr. Speaker, I yield the balance of my time to the gentleman from Kentucky, a classmate of mine, Mr. WHITFIELD.

Mr. WHITFIELD. I want to commend all those for the hard work they have done on this rule. I must say that the American people today, 14 percent of the American people only, approve of Congress as an institution. I think there are many reasons for that.

For example, with this farm bill we have an opportunity once every 5 years to address major issues in the farm bill. Yesterday, the chairman of the Natural Resources Committee, the Budget Committee, two other Democrats and two Republicans offered an amendment to the Rules Committee on an issue that has been on this House floor five separate times and every time it passed overwhelmingly, but we needed this amendment to finally bring this issue to a conclusion. And although four people on the Rules Committee that spoke applauded our efforts and were very complimentary of it, we were not given an opportunity to bring this amendment to the floor.

In addition to that, the tax issues relating to the farm bill have not been adequately explained, have not been adequately debated. In the committee that I am on, the Energy and Commerce Committee, there is an SCHIP program that provides $100 billion in cost over the next 5 years; and to pay for that, we have not had any opportunity to debate that.

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

MOTION TO ADJOURN

Mr. WHITFIELD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 174, nays 248, not voting 10, as follows:

[Roll No. 745]

YEAS—174

Aderholt	Alexander	Baker
Akin	Bachus	Barrett (SC)

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

NAYS—248

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

NOT VOTING—10

Baird
Clarke
Cubin
Culberson
Davis, Jo Ann
Hunter
LaHood
Pickering
Waters
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1914

Ms. SCHWARTZ, Mr. BOUCHER, Mr. FOSSELLA, Ms. SOLIS, Mr. LEVIN and Mr. ENGEL changed their vote from ''yea'' to ''nay.''

Messrs. HAYES, BARRETT of South Carolina, REICHERT, FRELINGHUYSEN, BURGESS, TURNER and BROUN of Georgia changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2419, FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The SPEAKER pro tempore. The gentleman from California has 3¼ minutes remaining.

Mr. CARDOZA. Mr. Speaker, I have stood here for the better part of an hour as we debated this rule, and I frankly cannot believe what I am hearing.

It sounds to me like the Republican caucus of this body is actually considering voting against the thousands of farmers, their families, and the millions of people throughout this country that rely on farming for their livelihood in favor of a few wealthy international companies who are deliberately evading U.S. tax law and big oil companies that have been gouging Americans at the pump.

The truth is that the Ways and Means Committee has taken the advice of the Bush administration and closed a loophole for tax cheats in order to pay for lifesaving nutrition programs for millions of Americans. This energy offset comes from reducing taxpayer subsidies for multinational oil and gas companies that have enjoyed a free ride from this Congress for far too long.

The price of oil today in New York was $75 a barrel. Is that not enough for Americans to pay? So enough with this song and dance. This is about closing loopholes for tax cheats, a loophole that your Republican administration has been advocating. This is closing a loophole for tax cheats, a loophole that this administration has been advocating being closed for years, as it is reducing windfall profits for Big Oil.

I urge my colleagues to make the right choice here and stop playing politics with the American public.

We used to have a $30 billion trade surplus in agriculture. Like everything else, we are trading that away. If we aren't careful, we are going to become an importer of agricultural goods for the first time in the history of the United States. That won't happen on our watch.

It's bad enough that countries like China, Japan, and Saudi Arabia are our bankers. Let us not make them our farmers, too. That is not the way this country was built, and I assure you this new Democratic Congress will not abandon our farm community.

This is a once-in-a-lifetime bill that will meet our country's needs. Every major group, the commodities, the specialty crops, the nutrition groups, the conservationists and others support this bill.

A ''yes'' vote on this rule and the underlying bill is a vote for the hungry, a vote for the environment, a vote for energy independence, but, most importantly, a vote to deliver on our longstanding commitment to rural America.

I urge a ''yes'' vote on the rule and on the previous question.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise in opposition to this rule. The rule waives all points of order on the underlying bill to shield the Democratic Leadership's attempt to bypass the rules of the House and the jurisdiction of the Committee on Ways and Means. Clause 5(a) of Rule 21 states that, "a bill or joint resolution carrying a tax or tariff measure may not be reported by a committee not having jurisdiction to report tax or tariff measures."

Yet, the bill before us today was not reported by such a committee, only by the Committee on Agriculture. Specifically, Section 1303 of the bill would change the administration of U.S. tariff rate quotas for imports of sugar so that the tariff rate quotas no longer apply on a yearly basis, but rather on a semi-

annual or even quarterly basis for certain imports.

Under this provision, importers who wish to import sugar into the United States outside of the narrow time period specified in the bill would be required to pay the over-quota tariff rate rather than the in-quota tariff rate to which they would otherwise be entitled. Thus, this provision would increase the tariff rate on these imports from 1.46 cents per kilogram to 33.87 cents per kilogram: an increase in the tariff rate of over 2,000 percent.

In effect, this bill changes the tariff classification of these imports because it changes the tariff to which these imports are subject based on when they are imported into the United States. As a result, this language would affect the amount of tariff revenue collected, thus triggering clause 5(a) of rule 21.

Completely egregious in its own right on the merits, the inclusion of this provision also flies smack in the face of the rules of the House and should not be included in the bill today. But, sadly today we are precluded from raising a point of order against this provision as a result of this rule.

Mr. Speaker the rule also contains a self-executing tax increase that will put the squeeze on investment in the U.S. and cost America jobs. Also not considered by the Committee on Ways and Means, this provision, masquerading as a way to keep jobs here, will in fact send jobs overseas.

The practical effect of this amendment is that employers like BASF in Evans City, Pennsylvania will be at a direct disadvantage simply because they have chosen to locate a manufacturing plant in the U.S.—and employ U.S. workers—but have a parent company based in Germany. Similarly, companies throughout my district would be indirectly affected as a result of some of their customers—companies like Honda and Sony among others—being disadvantaged by this provision. In addition, this provision completely disregards obligations made under international tax treaties.

Mr. Speaker, American workers deserve better, American employers deserve better, and our treaty partners deserve better.

I urge a "no" vote on this most misguided rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 574 will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 222, nays 202, not voting 8, as follows:

[Roll No. 746]

YEAS—222

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

NAYS—202

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
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Gilchrest
Gillmor
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Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
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King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
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Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—8

Clarke
Cubin
Davis, Jo Ann
Hunter
LaHood
Rogers (AL)
Waters
Young (AK)

□ 1937

Mr. SESSIONS changed his vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal.

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

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

COMMUNICATION FROM CONGRESSIONAL AIDE OF THE HON. MARK UDALL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from John Bristol, Congressional Aide, Office of the Honorable MARK UDALL, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 12, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the U.S. House of Representatives, that I have been served with a subpoena, issued by the Westminster, Colorado Municipal Court, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JOHN BRISTOL,
Congressional Aide.

COMMUNICATION FROM CONGRESSIONAL AIDE OF THE HON. MARK UDALL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Carter Ellison, Congressional Aide, Office of the Honorable MARK UDALL, Member of Congress:

CONGRESS OF THE UNITED STATES,
Washington, DC, July 12, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the U.S. House of Representatives, that I have been served with a subpoena, issued by the Westminster, Colorado Municipal Court, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

CARTER ELLISON,
Congressional Aide.

GENERAL LEAVE

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks on H.R. 2419.

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

There was no objection.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 574 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. 2419.

□ 1942

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. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. PETERSON) and the gentleman from Virginia (Mr. GOODLATTE) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Madam Chairman, today we have a bill before us that is known as the farm bill, but this bill is much more than about farms. It is about the food we eat, the clothes we wear, and, increasingly, the fuel that we will use.

The farm bill assures that we will have a safe, strong food supply now and for years to come. It funds nutrition programs and ensures that working families have enough to eat. It provides conservation programs to protect the environment. It funds rural development programs in support of our rural communities nationwide. You can see that this farm bill is certainly about more than just farms.

In addition to these important priorities, this farm bill also provides the safety net that allows our Nation's farmers and ranchers to continue to provide the food, fiber, and fuel that meet the needs of Americans and people around the world.

America is still the world's breadbasket, and that is something we should be proud of. Over the past year, my colleagues and I have traveled across the country from New York to Alabama, to my neck of the woods in Minnesota, and all the way to California. We heard from folks who are out there every day working the land, producing a diverse range of agriculture products.

The farm bill is a product of agreements that we have reached by consulting everyone interested in this process. In addition to hearings across the country, we have worked with nutrition advocates, conservation and environmental organizations, renewable energy groups, and representatives from all parts of the fruit and vegetable industry, in addition to the farm groups traditionally involved in the farm bill.

At the end of that process, we now have more than 100 organizations representing conservation, nutrition, rural development, renewable energy, labor and farm groups that have signed on in support of this bill. I think that this unprecedented support is a direct result of our efforts to be inclusive in this farm bill process.

There are very few issues that the National Farmers Union and the American Farm Bureau Federation can agree on, but at the end of the day, they both support this bill.

The members of these groups who support our farm bill are the real experts on farm policy because it is a reality that they live each day of their lives. They are the ones on the land planting the crops, managing the livestock and taking the risk inherent in the industry of farming. They are the ones who represent the people using the farm bill's nutrition programs. They are the ones working to implement good conservation practices in the communities across this country. If they support our bill, then I know that we're doing the right thing.

This farm bill also includes significant reforms. Of course, some people think we went too far. Others think we didn't go far enough. But everybody seems to agree that they never thought that we could get an agreement that went as far as it has. That is what this farm bill is about. We got the different groups into the room and produced an agreement that everyone feels like they've been part of the process, even if they didn't get exactly what they wanted.

This bill does make significant changes, including a hard cap on subsidies for the first time ever. We've taken the $2.5 million adjusted gross income cap down to $500,000. And we have put a hard cap on of $1 million so that anybody over $1 million of adjusted gross income will not receive farm payments after this bill passes.

We have also cut the soft cap that I mentioned on adjusted gross income to $500,000. We also, in this bill, required direct attribution for the first time of farm program payments so that people won't be able to get around the payment limits by receiving payments through different business entities. These are not insignificant by any means, and these changes will affect thousands of farmers nationwide.

In the area of conservation, too, we have made significant changes as well as new investments. One thing we've done, we have included the same kind of payment limits on conservation programs that we have had for farm programs. That way, there's more money available to more farmers to participate in these popular programs.

The bill also includes $3.8 billion in new spending for conservation programs over the next 5 years. These programs help farmers protect the environment with programs that reduce erosion, enhance water supply, improve water quality, increase wildlife habitat, and reduce damage caused by floods and other natural disasters.

This farm bill provides new resources to protect and preserve the Chesapeake Bay and other high-priority areas, and it encourages private land owners to provide public access for hunting, fishing and other recreational activities.

In the area of renewable energy, this farm bill invests in programs that will help encourage the development of cellulosic ethanol in this country. In my opinion, this represents the future for American agriculture. Once we can establish the first facilities that can make ethanol from agricultural waste and other biomass products, we will take a huge step in a new direction for agriculture and for rural America.

Many of the best feedstocks for cellulosic ethanol will also provide benefits for wildlife and for the environment. Renewable fuels have brought new investment and new jobs for rural America, and this is one of the most exciting things that's happened in my life and in American agriculture.

We have also proposed increases in the farm bill's nutrition title. This has been a source of some controversy this week, but not because people disagree with the idea that we should be increasing these benefits which have been stagnant for many years and making sure that benefits keep pace with inflation,

Instead, the controversy has involved the proposal that the Ways and Means Committee has proposed to offset the cost of these changes. I hope that my colleagues on both sides of the aisle will recognize that there is a difference between closing a loophole in current tax law and increasing taxes. This proposal won't raise taxes, but it will hold some foreign companies who should be paying taxes accountable for what they owe.

The Agriculture Committee agreed, on a bipartisan basis, that these changes in the nutrition program were important to help working Americans access these nutrition programs, and we have found a reasonable, fiscally responsible way to do this.

Another area where this farm bill makes great strides is in funding for programs that strengthen the fruit and vegetable industry. We have worked with this industry and have included $1.5 billion in new mandatory money for them in this farm bill. That's the first time that we've done this.

The Specialty Crop Alliance, United Fresh, and many other fruit and vegetable groups strongly support this bill as passed by the Agriculture Committee.

We also worked with several caucuses in crafting this bill, including the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Native American Caucus. With the Congressional Black Caucus, we have worked to address important issues, including a program in the manager's amendment that will help black farmers who did not get their day in court due to inadequate notice and an arbitrary deadline established after the Pigford case was settled. This provision will allow farmers who filed their claims after the national deadline to have their cases heard.

We have also included other provisions to make USDA programs more accessible to minority, socially disadvantaged and beginning farmers and ranchers. This includes provisions to expand access to land, credit, conservation and rural development programs.

One of the most important compromises reached in this farm bill was an agreement to finally, after a long delay, implement mandatory country of origin labeling. We put both sides in the room; we told them to come out with a compromise, and they delivered. As a result, with this farm bill, consumers in this country will finally be able to tell where their fruit and vegetables and meat products in their grocery stores are coming from, and we think it's about time.

We accomplished all of this under an open process where everyone was included. All members of our committee were engaged in this process, and I'm proud to say that some of our newest freshman Members, including colleagues that have been there for years, really brought a lot of constructive ideas and a spirit of bipartisan cooperation to the table and helped us come up with a bill that we are all very proud of.

There is something in this bill for everybody to like. There's probably something in this bill for everybody not to like. But it's a step in the right direction and has broad support, as I said, from many organizations. And I encourage my colleagues to support this farm bill which supports all of us with food, fiber and fuel.

Madam Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, I yield myself 5½ minutes.

Madam Chairman, it's a sad day for American agriculture when the Democratic leadership pits America's farmers and ranchers against America's working class. The tax increases included in this bill stand to jeopardize millions of American jobs by raising taxes on companies that do business in the U.S. Not only does this provision cunningly added by the Democrat leadership after the bill left the control of the Agriculture Committee jeopardize American jobs, it stands to violate treaties with other nations and lead to significant ramifications for U.S. companies with operations in other countries. Worst of all, we're not even considering a tax bill; we're considering a farm bill, a farm bill that has been twisted into a partisan pawn.

At the beginning of the week, I stood beside the chairman of the Agriculture Committee to voice my support for this bill that we had worked in a bipartisan fashion to bring to the floor. I had only one caveat, that the offsets not be in the form of tax increases. Not 24 hours before we were to consider this bill on the floor, we were made aware of a tax increase provision that had been added to this language behind closed doors. Unfortunately, all of the good things contained in this bill have been overshadowed by very partisan elements of what should be a bipartisan bill. Today we should be debating the merits of this bill, a bill that was carefully crafted to meet the calls for reform and expand programs such as nutrition and fruits and vegetable programs. But the leadership has decided to take American agriculture out of the debate on the farm bill.

Heading into the reauthorization of the farm bill, Agriculture Committee Republicans anticipated problems with the budget, given the collapse of the baseline projections for the commodity programs. The lack of funding for the nutrition interests further compounded the problem. As the number of nonfarm interests in farm bill funding has grown and the availability of funding dwindled, farm programs have become particularly vulnerable, and the Democratic leadership and the Budget Committee refused to address the needs of a forward-looking farm bill.

From the start, the Agriculture Committee Republicans have made our concerns about funding for this bill very clear. When the chairman announced his projected farm bill time line on May 17, I urged him not to rush the process and find the offsets before promising the money in the farm bill language. Again and again, I, along with my subcommittee ranking members, have implored the committee to slow down, to wait until the money is available before moving ahead.

At the Conservation, Credit, Energy and Rural Development Subcommittee markup on May 22, both subcommittee ranking member FRANK LUCAS and I urged caution in rushing the process.

On May 24, at the Livestock, Dairy and Poultry markup, the message was the same. The subsequent markups on June 6, 7, 15 and 19, the message to the leadership of this committee was the same; slow down and find the money. We were consistently told the money would be made available, and we were consistently denied any further information.

It would be disingenuous for my Agriculture Committee Democrat colleagues to claim our objections are at all new or recently conceived. We have worked in a bipartisan fashion throughout this process and had the opportunity to take a bipartisan product of the committee to the floor. But our work has been undermined by the addition of tax increases without consultation, review or due process to cover the extra costs of the bill.

Despite repeated assurances that the $4 billion in offsets would not come from tax increases, here we are, looking at tax increases as a funding mechanism of choice employed by the Democratic leadership.

Moreover, to insinuate that Democrats were made to do anything by the Republicans' opposition to revisions that would directly impact U.S. jobs is preposterous. The Democrats and the Democrats alone are solely responsible for any modifications made to this bill after it left the Agriculture Committee.

Because the Democrat leadership won't invest in American agriculture, they're calling for increased taxes to pick up the tab to fund our domestic priorities by increasing taxes on companies that provide millions of Americans with good jobs and stimulate economic growth.

I anticipate this tax increase will likely be the first of many needed to fund the priorities that bulge between the majority's budgets.

Rural America is served best when we work together in a bipartisan fashion. With passage of this rule, partisanship invades rural America and destroys bipartisan support for the underlying legislation.

I want to be clear, I support the farm bill. I do not support the nonagriculture, non-Agriculture Committee approved tax increase that has been shamefully attached to this legislation.

Prior to the announcement of this tax increase, it was clear that the administration, which has opposed this bipartisan effort, it was clear that a veto threat was headed our way.

A bipartisan farm bill without this tax increase would have produced a veto-proof majority and would have sent this farm bill soaring into the negotiations with the Senate. Now this farm bill will not be an effective product to move American agriculture forward.

I urge my colleagues to reject this legislation.

Madam Chairman, I reserve my time.

Mr. PETERSON of Minnesota. I'm now pleased to yield 2 minutes to my good friend, the distinguished chairman of the Ways and Means Committee, Mr. RANGEL from New York.

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

Mr. RANGEL. Madam Chairman, it's an honor for me to be here. I wish that we didn't have to mark up the SCHIP bill so that I could be here for the rest of the theater.

I have been overly impressed with the remarkable bipartisan work that Mr. GOODLATTE and Chairman PETERSON have been doing on a very complicated piece of legislation. And I was very surprised that, with their ability to, so-call, offset the expenditures of the bill, that they came to the conclusion that when it came to food stamps they ran out of money.

□ 2000

Ran out of money to such an extent that I was really completely taken off guard when they told me that the Ways and Means Committee should provide $4 billion to pay for the food stamps. And I admit I don't follow the Agriculture Committee's work as closely as I should have. But knowing that Republicans as well as Democrats wanted to make certain that 26 million people will continue to have food stamps, I said, where would you expect the tax-writing committee to get the money that is necessary to keep this bipartisan agreement to? I assume if you went to the Energy and Commerce Committee, you would be going there for energy. If you went to the Transportation Committee, you would go there for transportation. And I assume that we talk the same language, and the Ways and Means Committee is the tax-writing committee.

And when you said it was important to maintain this bipartisan agreement, I looked over the jurisdiction of the Ways and Means Committee. It wasn't $4 billion in Social Security. It wasn't $4 billion in Medicare. It wasn't $4 billion in training, though we were working hard to make certain to break down the barriers so that our farmers could go overseas.

So there is not one living person on the Agriculture Committee that didn't ask me to get it out of what? Taxes. Sorry to use that word, and I don't know who is offended. But we felt that we weren't going to raise individual taxes. We weren't going to increase corporate taxes. So I thought that common sense and political sense would mean that we would find out who is not paying taxes and bring that revenue in so that we can have a bipartisan agreement in the House and the Senate in order to do this.

Now, strange things can happen, and it appears as though it has. But I just want you to know that you can call it offset. You can call it revenue enhancement. And we call it fraud and evasion and equity and fair play. And it is coming out of the tax-writing committee.

I just hope you never come to the tax-writing committee and ask for relief and, when you get it, say you don't want tax increases.

Mr. GOODLATTE. Madam Chairman, I yield myself 10 seconds to say to the chairman of the Ways and Means Committee that neither I nor any other Republican on this committee that I know of ever went to him and asked for any, any funds whatsoever, certainly not from a tax increase.

Madam Chairman, at this time it is my pleasure to yield 1 minute to the gentleman from Alabama (Mr. EVERETT), the distinguished ranking member on the Agriculture Committee.

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

Mr. EVERETT. Madam Chairman, I rise in strong opposition to the 2007 farm bill. The budget resolution that we were forced to work with was woefully inadequate for production agriculture. Moreover, the Ways and Means Committee, regardless of what the chairman says, included a tax increase on companies to pay for this bill.

I have great concerns for Southeast peanut producers, who grow almost 85 percent of all peanuts grown in this Nation. They are the number one losers in this bill. There is included, in the manager's amendment, an important new initiative that will not only help all peanut producers address rising input costs, but will ensure greater yields and better stewardship of the land through enhanced crop rotation. But the $10 million annually allocated for this program is not enough to ensure this program is successful.

The "Farm Bill" is called the farm bill for one reason—to address agricultural needs of our farmers and ranchers. However, the bill before us seems to forget the farmer and rural America—specifically at a time when many of them are facing difficult times.

I understand the financial constraints that we had to work on this bill. But in light of those constraints, significant funding increases were given to conservation and nutrition programs at the expense of production agrculture. Additionally, I oppose the last minute developments that have occurred to attach a provision to increase taxes to pay for some of these increases.

I strongly oppose these actions, they should not be in the Farm Bill, and overall it will hurt Americans.

I am also concerned over how this additional funding is being allocated. Specifically, $1.6 billion was specified for specialty crops—most of this money going to California—a state that is ranked 10th nationally in receiving federal subsidies. Additionally, $150 million was set aside in the bill for air pollution in California.

Secondly, conservation funding receives a $1.35 billion increase in funding. A significant amount of that money has been set aside for specific watersheds. In particular, the Chesapeake Bay Region is receiving $400 million alone for conservation programs for this watershed.

Historically, the Chesapeake Bay and other watersheds specified in the bill have received billions of dollars in the past for these efforts and should not be given special preference in this bill. Chesapeake Bay has received over $700 million annually for conservation programs addressing the watershed. Why do they need preference throughout the program when the rest of the nation is also addressing similar issues?

I am specifically concerned over the preference being given to several watersheds under the new Regional Water Enhancement Program. I was pleased that this new program was included in the bill—it is an issue very close and dear to my heart. I have been working on this legislation for several years and I am pleased that much of the language of my Farm Reservoir Act has been included in this program. This program will provide cost-share assistance to agricultural producers for projects like the construction of on-site reservoirs. It upsets me that specific watersheds were given priority consideration under this program.

Fortunately, an amendment during full markup was included to limit these watersheds in receiving no more than half of the funding. However, I believe that the Regional Water Enhancement Program should not be a place for "earmarks" but open to all regions of the country—all who are dealing with water issues that are important to their region.

For my part of the country, farmers in the Southeast are facing a devastating drought and farmers are faced with the loss of most—if not all—of their crops. Many ranchers are being forced to sell their herds since they have no feed for them. This program would help many of these farmers to build farm reservoirs that will help farmers during these difficult times and could help save many of their crops—a savings to taxpayers in the future in crop insurance and disaster payments.

Some would try and argue that my state is guilty of also receiving large subsidies that I have just spoken against. Many of you may be surprised to know that Alabama is in the bottom half of the nation in receiving federal subsidies—27th out of 50. I like to also point out that 72 percent of all farmers and ranchers in Alabama do not collect government subsidies.

These are the same farmers and ranchers that are struggling with severe drought conditions and are hoping for some federal assistance to help them get through these difficult times—whether through disaster payments or federal programs like the Regional Water Enhancement Act. However, a permanent disaster payment was not incorporated in this bill because there was not enough money.

All of the programs in the Farm Bill are important but to receive such a drastic increase while producers are struggling does not seem right. Claiming there is no money to include a permanent disaster payment program for farmers who face significant financial loss of crops due to natural disasters like hurricanes, drought, wild fires, disease, pests and tornadoes—is wrong!

I look forward to continually working with the Chairman and Ranking Member to address many of these concerns as we move forward.

Mr. PETERSON of Minnesota. Madam Chairman, I am pleased to yield 6 minutes to the distinguished Chair of the Foreign Affairs Committee, my good friend Mr. LANTOS from California.

Mr. LANTOS. Madam Chairman, I want to thank the distinguished chairman of the Agriculture Committee, my good friend from Minnesota, COLLIN PETERSON, for his outstanding leadership on this critically important bill.

Today we reconfirm one of this government's most solemn commitments: reaching out to help the most desperate people on the planet. By reauthorizing and strengthening the longstanding and successful Public Law 480 food aid program, we show the entire world that we are serious about using our vast resources for resoundingly positive action.

The 850 million people around the globe without sufficient food cling to a precarious existence: foraging for daily sustenance, unable to take care of their starving families, and locked into a perpetual cycle of poverty and hunger.

The lack of food is particularly vicious for HIV and AIDS patients, whose medications often make them even hungrier. They now live longer with the medications the United States has provided under landmark legislation we in Congress passed 5 years ago, but, Madam Chairman, in a cruel twist of fate, they trade the pains of the disease for the pangs of hunger.

The plight of the starving represents one of the most disturbing and dire societal shortfalls on this planet, and addressing worldwide hunger represents the most unambiguous American moral obligation that faces us today.

That is why the international food aid programs reauthorized in Chairman PETERSON's bill we are considering today demand our full and enthusiastic support. We sit here discussing this bill in the comfortable, air-conditioned Capitol, where we cannot really fathom what it is like to be scrounging for food in one of the world's many developing nations. I hope my colleagues will remember this when considering any effort to weaken these indispensable initiatives.

Our bill reauthorizes the historic and widely praised Public Law 480 food aid program. Public Law 480 was originally established in 1954, and it propelled the United States into worldwide leadership in the donation of food to developing nations and their millions of people. For more than half a century, our groundbreaking law has utilized the abundant agriculture resources of America to help ameliorate hunger around the globe.

Public Law 480 and the other food aid programs are so successful because of a simple recipe: the combination of the American people's compassion, and the dedication of private organizations and the companies that make the programs work. This supply chain highlights the unparalleled productivity of our farmers and processors and the dedication of those who administer, transport, and distribute food aid.

This broad and diverse network has enabled Congress and the executive branch to sustain strong funding levels to feed the world's hungry for decades. Our legislation before Congress today maintains this strong coalition; yet at the same time, it updates and modernizes the program to make it more effective.

I am particularly delighted to highlight that this bill restores mandatory funding for the landmark McGovern-Dole program, which lives up to the accomplishments of the two great former Senators, one Republican, one Democrat, who created it. This program specifically targets the legions among the world's starving who are least able to help themselves: the children of the poor across the globe.

The bill also increases funding for developmental food aid. The administration in recent years has blurred the line between so-called ''developmental food aid'' and ''emergency food aid.'' But with 850 million people starving on this planet and the vast majority of them chronically short of sustenance, the beneficiaries of developmental food aid are just as needy as recipients of emergency food aid. They don't care what pot of money funds the donated food; they only care to see their families fed.

The manager's amendment proposed by the distinguished chairman Mr. PETERSON includes language that was passed by my Foreign Affairs Committee authorizing a critical $2.5 billion for international food aid programs.

I urge all of my colleagues to join me in passing this most important legislation, which will ensure the United States continues to lead the way in addressing the patently unacceptable plight of the world's hungry.

Mr. GOODLATTE. Madam Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from Oklahoma, another of our ranking members on the committee, Mr. LUCAS.

Mr. LUCAS. Madam Chairman, I thank the chairman and ranking member for this effort this evening.

I would have never thought that I would be standing on the floor of the United States House advocating ultimately a ''no'' vote on the farm bill. I would have never thought that. As a farmer from Oklahoma, as an individual with a degree in agricultural economics from Oklahoma State, I would have never thought that I would be advocating a ''no'' vote on a farm bill.

How did we get to this point? Let's remember, first and foremost, farm bills, while the goal is to help rural America, while the goal is to help make farming and ranching a thriving industry, the real goal is providing the food and fiber supply that feeds and clothes this Nation and the world. And since the 1930s, we have done an exceptional job with these farm bills, an exceptional job, and it has been a nonpartisan, nonpolitical process. We may disagree by region, we might disagree by commodity group, but it was always pulling together for the good of this country and the consumers that we serve around the world.

We have now come off of two extremely successful farm bills: the 1996 bill with its dramatic reform, flexibility in production decisions, certainty of payment; the 2002 farm bill, building on that with a safety net. Two very successful farm bills.

As a matter of fact, they were so successful that the amount of money set aside for the 2002 farm bill, we spent $60 billion less than was projected, and that was where we got into trouble, and that is what has got us to this point. Sixty billion dollars we saved, and we got not one penny's worth of credit for it.

So we began this farm bill process with $60 billion less than we had 5 years ago. That was a decision made by the senior leadership in the new majority. When you are $60 billion down and trying to move successful and popular programs forward, you have got problems. Chairman PETERSON worked diligently. The entire committee worked diligently. But, ultimately, when we were not given credit, we had to depend on a massive tax increase.

□ 2015

Mr. PETERSON of Minnesota. Madam Chair, I yield myself 15 seconds to respond.

I just want people to remember what happened with the '95–'96 farm bill, which was a partisan farm bill. So, we've been down this road before.

I recognize the distinguished subcommittee chairman, my good friend, Mr. HOLDEN from Pennsylvania, chairman of the Conservation Credit, Energy and Research Subcommittee and vice-chairman of the House Agriculture Committee, for 2 minutes.

Mr. HOLDEN. Thank you, Mr. Chairman, for yielding the time. And thank you for your leadership on this important piece of legislation that we have worked on in a very bipartisan manner. And thank you for the leeway that you have given the subcommittee chairman in bringing this product to the floor.

And it's not easy. We are a diverse country when it comes to our agriculture interests, and the diversity on the committee reflects that. But we all came together. We all gave up things that we wanted in the bill. The chairman has been talking for 2 years about permanent disaster relief. That's not in the bill because we couldn't afford everything. Everything that I wanted for the northeast is not in the bill. Everything the ranking member wanted for Virginia or my good friend, Mr. LUCAS, for Oklahoma is not in the bill. We all had to come together, and we have delivered a product that is fair.

In the subcommittee that I chair, under the conservation title, a $4.3 billion increase in conservation; that's above baseline, 35 percent increase. We went around the country hearing what farmers cared about the most about conservation; it was EQIP. What did we do with EQIP? We put 50 percent additional funding in EQIP.

In my neck of the woods and in the ranking member's neck of the woods in the mid-Atlantic, farmland preservation, by far. When we went to New York to have the hearing, the importance of farmland preservation. In this bill, we have a 100 percent increase in farmland preservation, as well as other water quality improvements. For those who care about the Chesapeake Bay, $150 million for river restoration. So we have a strong conservation title.

Credit. We made improvements for credit that we will be discussing shortly after general debates that will make credit more accessible in rural America.

Energy. Everybody in this Congress, not just committee, but everybody in this Congress has been talking about the need for us to become more energy independent. In this bill, we have $2.4 billion in the energy title; $2 billion in loan guarantees so we can help this infant industry of cellulosic ethanol and biodiesel and take advantage of our agricultural natural resources that are so abundant in this country so that we can now take a step towards being no longer dependent upon the smooth, continuous flow of oil from the Persian Gulf.

This is a good bill, and I ask everyone to support it.

Mr. GOODLATTE. Madam Chairman, at this time, it is my pleasure to yield 1 minute to the distinguished Member from California (Mrs. BONO).

Mrs. BONO. Madam Chairman, I share the concerns of the gentleman from Oklahoma (Mr. LUCAS). But I also would like to speak today on a specific provision within H.R. 2419 that I'm happy to say will soon bring to resolution the implementation of what Congress has wanted for 6 years, country-of-origin labeling, the act of simply letting U.S. consumers know where the product they're picking up in the grocery store is from. Sounds simple, logical and straightforward; yet for too long Congress has been putting off the implementation of mandatory COOL.

In 2001, I introduced an amendment to the last farm bill to provide for COOL, and the amendment passed with strong bipartisan support. I have continued to push for mandatory labeling of fresh fruits and vegetables ever since 2001, and the debate has definitely evolved ever since.

Because of this, led by the efforts of Chairman PETERSON and Ranking Member GOODLATTE in having all viewpoints come together to discuss a solution, we now have a product that can be widely supported by consumers and farmers. In particular, the changes relating to produce will ensure that we have sound policy that isn't subject to the whim of misinterpreting congressional intent by the Department of Agriculture. From reasonable fines and penalties for not following the law to a provision that allows for the labeling of a State or region from which the product came to further spotlight our high-quality domestic production, the agreement on COOL is a strong one as depicted in the Manager's Amendment.

Madam Chairman, with recent concerns over importing products from foreign countries like China, the importance of country of origin labeling as a matter of public safety and the right of the consumer to make an informed choice has only become more urgent.

Again, I want to express my sincere appreciation to Chairman PETERSON for his interest and focus on addressing this issue, as he was able to bring parties together for a reasonable and bipartisan solution to mandatory COOL.

Mr. PETERSON of Minnesota. I am now pleased to recognize another subcommittee chairman, the chairman of the Specialty Crops Subcommittee and my good friend from North Carolina (Mr. MCINTYRE) for 2 minutes.

Mr. MCINTYRE. Thank you, Chairman PETERSON, for your leadership throughout the development of this farm bill and working diligently to craft a bill that protects our Nation's farmers, our environment, and our families of rural America.

The legislation under consideration by this House is critically important to rural America. I'm pleased that our subcommittee has worked on this to make sure that the value of agriculture is clearly understood.

The peanut industry contributes $800 million in value to our rural areas. The sugar industry creates some 372,000 direct and indirect jobs in 42 States, and our rural development programs fill a critical gap in providing infrastructure for our rural areas, ensuring that folks in rural America have adequate EMS units, fire trucks, libraries, and water and sewer systems.

Particularly with regard to rural development, this bill will further enhance these rural programs that will allow rural America to have better access to technology and better help for rural entrepreneurs. In fact, the new Rural Entrepreneur and Microenterprise Assistance program will reach some of our most important businesses, those companies employing 10 or less people, which now are the biggest drivers of economic development in rural America.

And the Rural Broadband Loan program and the Community Connect Grant program are two extremely important pieces that will help the citizens of rural America, making sure they have access to high-speed Internet that can often make the difference in the success of rural business and rural opportunities, and help our businesses, schools, health, and make sure that family life is better.

Just below this Chamber, downstairs on the first floor of this historic building, you can look up at the ceiling and see inscribed there the words of Daniel Webster who said that ''farmers are the founders of civilization.'' I hope that, indeed, all of us will remember this; that our very existence depends on the success of our farmers and on agriculture in making sure that rural America is respected and able to succeed as it will under this bill.

Madam Chairman, I urge all of our colleagues to support this bill so that, indeed, it will be the strong success we need throughout rural America.

Mr. GOODLATTE. Madam Chairman, at this time, it's my pleasure to yield 1 minute to the gentlewoman from Colorado (Mrs. MUSGRAVE), a very strong member of the committee.

Mrs. MUSGRAVE. Madam Chairman, I come tonight to this floor with a very similar attitude that most of us on this side of the aisle are feeling. We have worked together on this farm bill, worked in good faith with the chairman and the subcommittee chairman. And as the ranking member of the Subcommittee on Specialty Crops and Rural Development, I can say that the most important work in Congress that I have been doing is on this farm bill.

But in the markup committee process, Madam Chairman, I offered an amendment with a sense of Congress being that there would be no tax increases to pay for this farm bill. And the chairman of the committee, Madam Chairman, ruled it out of order, and his words were, ''No one here is talking about a tax increase.''

So, we've gone in good faith in developing this farm bill, but now all bets are off because we were not told the truth, and we find ourselves tonight in the very awkward position of having to oppose a farm bill that we helped craft because of the tax increase.

Mr. PETERSON of Minnesota. Madam Chairman, I am now pleased to recognize the chairman of our General Farm Commodities Subcommittee, the gentleman from North Carolina (Mr. ETHERIDGE), for 2 minutes.

Mr. ETHERIDGE. I thank the chairman for his hard work, and really on both sides of the aisle, for all the Members who put in long hours, who traveled across this country and listened to farmers and commodity groups speak.

Madam Chairman, I rise today in strong support of H.R. 2419. It's an important piece of legislation.

Madam Chairman, this has been a long process. In the early part of the year, our Subcommittee on General

Farm Commodities and Risk Management continued to hold hearings. We listened to groups. All the groups came, they talked, they made their recommendations.

The message we heard from farmers was that they like the basic framework that was created under the 2002 farm bill. Not only did we preserve that framework, but we made improvements so that the safety net worked more effectively.

And yes, as a result of the farm bill in 2002, we saved money, which meant that we had a greater challenge. We maintained the three-legged stool that supports farmers through direct payments, counter-cyclical payments, and marketing loan benefits. We adjusted loan rates and target prices to achieve a rebalancing between commodities that was long overdue.

We included several improvements to the cotton marketing loan program to make it more reflective of current market realities and values, as well as corrected problems in the program that we experienced since the elimination of the Step 2 program.

We also provided assistance to the textile industry to enhance their competitiveness and help keep those jobs here at home.

This could be called not only an Ag bill; it's a jobs bill, as well as a national defense bill, because we use it for food and fiber to feed our people.

I'm also proud that we're also providing farmers with the opportunity to experiment with revenue-based counter-cyclical programs. While most producers are satisfied with the current counter-cyclical program, some farmers are interested in the revenue-based approach.

Providing farmers with the option to choose between these two types of counter-cyclical programs allows them to make the best economic decision for their families. This revenue counter-cyclical program will also provide us with better insight into how the program works so we can determine if it is a better model for future farm bills.

H.R. 2419 contains Rural Development programs that will better facilitate the financing of essential rural infrastructures like public water and waste disposal systems. It establishes grant and loan programs for rural healthcare facilities. It will improve access to broadband telecommunications services in rural areas.

The Bill also expands funding for a host of conservation programs, including the Environmental Quality Incentives Program (EQIP). Maintaining the 60 percent share of EQIP funding for livestock is extremely important to North Carolina's poultry and pork producers.

As a representative from one of the most agriculturally diverse states in the Nation, and a member of the Horticulture and Organic Agriculture Subcommittee, I am particularly pleased that we are providing, for the first time ever, mandatory dollars for programs that benefit fruit and vegetable producers as well as the ever growing organic agriculture industry.

For our tobacco farmers who have been trying to get into specialty crop production since the buyout, these new programs will support the industry through projects in research, marketing, education, pest and disease management, production, and food safety.

We are strengthening the nutrition title through extra money for the Emergency Food Assistance Program; raising the minimum benefit for Food Stamps, which hasn't been done since 1977; and eliminating cap on dependent care, which opens up the program to more working families.

We are reforming crop insurance to provide better coverage for organic producers; expanding data mining to root out waste, fraud, and abuse; and providing an extra option for producers to obtain supplemental area-based crop insurance in addition to their current revenue or yield policies.

We have accomplished all this, and so much more. But we did it with a responsible budget. Operating under the Pay As You GO (PAYGO) requirements has posed difficult challenges for the Agriculture Committee, but I believe we have managed to preserve for farmers a sound safety net that provides extra protections, while staying within our budget.

In addition to my service on the Agriculture Committee, I serve on the House Budget Committee. Yesterday, we had a hearing with the Director of the Congressional Budget Office and the Comptroller General of the United States.

They testified about the budget calamity this Administration and the previous Republican Majority have left this country in. A calamity which made the job of passing a farm bill that much harder this year.

According to their testimony, were it not for the policies of this Administration and its Republican allies in Congress, the federal budget would be in balance today.

Yet the Republican priorities are so out of whack that today, one of the fastest growing segments of the federal budget is interest on the national debt.

And most of that debt is financed by foreign countries like China who may not always have America's best interests at heart.

It was a Democratic Congress that restored fiscal discipline to the federal budget through PAYGO rules, and this Farm Bill responsibly adheres to those rules.

I thank the Chairman for his hard work on moving this bill to this point, and I urge my colleagues to support farm families, support feeding children, support moving to renewable fuels, and vote for H.R. 2419.

Mr. GOODLATTE. Madam Chairman, at this time I am pleased to yield 2 minutes to the gentleman from Texas, another of the subcommittee ranking members on the Agriculture Committee, Mr. NEUGEBAUER.

Mr. NEUGEBAUER. Madam Chairman, I woke up on Monday this week very excited about the opportunity to bring this farm bill to this floor, but as you can imagine, my disappointment tonight because of the culmination of 2 years worth of hearings all across America, subcommittee hearings, 31 hours of markup in full committee working on a bill that is going to be good for America, good for American agriculture, working in a bipartisan way to make sure that all of agriculture has a bright future for this country, making sure that America will have a good source of food and fiber for the years to come and that it will not become dependent on importing food as we have become in importing energy in this country.

And you can imagine my disappointment because we've worked in a very bipartisan way with the chairman, working on the safety net for American producers when the commodity prices were low and then working on a safety net when we have drought conditions, weather conditions, to provide an additional safety net for them.

But unfortunately, we were duped, I guess is the best way I can say it. As we were working along with the leadership, they kept saying we are going to find some additional offsets so that they can expand these nutrition programs while at the same time asking American producers to take cuts in payments, but with the understanding that we weren't going to have any new taxes. Unfortunately, Madam Chairman, that isn't the way this farm bill was written up.

Today, without any debate, without any discussion, the American people's farm bill was put in jeopardy. It now faces a Presidential veto. It now faces opposition from Members of this body that would have voted for this farm bill, but now they are not going to vote for this farm bill because it raises taxes.

And what we've known and what we've tried to say to the American people over the last few months is we knew this was coming because this new leadership has started off on the old way they used to do business under the promise of doing business in a new way, by taxing and spending, taxing and spending. And it's unfortunate that we would bring that kind of politics to the American farm policy.

Mr. PETERSON of Minnesota. Madam Chair, may I inquire as to how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Minnesota has 5½ minutes; the gentleman from Virginia has 17½ minutes.

Mr. GOODLATTE. Madam Chairman, at this time, I am pleased to yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I thank the ranking member for yielding time.

Madam Chairman, we started off in a very bipartisan way to put this together. We worked in good faith. We worked long hours to come up with a really good farm bill. And when it was all done, we all felt very good about it. We had a great night. We patted ourselves on the back, very pleased with the commodities program, pleased with conservation. It was a good bill.

And where are we today? We've had this tax provision put in at a late hour. We have a tax provision that was not properly vetted by the Ways and Means Committee. It was placed in this by the Democratic leadership, using the Rules Committee to legislate. And this has threatened a very good farm bill.

There are problems with this. First of all, I don't think we really know

what the real impact is going to be with this tax provision on the cost of feed, fertilizer and pesticides. Many of the companies that are going to be taxed with this new tax will be forced to raise prices on this. And our farmers are already suffering from the high cost of inputs, particularly in my State of Louisiana, which is suffering from the aftermath of two hurricanes.

Furthermore, this bill has Davis-Bacon provisions in this which are going to hurt a nascent industry, the nascent cellulosic ethanol industry. I spoke to the CEO of a company today, and this is going to raise the cost of building these new facilities by 10 to 20 percent. This is an industry that we want to see grow. We don't want to tax it.

Finally, the bill places unfunded mandates on the States. I tried in committee with an amendment and tried to get this to a full floor debate to help our States continue to modernize the Food Stamp program, to have the flexibility to do the right thing. This bill, the underlying bill, has provisions in it that take away the flexibility that our States currently have. It puts the State of Indiana in real jeopardy, at risk of losing $100 million.

This bill is less and less about farmers and it's more and more about pure raw politics.

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Mr. GOODLATTE. Madam Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Texas (Mr. CONAWAY), a member of the Agriculture Committee.

Mr. CONAWAY. Madam Chairman, this bill left our committee on a bipartisan basis and with my enthusiastic support. I agree with many of the laudatory comments made by my colleagues across the aisle. You will hear that there is a broad group of associations, commodity groups, and, most importantly, producers that support the bill that left our committee.

Now you need to know the rest of the story. My colleagues and I were repeatedly told that the necessary offsets would not come from tax increases. We have just heard Chairman RANGEL confirm that his taxing committee provided taxes for the offset. I was misled, I hope unintentionally, but nonetheless misled. Over the last 48 hours, poison pills have been added that the cynical among us would conclude were intentional; short-sighted, but intentional.

Each of us must weigh the good and bad in all the legislation that we consider. Great judgment is required. Last week at this time, almost at this exact time, I fully expected to be here tonight perhaps fighting off bipartisan opposition to this bill, but nonetheless supporting this bill, not participating in a raw, partisan fight that was totally unnecessary.

This bill is proproducer and prohungry around the world, but it is antibusiness and antimanufacturing jobs. It is an affront to States rights and unnecessarily panders to unions.

Sadly, we have gone from a bill that should have passed with broad bipartisan support to one that will not enjoy that support.

Madam Chairman, I urge my colleagues to oppose it.

Mr. PETERSON of Minnesota. Madam Chairman, I yield 2 minutes to the chairman of the Livestock, Dairy and Poultry Subcommittee, my friend, the distinguished gentleman from Iowa (Mr. BOSWELL).

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

Mr. BOSWELL. Madam Chairman, I thank the chairman for his hard work.

Madam Chairman, how many times do we have to hear over and over and over from the borrow-and-spend community across the aisle here? I hope that they would remember there are positive things that happened.

We brought the livestock community together. They are moving forward. It is good for America. We brought the dairy community together. For perhaps the first time, there is no dairy war going on because they sat down in a compromise. We can't thank them enough. You might remember that. Also, we addressed the issue of mandatory country of origin labeling. We worked out a compromise. We are going to go forward and meet the consumers' wishes on that.

As chairman of the Livestock, Dairy and Poultry Subcommittee, I cannot say how pleased I am for those compromises and the overall steps this legislation takes. Is there still room for improvement? Sure, there is. But the Agriculture Committee came together and wrote a farm bill for 50 States that would not only benefit farmers, ranchers and rural America, but benefits everyone.

As everyone walks away today at the time when we finish this bill, I would like them to remember one thing: Every man, woman and child has a vested interest in agriculture. By ensuring that our producers have an adequate safety net, we in turn ensure we have the safest, most plentiful and affordable food in the world.

Mr. GOODLATTE. Madam Chairman, I yield 1 minute to a distinguished member of the Agriculture Committee, the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Chairman, I am a proud member of the Agriculture Committee. My grandfather was a county agent. My mother was an extension service agent. One out of three Nebraskans make their living in the field of agriculture.

Of all the rancor and divisiveness in this House, the Agriculture Committee has been one place where cooperation and comity is the tradition. I was proud to be a part of crafting this farm bill. The farm bill passed out of committee by a voice vote. No one objected.

It is not perfect. It is a huge piece of legislation with many moving parts. But I felt that it did make progress in promoting agriculture entrepreneurship, agriculture-based energy production and a renewal of conservation in land stewardship goals.

But the end of this process has been seriously disappointing. The spirit of the Agriculture Committee's work has been violated. I want a vibrant agriculture system that feeds our country, helps feed the world and in turn preserves a way of life, a tradition that marks the character of our great country.

Madam Chairman, I urge the majority party to get this process back on track.

Mr. PETERSON of Minnesota. Madam Chairman, I yield 2 minutes to my friend, the gentleman from California (Mr. BACA), another of our great subcommittee chairmen, the chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry.

Mr. BACA. Madam Chairman, I rise in strong support for this farm bill. Let me say that clearly this bill does not increase taxes. As chair of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, I want to say that I am especially proud of this farm bill, what it does for the nutrition of minorities, seniors, disabled, single parents and for our veterans.

Right now there are 38 million Americans who do not have enough to eat. Eleven percent of the population are going hungry. Today in the Latino community and the African American community, that rate is double.

This farm bill fights hunger in America by making an historic investment in nutrition. Our nutrition title will benefit over 13 million American families.

Currently the average food stamp recipient receives only $21 a week. That is unacceptable. This farm bill will make food stamps keep up with the cost of living. Gas, health care, housing and grocery bills have gone up, but food stamps haven't kept up. We are going to change that.

This is going to help working families, our disabled, our senior citizens, our veterans and our single parents. Most importantly, it is going to help our children. Fifty percent of food stamp recipients are kids. That is what this farm bill is about: feeding our children; leaving no child behind. This farm bill will ensure that children will have access to fresh fruits and vegetables in all schools by expanding the USDA snack program to all 50 States.

This farm bill ensures that senior citizens and disabled adults have enough to eat by continuing the Commodity Foods Supplemental Program and expanding access to farmers' markets.

What it will also do is help military families. For the first time, this bill exempts military combat pay from being counted against the income of men and women who are fighting for us.

Madam Chairman, I urge my colleagues to vote for this bill. It is an excellent bill that meets needs across America and helps all of us.

We're also going to make it easier for them to handle their paperwork processing by allowing telephone signatures.

And what about our military families? This is the first Farm Bill to exempt Special Military Combat pay from being counted against our military families who are trying to make ends meet while their loved ones are serving in places like Iraq or Afghanistan.

We have fought to ensure that Food Stamps cannot be privatized—and we have taken an extra step in this Farm Bill to remove the stigma in the Food Stamp program.

We are going to eliminate embarrassing coupons, transition everyone to EBT cards and change the name of the program to the Secure Supplemental Nutrition Access Program, or SSNAP.

Now our working families will be able to go to the store, swipe their SSNAP cards and bring food home to their children with dignity.

We also help support our food banks and soup kitchens by giving large increases to The Emergency Food Assistance Program.

The ''TEE–FAP'' not only serves our homeless, but provides life-saving assistance to our families after natural disasters, like Hurricane Katrina.

Simply put, this Farm Bill strengthens our Nutrition safety net like no other firm bill has ever done before!

This farm bill is also historic in its commitment to diversity in Agriculture.

This bill increases agriculture opportunities for underserved communities such as African Americans, Hispanics, Native Americans, and Asian-Pacific Islanders.

We give $150 million dollars in mandatory funding for outreach to small and socially disadvantaged farmers.

This bill also requires an annual report to Congress to see if our outreach to minority farmers is working.

The Farm Bill also creates an Advisory Board to deal with civil rights violations.

We require that 10 percent of conservation funding go to our small and disadvantaged farmers and ranchers.

The Farm Bill also creates new programs and increases funding for minority serving institutions and tribal colleges.

In addition—we have preserved the Davis-Bacon provision to ensure workers in rural America earn a decent wage.

We have worked hard to create a Reform Farm Bill that includes all of us—farmers, working families, minorities, urban communities, rural America.

This bill is a good bill that will ensure that all Americans get a fair shot.

It makes a historic investment in nutrition and increases opportunities for traditionally underserved communities. I urge my colleagues to support this vital legislation.

Mr. GOODLATTE. Madam Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. MCCARTHY), a new member of the committee who has distinguished himself.

Mr. MCCARTHY of California. I thank the ranking member.

Madam Chairman, I rise today in disappointment. Disappointment, because only 6 months ago I sat in this chair to be sworn into this body, and I listened to our Speaker sit up at that podium and say this body was going to talk about partnership, not partisanship.

When I went onto the Agriculture Committee, I thought I found that partnership. For 6 months, we worked in a bipartisan manner, and I will tell you, I was proud of the fact to work with my colleagues, my colleagues like JIM COSTA and DENNIS CARDOZA. We worked together in a bipartisan fashion on bills such as this farm bill. We even looked to the 21st century and putting in specialty crops. We have done tremendous items when it comes to this farm bill.

But I will tell you that that was all taken away this week. That all changed when we now decide to raise taxes, $4 billion. Instead of looking for the future, instead of thinking of our children, who are going to compete for the first time since the 1860s, to have economies that are going to compete in America, to be as large as or even larger when you talk about China and India, now we are going to take away jobs. That is not partnership. That is partisanship.

And it is not like we bring up a farm bill every year, or we even bring it up every 2 years. We only talk about a farm bill twice every decade. We are missing an opportunity. We are missing a very big opportunity.

That disappointment, when I think back 6 months ago when I listened to our Speaker say that, I listened earlier tonight to our debate when we had our chairman from the Ways and Means Committee down here talking about why he wanted to raise taxes. And I listened earlier this week when we had appropriation bills, and you wonder where does the money go? We build monuments to ourselves, because people think they have served in this body long enough that they should spend $2 million building their own libraries. That is not what the American people are asking for. That is not what the American people are looking for.

I guess I when I think back 6 months ago, the Speaker should have looked at a quote from Dwight Eisenhower, when Dwight Eisenhower said, ''You don't lead by hitting people over the head. That is assault, not leadership.''

Let's send this bill back and have real leadership, and go back to the bipartisanship that the Agriculture Committee has experienced for the last decades, because there is only two chances we have for it for the next decade.

Madam Chairman, I ask for a ''no'' vote.

Mr. PETERSON of Minnesota. Madam Chairman, I yield for purposes of a unanimous consent request to the gentleman from California (Mr. CARDOZA), the subcommittee chairman of the Subcommittee of Horticulture and Organic Agriculture, one of our outstanding Members, who has done a great job.

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

Mr. CARDOZA. Madam Chairman, I rise in support of the bill.

Mr. Chairman, I'm proud to stand with you, on the House floor, at this historic moment in the development of U.S. farm and food policy.

For the first time in the history of the farm bill, this year our farm policies will put fruit and vegetable growers on an equal playing field with commodity farmers. Fruits and vegetables are a growing and important component of American agricultural output.

In 2006, U.S. production of specialty crops—fruits, vegetables, tree nuts, dried fruits and nursery crops—accounted for $53 billion, or 44 percent of total U.S. crop receipts.

The fruit and vegetable industry benefits from marketing, research, and educational programs, rather than traditional crop subsidies, to manage the challenges of increased global trade and foreign competition. These challenges include increasing domestic consumption, reviving export growth, aggressively managing food safety, and mitigating pest and disease problems.

The 2007 Farm Bill addresses these challenges by providing $365 million in new mandatory funding for the specialty crop block grant program. Block grants are vital for ensuring that solutions to these myriad challenges are flexible and locally driven.

This bill also responds to the pest and disease management needs of the specialty crop industry by establishing a comprehensive early pest detection and surveillance program. The bill provides $200 million in mandatory funding for this new program to work in cooperation with State departments of Agriculture.

The needs of America's nurseries are addressed by directing USDA to collaborate with nursery industry organizations as it develops, tests, and disseminates new systems of nursery pest and disease management.

It also establishes within USDA a program for a National clean plant network. This network will provide a sustainable source of pest and disease free horticulture stocks.

ORGANIC AGRICULTURE

This bill responds to the preferences of consumers across the United States by making an unprecedented investment in organic agriculture. Organic foods are the fastest growing sector of U.S. retail food sales—growing at approximately 20 percent annually over the past decade.

In 2006 organic retail sales reached almost 3 percent of the entire United States food and beverage market. The 2007 Farm Bill recognizes growth in the organic food sector by expanding the assistance available to producers converting from conventional agriculture to organic production.

To help with the transition the 2007 Farm bill provides $22 million in mandatory funding for the National Organic Certification Cost Share program.

Organic farmers need reliable market information to assist them in production and marketing decisions.

This bill does that by providing $3 million in mandatory funding for data collection on price, production volume, and other organic market characteristics. Most data currently collected by USDA is of little relevance to organic producers because it is collected without regard to the method of growing.

The historic recognition of the horticulture and organic industries in the 2007 Farm Bill is an important accomplishment and sets American farm policy in a new direction for the 21st Century.

Mr. PETERSON of Minnesota. Madam Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. SCOTT), one of our great committee members and a great friend of mine.

Mr. SCOTT of Georgia. Madam Chairman, we are at an extraordinarily important moment. The people of America are watching us all across this country.

The U.S. agricultural community and industry employs over 20 percent of our entire workforce and accounts for $3.5 trillion every year in our economy. And it is just somewhat baffling to me as we look, and we have worked together in the committee to get many competing forces together, that the gentleman and gentlewomen on the other side of the aisle would turn their backs on the American people and all the work that we did together and in bringing these competing forces together, whether it was black farmers or our Traditionally Black Colleges, or food stamp recipients, all with compelling needs, country of origin labeling, on a whimsical excuse, because we had to balance and score this at a time so that we would have pay-as-you-go so we wouldn't put it on the backs of our children and grandchildren to pay for this farm bill; went to Ways and Means and asked them to find a way to get us $4 billion, and they went and got a way that was first presented by President Bush.

President Bush said, let us close this loophole on foreign companies that are using what is known as earning strippings to stop paying taxes like every other American business. When President Bush said this just 6 months ago, there was no hue and cry about a tax increase.

There is no tax increase on this. This is a good bill. Let's pass it.

Mr. GOODLATTE. Madam Chairman, I yield myself 20 seconds to say to the gentleman from Georgia that no one on this side of the aisle is turning their back on anybody. We are simply recognizing that increasing taxes in order to pay for what is in this farm bill is the wrong thing to do. To set businesses who have invested in this country and the American workers whose jobs depend on them against that is very, very wrong, and I would suggest to the gentleman that everyone I have talked to has called this a tax increase.

Madam Chairman, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), a distinguished member of the committee.

Mr. WALBERG. Madam Chairman, after months of bipartisan work in the House Agriculture Committee on a farm bill that meets the needs of American farmers without raising taxes, House leadership is inserting a 600 percent tax increase on U.S. subsidiary manufacturers in the 2007 farm bill. Democrats want to slap manufacturers, who employ 5.1 million American workers and pay $325 billion in wages, with a massive tax hike.

As representative of a State and a district where the agricultural and manufacturing industries account for a larger share of employment on average than in the rest of the Nation, this is a double slap in the face.

Many are not aware that Michigan, the auto capital of the world, is second in the Nation in agricultural diversity. Not only do I feel like the months I spent canvassing my district meeting with farmers and members of the agricultural community were for naught, I am also deeply worried about the impact of this proposed tax hike on south central Michigan.

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In the Wolverine State, U.S. subsidiaries play a vital role in supporting jobs and employing 201,000 Michiganers.

I just inquire of the other side: Why are we moving away from policies that encourage job development and investment? And what is a tax increase on manufacturers even doing in the farm bill?

The Ag Committee put aside partisan differences and worked together on a bill that meets the needs of American farmers without raising taxes. The House should be voting on that bill, crafted in a bipartisan manner, that meets those needs without foisting this on the public.

Mr. PETERSON of Minnesota. Madam Chairman, I reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, I yield 1 minute to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Madam Chairman, I thank Mr. GOODLATTE for all of his time and hard work on this legislation, as well as the members of the committee who traveled to Washington State for a farm bill listening session last year.

I rise today to highlight the need for a strong farm policy that will ensure the success of farmers in eastern Washington and across the Nation. Agriculture is the number one employer in Washington State, and in eastern Washington, a $1.1 billion industry.

I support a farm bill that makes a strong commitment to specialty crops by investing in nutrition, research, pest management, and trade promotion programs.

Whitman County is the leading producer of wheat and barley in the United States. The 2002 farm bill changed how marketing loan rates were calculated for wheat, and as a result, our wheat growers have been left out of the intended safety net. Although I believe to ensure fairness we should calculate counter-cyclical payments by class of wheat, I am encouraged that growers will have the option to choose a revenue-based payment.

I am disappointed dried peas and lentils were not placed on equal ground, but we can work on that later. I am committed to working for policies that will help our farmers and ranchers compete. However, I am disappointed that this bill will raise taxes on companies.

Mr. GOODLATTE. I yield 2 minutes to the gentleman from Iowa (Mr. KING), a member of the committee whose work we appreciate.

Mr. KING of Iowa. Madam Chairman, I thank the ranking member for yielding me this time.

I said earlier there were five reasons to vote against this bill. I just sat down and wrote a list. Now there are seven. Some of them have been added to it since it passed the committee. We are facing a tax increase, a huge tax increase. That is something that a lot of us can't cross.

The abrogation of treaties. When you think about the implications not just of companies doing business in the United States but the reaction when the retribution comes from foreign countries when they start to change their trade agreements and treaties with us. That is going to mean it is going to be nearly impossible for us to negotiate bilateral trade agreements, WTO trade agreements; and that draws a bright line against trade.

There is Davis-Bacon wage scale in this bill. I will make the prediction that the 5th Congressional District of Iowa will remain the number one renewable fuels congressional district in America. Last year we put over a billion dollars of private capital into that, and we did so without the Davis-Bacon wage scale. We did it with merit shop wages. We built good plants, state of the art, and developed the technology. We are number one in biodiesel in my district. We will be number one in ethanol by the end of this season. We will stay there because they are not going to use this component because they will not be able to afford it. It is a 20 percent increase in cost. Where you could build five plants before, now you can only build four. We have a 46 percent increase in Food Stamps under the argument of food insecurity, but yet no one was going without food. They just thought some future meal they might have to worry about. So 46 percent increase in food stamps.

The Pickford v. Glickman that was mentioned by the gentleman from Georgia, there were black farmers that were discriminated against. And some were. But a billion dollars was paid out to some of them. And $100 million was spent in administration of Pickford, and I looked into that. What we have are 18,000 black farmers in America, 96,000 claimants and a future liability to this bill of $3 billion in the Pickford piece. I know it is not all authorized, I know we have not found all of the money, but you open the door to that.

I will vote ''no'' on this bill.

Mr. GOODLATTE. Madam Chairman, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON), the distinguished ranking member on the House appropriations agriculture subcommittee.

Mr. KINGSTON. I want to commend the members of the Ag Committee on a

bill that is well put together in some parts. As the chairman knows, he has been very generous with his time, talking to me about the cotton section, the peanut section, and fruits and vegetables. I think there was a lot of good bipartisan support. I commend the committee for that.

Unfortunately, so much of this bill is not direct agriculture. So much of this bill, 60 to 70 percent, and this is true with all farm bills, it is the entitlement section, the school nutrition programs, there are a number of problems I have with that.

Number one, this tax increase is to support an increase in the entitlement section. It doesn't go directly to farmers or help the dirt farmer. It is not intended for that.

I have problems with the tax increase, and I do think it should have been gone through the Ways and Means Committee where it could have been thoroughly vetted and people could have decided what does this mean, because the truth of the matter is there are question marks on both sides.

The second thing, in agriculture appropriations we have had lots of hearings on the Indiana privatization of food stamps. I think it is a great program. I think reducing the government bureaucracy so that you can get more money to the people who need the food stamps, I think that is a good fundamental idea. I think it is one that President Clinton would have appreciated. It is searching for the third way. Not always a Democrat or Republican solution is adequate; you have to come up with something else. This is a hybrid program. This is a privatization program, and I know that is a bad thing for many on the fringe left, but I think most of us in the ag community will agree that it is a good thing. And yet this bill stops that.

The third thing is the special-interest payoff to the unions. Can you imagine, here we are at an energy crisis time. It is $3.05 if you shop all over town to find the bargain, and we are going to increase the cost of producing ethanol. We are going to say if you build an ethanol plant, you have to use the highly inflated union prevailing wages. It is a special payoff to the unions. We should not increase the price of producing energy during a fuel crunch. It is that simple. This bill does that.

Finally, one of the things that we all do, Republicans and Democrats, we want to balance the budget. We want to cut out the waste, as long as it is done in a different district than ours.

Now, the farm service agencies, there are too many of them. There are 58 that don't even have staff. This bill prevents them from being closed. We need to close some of the farm service agencies. Because of technological changes, we can do that without hurting the farmers, and yet this bill will prevent that from happening. One thing we are all hypocrites on is, hey, let's balance the budget; but, oh, not here where we have an opportunity to balance the budget. I think that is something that is ill conceived. I know there is bipartisan resistance on that, and it is very difficult for all of us.

I have four farm service agencies in my district that are being closed; and I tell you, it is tough. I hate to see any of them closed, but I realize in the big picture if you want to save money for the farmers for other programs, sometimes you have to make these decisions.

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

I would just say, Madam Chairman, that we reach this point in a process that has been going on for about 2 years. It spanned both my chairmanship and the current chairman's chairmanship. It has encompassed a great deal of effort to write a bipartisan farm bill. We have listened to hundreds of farmers. We have received input from thousands of farmers and ranchers and others interested in this legislation.

We address the reform that has been requested in a farm bill. We have addressed the concerns about more funding for fruits and vegetables for nutrition and conservation and renewable fuels. And then to have this tax increase injected into this process after the bill has left the committee is why you have heard every single Member on this side of the aisle speak about how they feel betrayed by this process. It is unfortunate for us, but it is also unfortunate for this farm bill because what happens when it leaves the House, if it passes at all, will be very different than if it passed leaving this House with a veto-proof majority. That opportunity has been lost.

I would say to those on the other side of the aisle we can fix that if we would simply slow down and take a look at the appropriate way to pay for the additional funding that is due this committee because we took a $60 billion cut in the budget. The way to do that is to vote for the motion to recommit that we will offer later on that will say you can have this farm bill that we have all praised and send it back to the committee to look for an appropriate way to do this without pitting American agriculture against American industry by having a tax increase imposed to pay for the things that are in this bill.

That's the appropriate way to proceed here. That would restore the bipartisanship that is needed in this process, and that would restore a good future for this farm bill, which is very much endangered because of the injection of this partisan tax increase that has been laid at our doorstep, the most bipartisan committee in the House of Representatives that has worked so hard and so long. And to be faced with this at the end is wrong. I do not support this legislation.

Mr. PETERSON of Minnesota. Madam Chairman, I yield myself the balance of my time.

I would say to the gentleman from Virginia (Mr. GOODLATTE) we have enjoyed working with you and your Members, but I don't agree with you. I don't believe there is a tax increase in this bill. I have looked at it. I am a CPA, and I think you can say it either way, but I don't believe it is a tax increase.

The $60 billion did come out of baseline not because anybody cut it, but because the program worked the way it is supposed to. Prices are up and spending went down. We are missing the money, but it wasn't because anybody cut it.

We have a good bill, and I encourage all Members to support it.

Mr. BISHOP of Georgia. Madam Chairman, I rise today in strong support of the Farm, Nutrition, and Bioenergy Act of 2007. I'd also like to thank the members of the Agriculture Committee for their commitment to this effort which has yielded a farm bill that is a victory for all Americans.

This bipartisan agreement provides a strong safety net for not only our Nation's family farmers and small and disadvantaged farmers, but also for millions of American citizens who live below the poverty line and are dependents on Federal nutrition assistance.

Committee members worked diligently, day and night for weeks, to ensure that funding levels and payment limitations were fair, equitable, and available to farmers. It ensures a flexible, affordable and top-quality food supply for consumers while strengthening America's food safety and security.

The farm bill provides a 5-year reauthorization of the farm, rural development, conservation, and nutrition programs administered by the U.S. Department of Agriculture, USDA. The 2007 farm bill is fiscally responsible, fully compliant with the PAYGO rules, while still providing a strong safety net for America's farmers and ranchers. It makes vital investments in nutrition, conservation, and renewable energy. This bill will help producers of all commodities stay on the land that they hold and love, so that they can continue with their livelihood, while also conserving natural resources for future generations.

The bill before us today also addresses many of the needs of those in southwest and middle Georgia, Georgia's 2nd Congressional District, which I represent, in terms of protecting our Nation's farmers, conserving our natural resources, and feeding the hungry.

In addition, the bill will provide better balances in support programs between all types of crops. The bill's reforms further encourage farmers to plant for the market, and not for the benefit of government programs. It also provides a sharp increase in funding for fruit and vegetable and other specialty crops, mandates implementation of country of origin labeling, and increases assistance to small and disadvantaged farmers significantly, including important new language with respect to the Pigford case. In addition, the bill increases funding for school lunch and other nutritional programs, and provides for new and extended conservation, research, trade promotion, and rural development programs.

This bill makes much needed strides in reforming the nutrition title to better help Americans adequately cover food costs and sustain themselves for the entire month. It increases the minimum benefit for food stamp recipients, which is especially important for senior citizens in need. It also helps feed our military families by excluding special combat pay as

income when qualifying for food assistance programs.

Finally, I am particularly pleased that the bill proposes and improves the quality of life of the people living in our rural communities by renewing successful programs that provide critical healthcare, emergency and communications needs to underserved areas. It creates a new grant program to assist rural health facilities, improves access to broadband telecommunications services in rural areas with a greater focus on the rural communities of greatest need, and supports critical infrastructure programs for rural cities and town.

Today, I urge my colleagues on both sides of the aisle to ''Protect our Farmers.'' They protect us by satisfying our most basic needs—food, fiber, and fuel. Let us pass this Farm bill today for our farmers across this great Nation who desperately need this support, so that they are able to continue producing a safe and reliable food source.

I urge my colleagues to join me in voting for this bill.

Mr. SHULER. Madam Chairman, this bill includes important reforms that will help conservation efforts by private forest landowners. Today I offer an amendment to help out a little more.

Over 260 million acres of forest lands are in the hands of families and individuals. At least 75 million acres of forests are part of farms. Forests provide habitats for wildlife, a source for clean water, and places to hunt, fish, hike and enjoy other recreational activities.

But many of our privately owned forest lands are threatened by insects or diseases, and these threats are real. Most of the insects or diseases are non-native and invasive, making them difficult to contain.

In my district, private landowners expect to lose all of their hemlocks from the attack of the hemlock wooly adelgid. This loss would permanently alter the diversity and unique forest environment in our region.

Madam Chairman, this bill provides emergency restoration funding for private forest lands that experience a loss or damage from natural disaster. My amendment would take this one step further and allow the emergency restoration funds to be used for treating private forest lands under imminent threat of attack by insect and disease.

In the case of insect or disease, we must stop their invasion before they create the disaster. Preventing the losses will save money and save our forests. Prevention is less expensive than restoration.

Madam Chairman, I thank the members of the committee for their work on this bill to support healthy forests, and I urge my colleagues to support the Shuler amendment.

Mr. HARE. Madam Chairman, on behalf of Illinois agriculture, I rise in strong support of the Farm, Nutrition, and Bioenergy Act.

This bill maintains a viable safety net for our farmers. Since my congressional district receives the second most crop payments of all the freshmen in Congress, a strong subsidy program is critical for farmers in the 17th Illinois Congressional District.

Additionally, the bill encourages biofuel research and production, which are vitally important to my congressional district and the energy security of our Nation.

The 2007 Farm bill also supports rural America through programs that provide healthcare, emergency communications, and broadband telecommunications services to rural areas.

Before the bill passed out of committee, I joined with many of my colleagues to ensure it funded nutrition programs so that Americans continue to have access to a high quality and inexpensive food supply.

In response, the bill increases the minimum benefit for the Food Stamp Program for the first time in more than 30 years.

For the safety and security of our food and the future of U.S. agriculture, I urge all my colleagues to support the passage of H.R. 2419.

Mr. HOLT. Madam Chairman, our Nation's food inspection system is a critical safeguard in guaranteeing the health and welfare of all Americans. However, the federal protections that have existed for over 40 years are now threatened by a provision in the Farm bill that would allow meat and poultry inspected by state inspectors to be sold across state lines.

The Nation's food inspection system has served our Nation well by providing clear guidelines and a network of dedicated professional Federal inspectors. Its roots go back to the early 1900s, where a Federal inspection system became one of the landmark legislative accomplishments of President Theodore Roosevelt. While occasional problems have developed, on the whole, our national meat and poultry inspection system has been an unqualified success, with minimal incidents of food borne illnesses due to poor practices, handling or hygiene.

So why would we change a system that is so successful? It is my understanding that this change is being proposed to encourage the growth of small meat processing facilities as well as create new markets for state-inspected meat. While more competition and building new markets are laudable goals, they need not come at the expense of food safety or result in the dismantlement of the federal inspection system. No one has made a compelling case that the federal inspection system has truly hindered competition or market development. Thousands of small plants do well under the current inspection reglme.

However, in making this change, we are opening the door to problems that could multiply the exposure of consumers to food borne illnesses and food poisoning. The record of plants subject to state inspection is troubling. The USDA IG has repeatedly found that state inspection regimes often do not meet basic requirements for sanitation or cleanliness.

Despite this, language was added to the Farm bill to roll back these protections. A letter to Congress from a coalition of groups promoting food safety pointed out that the provision would:

> Eliminate the 40 year old protection in the federal meat and poultry inspection acts that prohibit shipping state inspected meat across state lines.
>
> Make 80% of all federally inspected plants eligible to leave federal inspection in favor of state programs which supporters of the bill insist are more understanding of company problems.
>
> Not allow states to impose additional or higher food safety standards.
>
> Ignore the inability of states to implement recalls of adulterated meat and poultry that have crossed state lines.

The potential for the spread of food-borne illnesses across the country will only increase if we are to allow this provision to remain in the legislation. I plan to work with my colleagues to ensure that this troubling provision be dropped when the conference to the Farm bill is convened. Americans deserve the piece of mind that comes with the knowledge that the next meal they consume will not make them sick nor cause them harm.

Mr. BLUMENAUER. Madam Chairman, I'd like to thank Representative ALCEE HASTINGS for bringing together, in his amendment, two important pieces of legislation for research funding and protection of habitat for pollinators—the bees, birds, bats and other animals and insects that help sustain more than two-thirds of the world's crop species. Pollinators are responsible for one out of every three mouthfuls of food eaten.

Despite the critical role that pollinators play for our food supply and ecosystem health, we are seeing disruptions of localized pollination systems and declines of certain species of pollinators on every continent except Antarctica. Populations of a variety of pollinator species have been declining in recent years due to loss of habitat, improper use of pesticides and herbicides, replacement of native plant species with non-native or engineered plants, and the introduction of non-native, invasive species, either by accident or through farming practices.

I'm pleased to see that this amendment places a greater emphasis in existing USDA conservation programs on habitat and other pollinator-beneficial best management practices to protect and enhance native and managed pollinators, which was the key component of H.R. 2913, which I introduced this Congress.

In addition, the amendment provides research funding to address Colony Collapse Disorder in honey bees places, an issue championed by my friend Mr. HASTINGS and his bill, H.R. 1709.

This amendment will help keep pollinator populations healthy and improve the viability of our food supply and our environment. I urge its adoption.

Mr. BARTON of Texas. Madam Chairman, this is an unfortunate day. Today, here on the floor of the House of Representatives, we are witnessing a blatant disregard for sound policy, fiscal restraint, and due process by the Majority Leadership. The Farm Bill that we are debating today is not the bill that was reported out of the Committee on Agriculture. It is a product of a late night raid by Leadership on the rules process to insert yet another tax increase.

Farm programs have always had their champions and their detractors, but in the 22 years that I have served in this body, it has never been a partisan issue. I have voted in favor of almost every Farm Bill that has come before me, but I cannot vote for this one. I have consistently supported the hard working farmers and ranchers in my district, and I will continue to do so. But I cannot support this tax increase that has been added without debate, and without relevant committee input.

Over the past year, I have had the chance to visit with producers from across my district. Practically every single one of them has told me that the Farm Bill we passed in 2002 has proven to be a sound safety net for their various enterprises. The bill that was reported out of the Agriculture Committee continued those proven principals. Unfortunately, this is not that bill.

As ranking Member of the Energy and Commerce Committee, I am also concerned that

this bill, which has an entire title (Title 9) devoted to energy, was never seen by our committee. Beyond that, it seems that the left hand of our Majority in this body does not know what its right hand is doing. As the year began, I was a little surprised that the Majority seemed disinclined to work with me or other Members of the Minority in preparing energy legislation. But now I realize that they do not even consult with each other.

Take a look at the energy provisions of the Farm Bill. They overlap and duplicate provisions in the legislation reported a few weeks ago by the Committee on Energy & Commerce.

The Farm Bill has incentives for increased ethanol production; grants for consumer education on ethanol; a biomass fuel production section, etc.

Meanwhile, the Energy & Commerce Committee has provisions to do these and similar things in its bill. Energy & Commerce has grants for cellulosic ethanol production, consumer education for flexible fuel vehicles, a study of ethanol blended gasoline, and others.

If the Majority would like, I'll be happy to offer my services to help them sort out and reconcile these provisions among the two bills.

Of course, if the Agriculture Committee's bill had been referred to the Energy and Commerce Committee as it should have been, we could have accomplished that reconciliation before the Farm Bill ever got to the floor, avoiding this confusion, conflict, and redundancy. That is why we have rules in this body on jurisdiction and that's why we should go back to following those rules.

Mr. SKELTON. Madam Chairman, from the time I was young, I was taught that a farmer's livelihood depends on two things: the weather and the markets. While the government can't control the weather, federal Farm Bills provide an invaluable safety net, bringing a level of stability to commodity markets that helps farmers stay in business, make plans for the future, and continue to feed America and the world.

The 2007 Farm Bill would ensure farmers have economic stability by continuing the direct payment program and by keeping in place a strong safety net that allows producers to recoup some of their losses when agricultural markets collapse. The bill would give farmers the option of participating in the counter-cyclical initiative that was created in 2002 or in a new, revenue-driven program.

At the same time, the legislation would make historic reforms by prohibiting those who earn more than $1 million in annual adjusted gross income from receiving federal agricultural subsidies, by closing loopholes that have allowed some people to avoid payment limits, and by re-balancing loan rates. These changes in current programs would free up additional revenue for the safety net and for the bill's investments in conservation, nutrition, rural development, and renewable energy.

The Farm Bill would make conservation a top priority by increasing funding and access to conservation programs that preserve farmland, improve water quality and quantity, and enhance soil conservation, air quality, and wildlife habitat. Missouri is a very conservation friendly state, and the Conservation Reserve Program, the Wetlands Reserve Program, and the Environmental Quality Incentives Program, among others, have allowed farmers to more easily address conservation problems and comply with expensive, but important, environmental regulations.

By extending and improving the food stamp program and making a strong commitment to other nutrition initiatives, the 2007 Farm Bill would promote the health of the American people and help families in need. The measure would also renew our commitment to rural development, agricultural research, forestry and energy. Important to Missouri's corn and soybean producers, it would authorize $2 billion in loan guarantees for biorefineries to help finance the cost of developing and constructing renewable fuel facilities. In Saline County, I have witnessed the overwhelming success of Mid-Missouri Energy's ethanol production plant. I am hopeful this bill will foster similar success stories in Missouri and across our land.

Also important to Missourians, the Farm Bill would continue price supports for dairy farmers and create programs for fruit producers. It would also require that all meat sold to American consumers have a country-of-origin label beginning in September 2008. The measure retains the current prohibition on creating a national animal identification to verify the animal's country-of-origin.

I praise Chairman COLLIN PETERSON and other members of the Agriculture Committee for producing a good bipartisan bill. I support it, urge my colleagues to vote in favor of it, and ask them to defeat any attempt to strip away the meaningful safety net included in this legislation.

Mr. WU. Madam Chairman, this year's farm bill creates an education program to give college students an opportunity to participate in policy oriented internships to promote and further develop agricultural biofuels from biomass. I commend the Chairman for incorporating this program into the bill.

The biofuel industry has experienced rapid growth in recent years. Global climate change, and an unstable foreign oil supply, requires the United States to develop alternative energies. To do this, the United States must create leaders in alternative energies. We must recruit the best and brightest across the Nation to participate in the program.

My amendment makes the eligibility criteria fair and opens the door for more qualified students to apply.

As currently written, the program reaches only five specific states. It is important that Congress does not shut out qualified universities and students.

My amendment would expand the program to qualified universities that have fields of study related to the biomass and biofuel industry. Schools with programs in chemistry, environmental sciences, bioengineering, natural resources and public policy would be eligible to participate in the internship program.

This amendment will not add any additional cost to the bill; it will only make the internship more competitive.

Congress needs to provide all students who are studying relevant fields the opportunity to gain practical work experience and to contribute to America's move to greater energy security. As we continue toward that goal, this program will prove invaluable.

I urge my colleagues to vote "yes" on this amendment.

Mr. WYNN. Madam Chairman, as Chairman of the Environmental and Hazardous Materials Subcommittee, I rise today in strong opposition to language contained in the report that accompanies the Farm Bill Extension Act of 2007 (H.R. 2419). The report references a "sense of the committee" amendment that farm animal manure should not be deemed a hazardous substance pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA). The Farm Bill Extension Act does not contain any legislative text discussing whether manure is a hazardous substance under these statutes.

I am strongly opposed to this report language because it would exempt releases or threatened releases of hazardous components of manure from CERCLA and EPCRA.

Large animal feeding operations can be significant sources of pollution. According to the EPA, animal farming operations generate approximately 500 million tons of waste each year, three times more raw waste than is generated yearly by people in the United States. This waste, which is usually untreated by operations, produces hazardous substances such as phosphorous, ammonia, and hydrogen sulfide.

Phosphorous has contaminated local drinking water supplies, requiring additional treatment and resulting in increased costs to ratepayers. The City of Waco Texas for example is spending more than $54 million for capital improvements to address taste and odor problems caused by excessive phosphorous released by cow waste.

I also attach a letter from the Association of Metropolitan Water Agencies, dated July 23, 2007, that discusses the negative impact that such an exemption would have on the quality of our Nation's drinking water supplies.

If hazardous substances from livestock waste are exempted from CERCLA, states and local governments would be denied the ability to protect their valuable water supplies and to recover costs associated with cleaning up these hazardous substances from drinking water sources.

If hazardous substances from livestock waste are exempted from EPCRA, toxic release information would be withheld from communities and emergency responders. Many of the large feeding operations release large volumes of hazardous air pollutants, such as ammonia and hydrogen sulfide. A number of studies have determined health problems among animal feeding operation workers and residents who live near these operations, including bronchitis, asthma and antibiotic-resistent bacterial infections.

This exemption is unwarranted because CERCLA already includes a specific exemption for the normal application of fertilizer. Only those livestock operators who excessively apply manure to the land to get rid of it, rather than use it to fertilize crops, have potential liability.

We should not allow these large animal feeding operations to escape liability for causing pollution to our communities and pass the costs onto community water systems and rate payers.

Livestock waste should not be exempt from the environmental protections that CERCLA and EPCRA provide.

ASSOCIATION OF
METROPOLITAN WATER AGENCIES,
Washington, DC, July 23, 2007.

Subject: Oppose CERCLA Animal Waste Exemption in Farm Bill.

DEAR REPRESENTATIVES: As the House of Representatives prepares this week to consider legislation to reauthorize the Farm Bill, we urge you to reject language that would exempt components of animal waste from designation as a hazardous substance pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). Enactment of such an exemption would bring about serious consequences for the quality of America's drinking water supplies.

During last week's markup of the legislation, the Agriculture Committee adopted an amendment expressing the ''sense of the committee that farm animal manure should not be considered as hazardous substance'' under CERCLA. This follows the introduction earlier this year of legislation in the House and Senate that would specifically exempt animal waste and its components from the law.

As representatives of community drinking water systems, we believe it is important to note that animal manure itself is not currently considered a hazardous substance, pollutant or contaminant under CERCLA. Moreover, the law already contains an exemption for the normal application of fertilizer that includes manure.

However, phosphorus and other CERCLA-regulated hazardous substances that are known to compromise the quality of drinking water are commonly present in animal manure. If Congress were to provide a blanket CERCLA exemption for animal waste, consolidated animal feeding operations (CAFOs) would be free to discharge manure containing such hazardous substances into the environment without regard to its impact or liability for its damages. As a result, the costs of additional treatment to make water potable would be forced upon community water systems and their ratepayers, unfairly shifting the burden of cleanup away from polluters.

Later this year, Congress will celebrate the 35th anniversary of the Clean Water Act, landmark legislation modeled on the belief that all Americans must share the responsibility of maintaining the health of our nation's water supply. Exempting CAFOs from their fair share of this duty not only threatens to reverse the water quality gains that have been realized over the recent decades, but would also set a dangerous precedent encouraging other polluters to seek waivers from our environmental laws.

Again, we urge you to oppose a blanket exemption for animal waste and its components from the important requirements of CERCLA.

Sincerely,

DIANE VANDE HEI,
Executive Director.

The CHAIRMAN. All time for general debate has expired.

N O T I C E

Incomplete record of House proceedings. Today's House proceedings will be continued in the next issue of the Record.