

then build this memorial, not just to show all of the veterans how much we care about them and honor them but also to remind future Congresses that freedom is not free, that a price is very high when the President calls on our Armed Forces to deliver, and when they do, we honor them and will always remember their memory.

Mr. MOORE of Kansas. Mr. Speaker, I just want to again thank Mr. KIRK and Mr. NEUGEBAUER for their very, very hard work and important work on this legislation and colleagues on both sides of the aisle who came together in a bipartisan spirit to pass this.

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

Mr. NEUGEBAUER. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MOORE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 634.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

---

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-125)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I am returning herewith without my approval H.R. 6124, the "Food, Conservation, and Energy Act of 2008."

The bill that I vetoed on May 21, 2008, H.R. 2419, which became Public Law 110-234, did not include the title III provisions that are in this bill. In passing H.R. 6124, the Congress had an opportunity to improve on H.R. 2419 by modifying certain objectionable, onerous, and fiscally imprudent provisions. Unfortunately, the Congress chose to send me the same unacceptable farm bill provisions in H.R. 6124, merely adding title III. I am returning this bill for the same reasons as stated in my veto message of May 21, 2008, on H.R. 2419.

For a year and a half, I have consistently asked that the Congress pass a good farm bill that I can sign. Regrettably, the Congress has failed to do so. At a time of high food prices and record farm income, this bill lacks program reform and fiscal discipline. It continues subsidies for the wealthy and increases farm bill spending by more than \$20 billion, while using budget gimmicks to hide much of the increase. It is inconsistent with our objectives in international trade negotiations, which include securing greater market access

for American farmers and ranchers. It would needlessly expand the size and scope of government. Americans sent us to Washington to achieve results and be good stewards of their hard-earned taxpayer dollars. This bill violates that fundamental commitment.

In January 2007, my Administration put forward a fiscally responsible farm bill proposal that would improve the safety net for farmers and move current programs toward more market-oriented policies. The bill before me today fails to achieve these important goals.

At a time when net farm income is projected to increase by more than \$28 billion in 1 year, the American taxpayer should not be forced to subsidize that group of farmers who have adjusted gross incomes of up to \$1.5 million. When commodity prices are at record highs, it is irresponsible to increase government subsidy rates for 15 crops, subsidize additional crops, and provide payments that further distort markets. Instead of better targeting farm programs, this bill eliminates the existing payment limit on marketing loan subsidies.

Now is also not the time to create a new uncapped revenue guarantee that could cost billions of dollars more than advertised. This is on top of a farm bill that is anticipated to cost more than \$600 billion over 10 years. In addition, this bill would force many businesses to prepay their taxes in order to finance the additional spending.

This legislation is also filled with earmarks and other ill-considered provisions. Most notably, H.R. 6124 provides: \$175 million to address water issues for desert lakes; \$250 million for a 400,000-acre land purchase from a private owner; funding and authority for the noncompetitive sale of National Forest land to a ski resort; and \$382 million earmarked for a specific watershed. These earmarks, and the expansion of Davis-Bacon Act prevailing wage requirements, have no place in the farm bill. Rural and urban Americans alike are frustrated with excessive government spending and the funneling of taxpayer funds for pet projects. This bill will only add to that frustration.

The bill also contains a wide range of other objectionable provisions, including one that restricts our ability to redirect food aid dollars for emergency use at a time of great need globally. The bill does not include the requested authority to buy food in the developing world to save lives. Additionally, provisions in the bill raise serious constitutional concerns. For all the reasons outlined above, I must veto H.R. 6124.

I veto this bill fully aware that it is rare for a stand-alone farm bill not to receive the President's signature, but my action today is not without precedent. In 1956, President Eisenhower stood firmly on principle, citing high crop subsidies and too much govern-

ment control of farm programs among the reasons for his veto. President Eisenhower wrote in his veto message, "Bad as some provisions of this bill are, I would have signed it if in total it could be interpreted as sound and good for farmers and the nation." For similar reasons, I am vetoing the bill before me today.

GEORGE W. BUSH.

THE WHITE HOUSE, June 18, 2008.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from Minnesota (Mr. PETERSON) is recognized for 1 hour.

Mr. PETERSON of Minnesota. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Virginia (Mr. GOODLATTE).

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

I'm not going to take a lot of time because I think people have heard enough about this issue, and we apologize. I guess we have to be in this position, but what we're doing here today is overriding the veto hopefully for the final time on the farm bill because of the enrolling error that was made on the initial override or veto that happened a few weeks ago.

At the time, we made a decision to move ahead. Even though the wrong bill was vetoed, we moved ahead to override that veto, which we prevailed on the floor here by a substantial margin. I think in retrospect that was a good idea because 14 titles of the farm bill have been law since then.

We had a meeting this morning with the Secretary to talk about implementation. So the work has been going on within the department to get ready for implementation. We have gained a couple or 3 weeks in that process. Just a couple of days ago, the administration Secretary put out the loan rates and target prices for this crop year. So that process is moving along.

What this bill does, the 14 titles are now law. The trade title was left out. What this bill does is reenact the entire 15 titles as they were passed by the original conference report and does it all as one complete whole. And in the bill, what it does, it vitiates the 14 titles that have been law for the last 3 weeks I guess, or so.

It cleans up the technical problem that we had created by the enrolling office and puts into law what was intended by the conference committee.

This is a good bill. It has wide support in the Congress, as we have seen by the number of votes that we've had here on the floor. It is not perfect, but it does address all of the issues that have been brought to the Agriculture

Committee by the various different groups that have been interested in this piece of legislation, and I encourage my colleagues to override the veto.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in support of overriding the farm bill veto. Currently, 14 of the farm bill's 15 titles have been enacted into law, and the passage of the veto override will ensure that the whole bill, including the trade title, becomes law.

□ 1530

The content of the bill before us today is the exact same as it was when 317 of my colleagues joined me in May in support of the reform-minded farm bill the House and Senate Conference Committee produced. The only things that have changed are the bill number and the title, all else remains the same.

This farm bill has enjoyed significant bipartisan support in both Chambers. This bill was a collaborative effort crafted by Members on both sides of the aisle and both sides of the Capitol and is historic in the amount and degree of reform that it contains.

We brought this bill a long way with a long list of reforms that lower cost to the taxpayer and increase the efficiency and effectiveness of the programs, yet retains the fundamental purpose for having farm programs to begin with, guaranteeing a stable, reliable, and affordable food supply for the American consumer.

Unlike the last farm bill, which was signed into law by the President of the United States, this farm bill is less expensive and contains many of the reforms that the President requested. So I urge my colleagues to support the farm bill override and ensure that the very same farm bill that has garnered significant bipartisan support in this Congress already can finally become law in its entirety.

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

Mr. PETERSON of Minnesota. Mr. Speaker, I would just take one additional small amount of time to thank my colleague and friend, Mr. GOODLATTE, for the work that he did with me on this bill. As he said, this has been a bipartisan effort; had it not been, we wouldn't be here today. So I very much want to thank him and the other Members on his side of the aisle as well as the Members on our side of the aisle for all their hard work through this process.

And also, I want to mention our staff, both my staff and the minority staff. The amount of time that they put into this bill has been extraordinary, the patience that they showed, having to sit in meetings and not make much progress for a lot of time is what you really want to see in public service. Our staff went above and beyond the call of duty.

So, again, I thank all of my colleagues and urge my colleagues to vote to override the President's veto.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself a moment to say to the chairman of the committee that I also appreciate the very hard work that he put into this very bipartisan effort. And I want to thank the staff on both sides of the aisle.

I do believe that this farm bill contains far more reform than any previous farm bill. And I think the track record in the future in preserving good farm policy to assure the American people, our taxpayers, our consumers of the opportunity to have a safe and abundant and affordable food supply is very, very important. And so I thank the chairman for his hard work for all this time. The two-and-a-half-year process it has taken has finally come to a conclusion. I urge my colleagues to pass this legislation.

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

Mr. Speaker, I ask unanimous consent to reclaim my time.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield 1 minute to the gentleman from Arizona.

Mr. FLAKE. One minute is hardly time to speak against this bill.

Let me just read a statement that was made by the majority leader a couple of days ago. He commented on the budget that was being passed at the time. He said, "There is only one person in the United States of America that can stop spending in its tracks, the only person." He was referring to the President of the United States and putting a lot of blame, if you will, on the President for not stopping spending that I had argued was going on.

Here we have the President standing up and saying, this bill is bloated; this bill is far too big; it spends far too much. Yet the same people who were blaming the President for not standing up to spending are voting now to override the President when he says enough is enough. This is wrong. We ought to stand up—as Republicans at least, if not the Democrats as well—to stand up and say enough is enough. This bill spends too much, far, far too much.

This bill lacks real reform, overspends, hides its real costs with gimmicks, jeopardizes trade negotiations, increases size and scope of government, and is disservice to taxpayers. It contains more than \$5 billion a year in handouts to millionaire farmers and landowners.

It includes the Average Crop Revenue Election program in the conference report, a program that appears to serve the purpose of ensuring commodity farmers get federal handouts even though crop prices are soaring. The

details of the potential liability to taxpayers only came out after passage.

Under the supposed salary cap, married farmers could still be making up to \$2.5 billion and receive direct payments.

It weakened the payment limit for farm subsidies—lifting the limit on marketing loan benefits and increasing the limit on direct payment benefits.

The gaming of the price support program allows farmers to lock in their loan rate when prices are lowest and sell when prices are highest.

The bill adds target prices for additional crops and increases loan rates and target prices for others.

The brand new and permanent disaster title costs \$3.8 billion.

Unfortunately, it includes the extension of marginally reduced ethanol production tax credits and the import tariff—thus continuing the failed federal ethanol program that is responsible at least in part for high food prices plaguing consumers.

The bill includes hundreds of millions of dollars in loan guarantees for the construction of advanced biofuels plants and a Biomass Crop Assistance Program to provide incentives to cellulosic ethanol crops.

This bill forces USDA to sell excess sugar into ethanol production, even though sugar users would continue paying artificially inflated prices (\$4 billion or more). (USDA has estimated that ethanol from sugar is twice as expensive to produce [as opposed to corn-based ethanol].)

The bill included disclosed earmarks, plus an undisclosed and airdropped earmark that provides \$170 million for commercial and recreational "members of the fishing communities" affected by missing salmon, and the "forestry conservation tax credit bond" to benefit the Plum Creek timber company.

This bill represents the worst of legislative process: pandering to special interests, dark of night negotiations, airdropped earmarks worth millions of taxpayer dollars, opposition shut out of the floor process, and a \$300 billion boondoggle bill.

The cost of the bill is not fully offset: OMB says as much as \$20 billion in budget gimmicks and "illusionary" spending stops where funding for programs abruptly ends.

Conferees waived PAYGO, and went "baseline shopping" (did not use the most current baseline). I have said from the beginning: no way to do a Farm Bill without waiving the PAYGO rules. I was proven right.

The President has rightly vetoed this bill not once but twice. We need House Members to stand up for taxpayers.

Ms. DELAURO. Mr. Speaker, I rise in support of the override of the President veto. As a conferee on the farm bill I worked hard to ensure that this bill includes significant improvements to the food assistance program via the nutrition title. A nation with the agricultural abundance we enjoy should not tolerate hunger among its people. This legislation makes important progress in that regard.

Many of its nutrition provisions are important and deserve mention. In the interests of time, however, I will not go into them all. One of the positive aspects of the protracted process of passing the bill is that all Members have had

ample opportunity to review the conference report and floor statements surrounding its passage. This is large and complex legislation, and the legislative history accumulated on its first passage and first override is an invaluable guide to Members.

I found particularly helpful the statements of the distinguished chairman of the Nutrition Subcommittee, Mr. BACA, and his distinguished fellow conferee from the Judiciary Committee, Mr. BERMAN. Among other things, they pointed out that this legislation takes decisive steps to preserve the longstanding ability of households on the food stamp program to seek help through the judicial system when Federal rules on how the program is to be administered are not being met. Specifically, the bill provides explicit recognition of applicants' and recipients' suits to enforce the Food Stamp Act, now the Food and Nutrition Act, food stamp regulations, and civil rights regulations.

This is the right thing to do and it is important. In light of the *Gonzaga* and *Sandoval* cases, some have argued that Congress did not provide this right to injured households and that instead only USDA can require States to change practices that do not comply with the Act or regulations. Those cases were about different statutes and different programs. Nonetheless, recent decisions out of Ohio and New York either questioned the enforceability of Federal regulations or imposed special hurdles plaintiffs must surmount, such as showing a particular degree of egregiousness on the part of defendants. These cases are radical departures from the history of this program and Congress's oft-demonstrated intent.

I agree with Representatives BACA and BERMAN that the Food Stamp Program's needs are different from those in which private rights of action are narrowly construed. And, over the years Congress has recognized that. Individuals that received, or wished to receive, food assistance brought numerous cases against State and local authorities in the 1970s to enforce provisions of the Food Stamp Act, its implementing regulations, and even USDA's certification manual. They did this because USDA lacked the resources to force States to comply with its guidance and directives, including basic services standards such as emergency food stamps for the neediest. When Congress wrote the Food Stamp Act of 1977, it analyzed the results of that litigation in detail, approving some results and writing the statute to reach a different result from others. A similar pattern has continued to this day.

We set high standards for the States, counties and localities that run these programs. We do that because they are serving our most vulnerable citizens with tens of billions of Federal dollars. The high standards of compliance that we apply to State and local administration of the program can be seen in our payment accuracy and quality control measurement system, one of the most extensive in the Federal Government. This system, however, does not give equal or adequate weight to improper denials of benefits as it does to payment errors to eligible households. And it does not at all address violations of the procedures set out in the statute and regulations. For example, qual-

ity control does not deal with a State's failure to operate a proper fair hearing system, with its improper disclosure of households' confidential information, or with its delay in processing applications beyond statutory and regulatory deadlines.

Claimants' litigation has proven the ideal complement to the quality control system. Where a program is being run badly in a locality, or statewide, a court can issue a corrective injunction to require the State to come into compliance with Federal regulations. This is particularly important in cases where the violation may not have resulted in a denial of benefits, such as violations of privacy protections or of the requirement that only State merit systems workers make decisions about households' ability to receive benefits.

Our goal has never been to punish States and so we do not concern ourselves with why the program is out of compliance. We merely seek to ensure that States comply with Federal rules when administering this program. Litigation has proven time and again that it is the ideal vehicle for that. Past Federal appellate decisions from places such as Virginia and Oregon have it exactly right: State and local administrators need to comply fully in every case.

There is no half-way or partial compliance with the programs' rules. We agree with past federal appellate decisions from places such as Virginia and Oregon that state and local administrators must comply with the rules in each and every case. States must deliver benefits consistent with the program's regulations and law to ensure that the most vulnerable and needy are protected and supported as they seek to participate in the program. Litigation has proven time and again that it is the ideal vehicle to enforce compliance where States are only partially meeting program standards.

In other programs, the solution to non-compliance may be reducing or terminating federal funds. That is still possible in these programs, but it cannot be a mainstay of enforcement activities. We learned that withdrawing Federal funding led to worse, not better, program administration, depriving States of the resources they needed to correct their problems at the worst possible time. Accordingly, in the last farm bill we modified quality control to place much less emphasis on reducing funding to states. USDA over the years has similarly felt that withholding funding even for serious violations is often counterproductive.

It should be clear that the long history of congressional approval of litigation by needy individuals supports the continuation of that regulation. The statute's entitlement is closely linked with States' obligation to comply with Federal regulations. Particularly with some States embarking on radical changes in their administration of the program, closing offices and turning key functions over to private contractors, it is crucial that the program's intended low-income beneficiaries have access to courts to test the legality of those changes. Although I would have preferred to have expanded the protections on public administration of the program, as the House bill would have done, our acceptance of the Senate package was a compromise that ensures households' access to the courts to test these States' practices under the current restrictions.

Mr. MCGOVERN. Mr. Speaker, I rise in support of overriding the President's veto of the Food, Conservation, and Energy Act, otherwise known as the Farm Bill. I am pleased to say that, with this vote, we have finally put this legislation behind us.

While I regret the problems that occurred with the formal parchment and the missing Trade Title of the Farm Bill, the time between consideration of the first veto override vote and this one allowed many Members of Congress time to read the floor statements of many of our distinguished colleagues and understand better this large, complex and important piece of legislation. I am particularly grateful that the distinguished Members from California, Mr. BACA and Mr. BERMAN, clarified several particularly important provisions in the Nutrition Title of the bill. I would like to fully associate myself with their remarks. Following those Members' lead, I will not waste my colleagues' time by restating points they previously made on this legislation.

I want to emphasize, however, that if ever there was any doubt about Congress's continued support for the availability of judicial recourse for violations of food assistance statutes and regulations, this legislation makes that support unmistakably clear. The Food Stamp Act long has explicitly recognized the right of prospective applicants, actual applicants, and recipients to go to court to secure compliance with the statute and regulations. No court needs to guess about the view of Congress on this matter.

This new legislation reiterates that Congress will regulate how such litigation takes place. But there can be no question that litigation should, in fact, be permitted to occur if necessary. Such suits historically have not been required to pass any special hurdles of procedure or proof; all that matters is whether the statute, regulations, or state plan has been violated. If such a violation has occurred, the courts can pursue correction in the most efficacious manner, provided that we have limited the availability of retroactive benefits to one year before the problem was or should have been discovered. Rules developed under statutes where congressional intent is unclear have no place under food assistance legislation where we have left no room for doubt about our intentions.

As my colleagues from California made clear, the Food, Conservation, and Energy Act properly rejects two recent cases where courts, no doubt with the best of intentions, strayed from this long-time principle in the Food Stamp Program. This legislation clarifies that states are accountable for the results they achieve, namely a well-run food assistance program, and may be held judicially accountable for that. I trust this will eliminate any doubts other courts might have this score.

As Members are aware, the Farm Bill conferees did not accept a House provision that would have shut down all efforts to expand private contractors' role in administering the Food Stamp Program. Serious concerns have been raised about initiatives in a couple of states. Part of the reasoning was that the statute already contains requirements that state civil servants make all decisions relating to a household's participation in the program. As of yet, the policies of those states have not been

tested in court. Without in any way seeking to prejudge what the results of such litigation might be, a judicial ruling on how these practices measure up against existing law would be of great help to us in determining whether that law needs to be modified, whether in the manner the House suggested or otherwise. As I understand there is considerable dissatisfaction with these programs, and I hope that the steps we are taking to clarify households' right to challenge the administration of the program in court will allow those concerns to be raised and addressed without further delay.

The SPEAKER pro tempore. All time for debate having expired, without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 317, nays 109, not voting 8, as follows:

[Roll No. 417]

YEAS—317

Abercrombie	Cleaver	Gohmert
Ackerman	Clyburn	Gonzalez
Aderholt	Coble	Goodlatte
Akin	Cohen	Gordon
Alexander	Cole (OK)	Graves
Allen	Conaway	Green, Al
Altmire	Conyers	Green, Gene
Andrews	Costa	Grijalva
Arcuri	Costello	Gutierrez
Baca	Courtney	Hall (NY)
Bachus	Cramer	Hall (TX)
Baird	Crowley	Hare
Baldwin	Cuellar	Hastings (FL)
Barrow	Cummings	Hastings (WA)
Bartlett (MD)	Davis (AL)	Hayes
Becerra	Davis (CA)	Herger
Berkley	Davis (IL)	Herseth Sandlin
Berry	Davis (KY)	Higgins
Bilirakis	Davis, David	Hill
Bishop (GA)	Davis, Lincoln	Hinchee
Bishop (NY)	DeFazio	Hinojosa
Blackburn	DeGette	Hirono
Blunt	Delahunt	Hodes
Bonner	DeLauro	Hoekstra
Bono Mack	Diaz-Balart, L.	Holden
Boozman	Diaz-Balart, M.	Holt
Boren	Dicks	Honda
Boswell	Dingell	Hooley
Boucher	Doggett	Hoyer
Boustany	Donnelly	Israel
Boyd (FL)	Doolittle	Jackson (IL)
Boyd (KS)	Doyle	Jackson-Lee
Brady (PA)	Drake	(TX)
Brady (TX)	Edwards	Jefferson
Braley (IA)	Ellison	Johnson (GA)
Brown (SC)	Ellsworth	Johnson (IL)
Brown, Corrine	Emanuel	Johnson, E. B.
Brown-Waite,	Emerson	Jones (NC)
Ginny	Engel	Jones (OH)
Buchanan	English (PA)	Kagen
Butterfield	Eshoo	Kanjorski
Buyer	Etheridge	Kaptur
Camp (MI)	Everett	Kennedy
Capito	Fallin	Kildee
Capps	Farr	Kilpatrick
Cardoza	Fattah	King (IA)
Carnahan	Filner	Kingston
Carney	Forbes	Klein (FL)
Carson	Fortenberry	Kline (MN)
Carter	Foster	Kucinich
Castor	Frank (MA)	Kuhl (NY)
Caza-youx	Gallegly	LaHood
Chandler	Gerlach	Lampson
Childers	Giffords	Langevin
Clarke	Gillibrand	Larsen (WA)
Clay	Gingrey	Larson (CT)

Latham	Pallone	Simpson
LaTourette	Pascrell	Sires
Latta	Pastor	Skelton
Lee	Payne	Slaughter
Levin	Pearce	Smith (NE)
Lewis (GA)	Pelosi	Snyder
Lewis (KY)	Perlmuter	Solis
Lipinski	Peterson (MN)	Souder
Loeb sack	Pickering	Space
Lofgren, Zoe	Platts	Speier
Lowey	Poe	Spratt
Lucas	Pomeroy	Stupak
Lynch	Porter	Sullivan
Mahoney (FL)	Price (NC)	Sutton
Maloney (NY)	Putnam	Tanner
Manzullo	Radanovich	Tauscher
Markey	Rahall	Taylor
Marshall	Rangel	Thompson (CA)
Matsui	Regula	Thompson (MS)
McCarthy (NY)	Rehberg	Thornberry
McCaul (TX)	Renzi	Tierney
McCollum (MN)	Reyes	Towns
McCotter	Reynolds	Tsongas
McGovern	Richardson	Turner
McHugh	Rodriguez	Udall (CO)
McIntyre	Rogers (AL)	Udall (NM)
McMorris	Rogers (KY)	Upton
Rodgers	Rogers (MI)	Van Hollen
McNerney	Ros-Lehtinen	Velázquez
McNulty	Ross	Visclosky
Meek (FL)	Rothman	Walberg
Melancon	Roybal-Allard	Walden (OR)
Michaud	Ruppersberger	Walsh (NY)
Miller (MI)	Ryan (OH)	Walz (MN)
Miller (NC)	Salazar	Wasserman
Miller, George	Sali	Schultz
Mollohan	Sánchez, Linda	Waters
Moore (KS)	T.	Watson
Moran (VA)	Sanchez, Loretta	Watt
Murphy (CT)	Sarbanes	Weiner
Murphy, Patrick	Schakowsky	Welch (VT)
Murphy, Tim	Schiff	Weller
Murtha	Schwartz	Wexler
Murphy, Tim	Scott (GA)	Whitfield (KY)
Murtha	Scott (VA)	Wilson (OH)
Murphy, Tim	Serrano	Wittman (VA)
Nadler	Neal (MA)	Woolsey
Napolitano	Shea-Porter	Wu
Neal (MA)	Sherman	Yarmuth
Neugebauer	Shimkus	Young (AK)
Oberstar	Shuler	
Obey	Shuster	
Olver		
Ortiz		

NAYS—109

Bachmann	Goode	Nunes
Barrett (SC)	Granger	Paul
Barton (TX)	Heller	Pence
Bean	Hensarling	Petri
Berman	Hobson	Pitts
Biggart	Hunter	Price (GA)
Bilbray	Inglis (SC)	Pryce (OH)
Blumenauer	Insee	Ramstad
Boehner	Issa	Reichert
Broun (GA)	Johnson, Sam	Rohrabacher
Burgess	Jordan	Roskam
Burton (IN)	Keller	Royce
Calvert	Kind	Ryan (WI)
Campbell (CA)	King (NY)	Saxton
Cannon	Kirk	Scalise
Cantor	Knollenberg	Schmidt
Capuano	Lamborn	Sensenbrenner
Castle	Lewis (CA)	Sessions
Chabot	Linder	Shadegg
Cooper	LoBiondo	Shays
Crenshaw	Lungren, Daniel	Smith (NJ)
Cubin	E.	Smith (TX)
Culberson	Mack	Smith (WA)
Davis, Tom	Marchant	Stearns
Deal (GA)	Matheson	Tancredo
Dent	McCarthy (CA)	Terry
Dreier	McCrery	Tiahrt
Duncan	McDermott	Tiberi
Ehlers	McHenry	Wamp
Feeney	McKeon	Waxman
Ferguson	Mica	Weldon (FL)
Flake	Miller (FL)	Westmoreland
Fossella	Miller, Gary	Wilson (NM)
Foxx	Mitchell	Wilson (SC)
Franks (AZ)	Moore (WI)	Wolf
Frelinghuysen	Moran (KS)	Young (FL)
Garrett (NJ)	Myrick	

NOT VOTING—8

Bishop (UT)	Hulshof	Rush
Gilchrest	Meeks (NY)	Stark
Harman	Peterson (PA)	

□ 1557

Mr. REICHERT changed his vote from "yea" to "nay."

Mr. NEUGEBAUER changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will notify the Senate of the action of the House.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2008

The SPEAKER pro tempore. Pursuant to House Resolution 1257 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. 6063.

□ 1558

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. 6063) to authorize the programs of the National Aeronautics and Space Administration, and for other purposes, with Ms. CLARKE (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Thursday, June 12, 2008, amendment No. 8 printed in House Report 110-707 offered by the gentlewoman from Texas (Ms. JACKSON-LEE) had been disposed of.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110-707 on which further proceedings were postponed, in the following order:

Amendment No. 5 by Mr. LAMPSON of Texas.

Amendment No. 10 by Mr. HODES of New Hampshire.

The Chair will reduce to 5 minutes the time for the second electronic vote in this series.

AMENDMENT NO. 5 OFFERED BY MR. LAMPSON

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. LAMPSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. LAMPSON: In title XI, add at the end the following new section (and amend the table of contents accordingly):