

additional motion to suspend the rules on which the Chair has postponed further proceedings.

EXPRESSING SENSE OF CONGRESS IN SUPPORT OF VICTIMS OF TORTURE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 168.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspended the rules and agree to the concurrent resolution, H. Con. Res. 168, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 24, as follows:

[Roll No. 212]

YEAS—409

Abercrombie	Clyburn	Gibbons
Ackerman	Coble	Gilchrest
Aderholt	Collins	Gillmor
Akin	Combust	Gilman
Allen	Condit	Gonzalez
Andrews	Conyers	Goode
Army	Cooksey	Goodlatte
Baca	Costello	Gordon
Bachus	Cramer	Goss
Baird	Crane	Graham
Baker	Crenshaw	Granger
Baldacci	Crowley	Graves
Baldwin	Cubin	Green (TX)
Ballenger	Culberson	Green (WI)
Barcia	Cummings	Greenwood
Barr	Cunningham	Grucci
Barrett	Davis (CA)	Gutierrez
Bartlett	Davis (FL)	Gutknecht
Barton	Davis (IL)	Hall (OH)
Bass	Davis, Jo Ann	Hall (TX)
Becerra	Davis, Tom	Hansen
Bentsen	Deal	Harman
Bereuter	DeFazio	Hart
Berkley	DeGette	Hastings (FL)
Berman	Delahunt	Hastings (WA)
Berry	DeLauro	Hayes
Biggert	DeLay	Hayworth
Bilirakis	DeMint	Hefley
Bishop	Deutsch	Herger
Blagojevich	Diaz-Balart	Hill
Blumenauer	Dicks	Hilleary
Blunt	Dingell	Hilliard
Boehlert	Doggett	Hinchee
Boehner	Dooley	Hinojosa
Bonilla	Doolittle	Hobson
Bonior	Doyle	Hoefel
Bono	Dreier	Hoekstra
Borski	Duncan	Holden
Boswell	Dunn	Holt
Boucher	Edwards	Honda
Boyd	Ehlers	Hooley
Brady (PA)	Ehrlich	Horn
Brady (TX)	Emerson	Hostettler
Brown (FL)	English	Houghton
Brown (OH)	Eshoo	Hoyer
Brown (SC)	Etheridge	Hunter
Bryant	Evans	Hutchinson
Burr	Everett	Hyde
Burton	Farr	Inslee
Buyer	Fattah	Isakson
Callahan	Ferguson	Israel
Calvert	Filner	Issa
Camp	Flake	Istook
Cantor	Fletcher	Jackson (IL)
Capito	Foley	Jefferson
Capps	Forbes	Jenkins
Cardin	Ford	John
Carson (OK)	Fossella	Johnson (CT)
Castle	Frank	Johnson (IL)
Chabot	Frelinghuysen	Johnson, E. B.
Chambliss	Frost	Johnson, Sam
Clay	Gallely	Jones (NC)
Clayton	Ganske	Jones (OH)
Clement	Gephardt	Kanjorski

Kaptur	Nethercutt	Shays
Kelly	Ney	Sherman
Kerns	Northup	Sherwood
Kildee	Norwood	Shimkus
Kilpatrick	Nussle	Shows
Kind (WI)	Oberstar	Shuster
King (NY)	Obey	Simmons
Kingston	Oliver	Simpson
Kirk	Ortiz	Skeen
Kleczka	Osborne	Skelton
Knollenberg	Ose	Slaughter
Kolbe	Otter	Smith (MI)
Kucinich	Owens	Smith (NJ)
LaFalce	Oxley	Smith (TX)
LaHood	Pallone	Smith (WA)
Lampson	Pascrell	Snyder
Langevin	Pastor	Solis
Lantos	Payne	Souder
Largent	Pelosi	Spence
Larsen (WA)	Pence	Spratt
Larson (CT)	Peterson (MN)	Stark
Latham	Peterson (PA)	Stearns
LaTourette	Petri	Stenholm
Leach	Phelps	Strickland
Lee	Pickering	Stump
Levin	Pitts	Stupak
Lewis (GA)	Platts	Sununu
Lewis (KY)	Pombo	Sweeney
Linder	Pomeroy	Tancredo
Lipinski	Portman	Tanner
LoBiondo	Price (NC)	Tauscher
Lofgren	Pryce (OH)	Tauzin
Lowey	Putnam	Taylor (NC)
Lucas (KY)	Quinn	Terry
Lucas (OK)	Radanovich	Thomas
Luther	Rahall	Thompson (CA)
Maloney (CT)	Ramstad	Thompson (MS)
Maloney (NY)	Rangel	Thornberry
Manzullo	Regula	Thune
Markey	Rehberg	Thurman
Mascara	Reyes	Tiahrt
Matheson	Reynolds	Tiberi
Matsui	Rivers	Tierney
McCarthy (MO)	Rodriguez	Towns
McCarthy (NY)	Roemer	Trafficant
McCollum	Rogers (KY)	Turner
McCrery	Rogers (MI)	Udall (CO)
McDermott	Rohrabacher	Udall (NM)
McGovern	Ros-Lehtinen	Upton
McHugh	Ross	Velazquez
McInnis	Rothman	Visclosky
McIntyre	Roukema	Vitter
McKeon	Roybal-Allard	Walden
McKinney	Royce	Walsh
McNulty	Rush	Wamp
Meehan	Ryan (WI)	Watkins (OK)
Meek (FL)	Ryun (KS)	Watson (CA)
Meeks (NY)	Sabo	Watt (NC)
Menendez	Sanchez	Waxman
Mica	Sanders	Weiner
Miller (FL)	Sandlin	Weldon (FL)
DeLauro	Sawyer	Weldon (PA)
Miller, Gary	Saxton	Weller
Mink	Schaffer	Wexler
Mollohan	Schakowsky	Whitfield
Moore	Schiff	Wilson
Moran (KS)	Moran (VA)	Wolf
Schrock	Scott	Woolsey
Morella	Scott	Woolsey
Murtha	Sensenbrenner	Wu
Myrick	Serrano	Wynn
Nadler	Sessions	Young (FL)
Napolitano	Shadegg	
Neal	Shaw	

NOT VOTING—24

Cannon	Jackson-Lee	Paul
Capuano	(TX)	Riley
Carson (IN)	Keller	Scarborough
Cox	Kennedy (MN)	Taylor (MS)
Coyne	Kennedy (RI)	Toomey
Engel	Lewis (CA)	Waters
Gekas	Millender-	Watts (OK)
Hulshof	McDonald	Wicker
	Miller, George	Young (AK)

□ 1835

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KENNEDY of Rhode Island. Mr. Speaker, on rollcall No. 212, H. Con. Res. 168, had I been present, I would have voted "yea."

Mr. KELLER. Mr. Speaker, on rollcall No. 212, I am not recorded. Had I been present I would have voted "yea."

AUTHORIZING ROTUNDA OF CAP- ITOL TO BE USED FOR A CERE- MONY TO PRESENT CONGRES- SIONAL GOLD MEDALS TO THE ORIGINAL 29 NAVAJO CODE TALKERS

The SPEAKER pro tempore (Mr. ISAKSON). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 174.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 174, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 213]

YEAS—409

Abercrombie	Capps	Etheridge
Ackerman	Cardin	Evans
Aderholt	Carson (OK)	Everett
Akin	Castle	Farr
Allen	Chabot	Fattah
Andrews	Chambliss	Ferguson
Army	Clay	Filner
Baca	Clayton	Flake
Bachus	Clement	Fletcher
Baird	Clyburn	Foley
Baker	Coble	Forbes
Baldacci	Collins	Ford
Baldwin	Combust	Fossella
Ballenger	Condit	Frank
Barcia	Conyers	Frelinghuysen
Barr	Cooksey	Frost
Barrett	Costello	Gallely
Bartlett	Cox	Ganske
Barton	Cramer	Gekas
Bass	Crane	Gephardt
Becerra	Crenshaw	Gibbons
Bentsen	Crowley	Gilchrest
Bereuter	Cubin	Gillmor
Berkley	Culberson	Gilman
Berman	Cummings	Gonzalez
Berry	Cunningham	Goode
Biggert	Davis (CA)	Goodlatte
Bilirakis	Davis (FL)	Gordon
Bishop	Davis (IL)	Goss
Blagojevich	Davis, Jo Ann	Graham
Blumenauer	Davis, Tom	Granger
Blunt	Deal	Graves
Boehlert	DeFazio	Green (TX)
Boehner	DeGette	Green (WI)
Bonilla	Delahunt	Greenwood
Bonior	DeLauro	Grucci
Bono	DeLay	Gutknecht
Borski	DeMint	Hall (OH)
Boswell	Deutsch	Hall (TX)
Boucher	Diaz-Balart	Hansen
Boyd	Dicks	Harman
Brady (PA)	Dingell	Hart
Brady (TX)	Doggett	Hastings (FL)
Brown (FL)	Dooley	Hastings (WA)
Brown (OH)	Doolittle	Hayes
Brown (SC)	Doyle	Hayworth
Bryant	Dreier	Hefley
Burr	Duncan	Herger
Burton	Dunn	Hill
Buyer	Edwards	Hilleary
Callahan	Ehlers	Hilliard
Calvert	Ehrlich	Hinchee
Camp	Emerson	Hinojosa
Cantor	English	Hobson
Capito	Eshoo	Hoefel

Hoekstra	McNulty	Schaffer
Holden	Meehan	Schakowsky
Holt	Meek (FL)	Schiff
Honda	Meeks (NY)	Schrock
Hooley	Menendez	Scott
Horn	Mica	Sensenbrenner
Hostettler	Miller (FL)	Serrano
Houghton	Miller, Gary	Sessions
Hoyer	Mink	Shadegg
Hunter	Mollohan	Shaw
Hutchinson	Moore	Shays
Hyde	Moran (KS)	Sherman
Inslee	Moran (VA)	Sherwood
Isakson	Morella	Shows
Israel	Murtha	Shuster
Issa	Myrick	Simmons
Istook	Nadler	Simpson
Jackson (IL)	Napolitano	Skeen
Jefferson	Neal	Skelton
Jenkins	Nethercutt	Slaughter
John	Ney	Smith (MI)
Johnson (CT)	Northup	Smith (NJ)
Johnson (IL)	Norwood	Smith (TX)
Johnson, E. B.	Nussle	Smith (WA)
Johnson, Sam	Oberstar	Snyder
Jones (NC)	Obey	Solis
Jones (OH)	Olver	Souder
Kanjorski	Ortiz	Spence
Kaptur	Osborne	Spratt
Keller	Ose	Stark
Kelly	Otter	Stearns
Kennedy (RI)	Owens	Stenholm
Kerns	Oxley	Strickland
Kildee	Pallone	Stump
Kilpatrick	Pascarell	Stupak
Kind (WI)	Pastor	Sununu
King (NY)	Payne	Sweeney
Kingston	Pelosi	Tancredo
Kirk	Pence	Tanner
Klecza	Peterson (MN)	Tauscher
Knollenberg	Peterson (PA)	Tauzin
Kolbe	Petri	Taylor (NC)
Kucinich	Phelps	Terry
LaFalce	Pickering	Thomas
LaHood	Pitts	Thompson (CA)
Lampson	Platts	Thompson (MS)
Langevin	Pombo	Thornberry
Largent	Pomeroy	Thune
Larsen (WA)	Portman	Thurman
Larson (CT)	Price (NC)	Tiahrt
Latham	Pryce (OH)	Tiberi
LaTourette	Putnam	Tierney
Leach	Quinn	Towns
Lee	Radanovich	Trafficant
Levin	Rahall	Turner
Lewis (GA)	Ramstad	Udall (CO)
Lewis (KY)	Rangel	Udall (NM)
Linder	Regula	Upton
Lipinski	Rehberg	Velazquez
LoBiondo	Reyes	Visclosky
Lofgren	Reynolds	Vitter
Lowey	Rivers	Walden
Lucas (KY)	Rodriguez	Walsh
Luther	Roemer	Wamp
Maloney (CT)	Rogers (KY)	Watkins (OK)
Maloney (NY)	Rogers (MI)	Watson (CA)
Manzullo	Rohrabacher	Watt (NC)
Markey	Ros-Lehtinen	Waxman
Mascara	Ross	Weiner
Matheson	Rothman	Weldon (FL)
Matsui	Roukema	Weldon (PA)
McCarthy (MO)	Roybal-Allard	Weller
McCarthy (NY)	Royce	Wexler
McColum	Rush	Whitfield
McCrery	Ryan (WI)	Wilson
McDermott	Ryan (KS)	Wolf
McGovern	Sabo	Woolsey
McHugh	Sanchez	Wu
McInnis	Sanders	Wynn
McIntyre	Sandlin	Young (FL)
McKeon	Sawyer	
McKinney	Saxton	

NOT VOTING—24

Cannon	Kennedy (MN)	Scarborough
Capuano	Lantos	Shimkus
Carson (IN)	Lewis (CA)	Taylor (MS)
Coyne	Lucas (OK)	Toomey
Engel	Millender-	Waters
Gutiérrez	McDonald	Watts (OK)
Hulshof	Miller, George	Wicker
Jackson-Lee	Paul	Young (AK)
(TX)	Riley	

□ 1843

So (two-thirds having voted in favor thereof) the rules were suspended and

the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1845

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ISAKSON). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AGRICULTURAL APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, tomorrow we are going to be taking up the agricultural appropriation bill; and I would like to for a couple of minutes discuss, number one, the seriousness of the agricultural problem; but, secondly, an amendment that I have tomorrow that deals with how we distribute some of this Federal money to farmers.

There are a lot of us that would hope that these extra funds go to help support the traditional family farmers in this country. However, our farm programs since we started them back in 1934 have tended to favor the large farmer. And so what has happened over the years is the small farmer has been forced out because of the advantages of Federal farm policy to the middle-sized and larger farmer; and the middle-sized farmer, figuring that they might survive, have bought out the small farmer and become bigger.

Specifically, we have legislation that says the price support for farmers in this country through the Federal Government should be limited to \$75,000. If a farmer wants to include their spouse or usually their wife for a separate producer payment, then they have to jump through all kinds of hoops to borrow money in the spouse's name and then document that it was invested in the farm operation, then the farm operation can pay it back. It is a disadvantage.

My amendment tomorrow does essentially three things: it says automatically the wife is included as a producer without jumping through these bureaucratic hoops, eligible for an additional \$75,000 payment limitation. The average size of a farm in this country now, Mr. Speaker, is about 448 acres. But some farms, some huge, giant corporation-type farms are up to 80,000 acres and 100,000 acres; and there is no payment limitation on those farms. So as you can guess, millions of dollars go out to those huge farming operations.

My amendment tomorrow says, let us stick to our guns of the historic \$75,000 limitation but automatically include

spouses. That would move it up to \$150,000. And let us make sure that there is no loophole such as forfeiting a nonrecourse loan or such as certificates that can be issued by the Federal Government in lieu of forfeiture of that particular loan, because those certificates, the alternative of those forfeitures of that loan, has resulted in approximately \$400 million extra payment going to those giant farmers.

Mr. Speaker, I request that my colleagues look at this amendment, that they consider the policy of how we want to spend this extra money, that they face the decision of what should farm programs try to do in this country; and I would suggest humbly that part of what we should be trying to do is help the small family farmer. The large farmer already has a competitive advantage, simply because of the size of their operation. We expand that advantage as we pay them on the bushels produced on each acre or the tons produced. Whether it is rice or corn or soybeans or cotton, we help that large farmer.

I feel it is important that we look at this policy, and I would request that my colleagues look at my amendment that will reaffirm the historical provision of limiting those payments to \$75,000 rather than the \$150,000 per producer that was passed out on a suspension vote late in June when the House went through that particular legislation without the opportunity for any amendments.

ELECTRICITY CRISIS IN CALIFORNIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, the electricity crisis continues 1 year later in San Diego, in California and the West. Scores of businesses in my hometown of San Diego have gone out of business. People on fixed incomes are suffering because they have to make choices between buying food and prescription drugs and air conditioning. This should not be happening in America.

Now, we have called for price controls, we have called for a refund of the overcharges, and people from my State on the other side of the aisle have said, Let the free market work. Price controls don't work. I say to my colleagues, there is no free market. The system is completely out of whack. There is an energy cartel which dominates our lives in California.

I want to give you a specific example, Mr. Speaker, of how the market in California is being manipulated by this energy cartel and what we in San Diego hope to do about it.

There is a 700 megawatt power plant in my district. We call it the South Bay Power Plant. It is operated by the Duke Energy Corporation. It looks like in the last year, Mr. Speaker, Duke Energy has made close to \$800 million off