

REPUBLICAN DO-NOTHING CONGRESS REFUSES TO ADDRESS RISING GAS PRICES

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

Mr. NADLER. Mr. Speaker, as of today, this House has been in session only 36 days this year. We are scheduled to meet a total of 93 days. That is 15 days less than the do-nothing Congress of 1948. How are we supposed to address the issues most important to all of our fellow countrymen if we are hardly ever in session?

This weekend, millions of Americans will take Memorial Day vacations. They will be forced to pay hundreds of dollars more in travel bills, thanks to high prices at the pump.

For weeks now, House Republicans have ignored this very serious economic issue. That is, until this week, when the House Republicans plan to offer their second solution. Their first solution a couple years ago was to throw billions of dollars at the oil companies. The second solution is drilling in the Arctic National Wildlife Refuge.

Despite the environment havoc this would cause, it will do nothing to lower gas prices today. When Republicans tout this as a solution, they ignore the fact that drilling in ANWR would not be possible for another decade and would provide only 6 months of oil, in any event, for the American consumer.

Once again this week, the House Republicans plan to do nothing to address high prices at the pump. They simply refuse to offer any real solutions to our energy problems. It is time for a change in leadership.

PROVIDING FOR CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 830 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 830

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. 5384) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-

minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except for sections 749, 751, and 752. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

□ 1030

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 830 is an open rule providing 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of H.R. 5384, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriation Act of 2007. Under the rules of the House, the bill shall be read for amendment by paragraph.

House Resolution 830 waives points of order provisions in the bill for failure to comply with clause 2 of rule XXI prohibiting unauthorized appropriations or legislative provisions in an appropriation bill, except as specified in the resolution.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides one motion to recommit, with or without instructions.

Mr. Speaker, I am proud that yesterday the House Rules Committee reported by voice vote an open rule for consideration of H.R. 5384, the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2007.

As with most appropriation bills, the Rules Committee has once again afforded Members an opportunity to offer amendments to this legislation that comply with the rules of the House. Members of the House may bring forth an idea or change they wish to see and express their views on how our Nation should prioritize its spending.

Mr. Speaker, the Agriculture Appropriations Subcommittee reported out a bill that provides important resources for the U.S. Department of Agriculture and various other agencies. Specifically, H.R. 5384 makes available nearly \$95 billion to fund agriculture, rural development, drug safety, food nutrition programs for the fiscal year 2007.

Mr. Speaker, this legislation provides the funding necessary for the programs and activities of USDA while at the same time maintaining fiscal discipline and reflecting our Nation's priority spending needs.

Mr. Speaker, the USDA carries out widely varied responsibilities through about 30 separate internal agencies and offices staffed by some 100,000 employees. Important programs covered under the agriculture spending bill include the food nutrition programs such as the Food Stamp Program, the Nutrition Program for Women, Infants and Children or WIC, and child nutrition programs, farm and foreign agricultural services, certain mandatory conservation and trade programs, crop insurance, farm loans, foreign food aid programs.

Additionally, it includes natural resources and environmental conservation programs and food safety and rural development activities. The underlying bill provides essential funding for agriculture research activities which include USDA's Agriculture Research Service as well as university research and extension programs.

I have visited, Mr. Speaker, several agricultural research centers in central Washington, and I am impressed by the innovative work being accomplished to equip farmers with the tools they need to improve the quality and production of their agricultural products.

Agriculture research enables American farmers to reap the benefits of science and technology they need to remain competitive in an ever-changing international marketplace. H.R. 5384 also provides several programs that seek to protect human health and safety.

Avian flu pandemic countermeasures and monitoring are funded at \$80 million. The Food Safety and Inspection Service is funded at \$853 million. The Animal Plant and Health Service Inspection Service activities are funded at \$904 million, with \$90 million going to BSE detection and prevention activities.

One program of importance to farmers in my area of central Washington is the Department of Agriculture's Market Access Program, which is aimed at creating, expanding and maintaining foreign markets for U.S. agriculture products through consumer promotions, market research and technical assistance.

One of the biggest challenges facing American agriculture, especially the specialty crops, is the need to expand overseas markets in the face of often subsidized foreign competition. By opening foreign markets to American

agricultural products and breaking down trade barriers, the Market Access Programs help local farmers and our Nation's economy, while improving our balance of trade and creating jobs.

I am pleased that the underlying bill fully funds the Market Access Program, which is particularly important for many of the specialty crops that I mentioned, including apples, cherries, hops, pears, potatoes and wine grapes.

With a proven track record of success, it is clear that this program's return on investment is far greater than the cost of the Market Access Program to the Federal Government.

Mr. Speaker, this is a fiscally responsible bill that will help American farmers and ranchers respond to the challenges of the global market and provide a wholesome food supply for our Nation. I urge my colleagues to join me in support of House Resolution 830, and the open rule provided by the Rules Committee by a voice vote.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Washington, my good friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, I want to commend Chairman BONILLA and Ranking Member DELAURO for working together on this important bill. They have taken the President's inadequate budget proposal and made it better.

Chairman BONILLA and his staff deserve to be congratulated for doing the right thing with this bill. And Ranking Member DELAURO and the Democratic members of the Appropriations Committee, including Ranking Member OBEY, deserve credit for improving the chairman's mark.

Mr. Speaker, I would like to take a moment to highlight some of the very important antihunger programs in this bill that make a real difference in the lives of millions of people here in the United States and around the world.

Mr. Speaker, I am privileged to be a cochair of the Congressional Hunger Center and of the Hunger Caucus. I have seen how important our anti-hunger programs are to low-income Americans. I have met families who, through no fault of their own, have to rely on Federal anti-hunger programs to put food on their table.

In my own district, I am working with State and local officials to make sure every eligible person in need signs up and receives these important benefits so that central Massachusetts and southeastern Massachusetts is made up of hunger-free communities.

On the Federal level, we must continue to fight for critical anti-hunger programs. In his budget, the President eliminated the Commodity Supplemental Food Program, which provides food to low-income mothers and children under 6 years of age, as well as

America's elderly poor. Literally hundreds of thousands of people would have been left to fend for themselves if this program had been shut down, as the President had requested.

Thankfully, Chairman BONILLA and Ranking Member DELAURO not only restored the funding eliminated by President Bush, they also provided an increase of \$11 million over last year's level. I believe my colleagues on both sides of the aisle are thankful that this bill includes a \$40 million increase for the WIC Program over last year's allocation, or \$44 million more than the President's request.

WIC is one of the most successful domestic maternal and infant health and nutrition programs in the history of the United States. I am troubled, however, that funding in this bill for the child nutrition programs is below the President's request and that funding for the food stamp program is almost \$3 million less than last year, at a time when more and more and more people are falling below the poverty line.

Mr. Speaker, even though I believe the funding levels for anti-hunger programs should be increased even more than what this bill was able to provide, I am more concerned that the administration and Congress continue to lack a cohesive anti-hunger, antipoverty strategy.

Mr. Speaker, I know the Agriculture Appropriations Act is not the most appropriate bill to establish such a policy, but it is the vehicle that ultimately funds many of the important and most fundamental programs that help lift people out of poverty. I believe we can end hunger and poverty, if only we have the political will to do so.

I challenge my colleagues in this chamber to do more. And it will not necessarily cost a great deal more, but it will take far better coordination of public and private efforts. It will take a concerted effort by the Federal Government, and it will take the heart and compassion of a great Nation to eradicate poverty and hunger in the United States once and for all.

I believe in the heart of the American people. I think we saw that heart after Katrina. I think we see that heart every time there is a crisis abroad and children are in need.

Mr. Speaker, over the next year, I hope we all rise to the occasion and commit to this worthy and necessary goal. Overall, Mr. Speaker, I believe this bill should be commended for restoring funding for many of our most important domestic hunger and nutrition programs.

Regrettably, due once again to the extreme limits on the Agriculture Appropriations Bill, the same cannot be said of international hunger and good aid programs. The committee was able to maintain last year's funding levels, but so much more is needed.

The George McGovern-Bob Dole International Food for Education Program is basically frozen at last year's levels. This was done despite a bipar-

tisan letter from over 100 Members of Congress asking that funding for the McGovern program be restored to its fiscal year 2001 level of \$300 million.

This bill provides only one-third of that amount. McGovern-Dole has proven itself time and time again to be one of our most effective tools in reducing hunger in school-aged children, and increasing attendance and academic performance, especially among girls in some of the poorest places in the world.

I know that the committee supports this program. I just hope that the chairman and the ranking member will find a way in conference negotiations to increase the funding for this program so that it can reach more children in the neediest communities in the developing world.

Mr. Speaker, I also regret that P.L. 480, title II, food for peace, emergency food aid and development programs, have also basically been level-funded, although I do appreciate that the committee did find a few additional dollars for this program. In fiscal year 2006, Congress has ostensibly provided \$1.218 billion for title II, and this bill provides \$1.226 billion for title II.

Unfortunately, what is hidden by these figures is that, for the past 3 years, the Congress has ended up appropriating about \$1.5 billion each year so that title II can meet global food emergencies. This year is no exception. In the fiscal year 2006 emergency supplemental, which is currently awaiting House-Senate conference negotiations, there is about \$350 million in title II emergency food aid; \$225 million of that emergency food aid is for the humanitarian crisis in Darfur.

If the President had put those funds in last year's regular budget request, and Congress had approved and appropriated those funds in the regular agriculture appropriations bill, then that food would be on its way to the people of Darfur today.

Instead, the World Food Programme has been forced to cut food rations in half for 2.6 million Darfur refugees and displaced people.

Why should we care about this? Well, Mr. Speaker, as a Congress, we should care because this is deceptive budgeting, and poor planning hinders our ability to respond to emergencies as they arise. But more importantly, much more importantly, we should care because people are dying from lack of food because we do not have the funding in hand that we knew ahead of time we would need for fiscal year 2006 and that we should plan now to have in hand for fiscal year 2007.

We know emergencies happen. We know we have been appropriating about \$300 million or more each year for the past 3 years in supplemental appropriations bills to meet those needs. Let us do the right thing and build such funds into our planning process.

Put those funds in the regular budget and include and approve them in the regular agriculture appropriations bill. Let me be clear, Mr. Speaker. No country in the world has been as responsive

to international food emergencies as the United States.

No other country even comes close to our generosity. The United States has been and continues to be the leader in providing food and humanitarian aid for Darfur. It is past time that the rest of the world step up to the plate.

The funds sitting in the fiscal year 2006 supplemental will not reach the President's desk until June. And therefore the food aid itself will not reach the people of Darfur until November. If USAID had those moneys now up front, the ration cuts in Darfur would not be happening, period. I appeal to the President, I appeal to the appropriators and to the leadership of this House, do not repeat this mistake in 2007. We need to plan ahead.

Somehow, before this bill comes back to us as a conference report, we need to find a way to substantially increase Title II funding so that we are not robbing food aid from one hungry family to feed another simply because we failed to provide the necessary funding to plan for and to meet global food emergencies.

Mr. Speaker, I know the committee cannot do this on its own, which is why I make a plea for all of us to work this problem out, so that we are not faced with such desperate choices next year.

□ 1045

Mr. Speaker, Chairman BONILLA, Ranking Member DELAURO, and their colleagues on the committee should be commended for their hard work on this bill. They have done the best they could despite the difficult choices that face them in this process. They deserve our respect and gratitude.

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

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

Mr. MCGOVERN. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY), the ranking Democrat on the Appropriations Committee.

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

Mr. Speaker, I had originally intended to vote for this bill and for this rule; but the action of the Rules Committee on one item last night has changed all of that, at least for me, and I would like to alert Members of the House as to the reasons why.

In the farm bill that passed several years ago, the expiration date for various programs wound up not being identical; and that meant that the dairy program was hugely at a disadvantage after the expiration of the dairy title of the farm bill. Last year the Congress renewed the dairy section of the bill that related to the milk program, but it contained a budget gimmick which ended the dairy program one month before the end of the fiscal year and one month before the other farm programs in that bill.

As a result, when the next farm program is put together next year, dairy

will be at a huge disadvantage because there will be nothing included in the budget baseline for dairy. That will not only be a problem for dairy farmers; that will be a problem for all other farmers, because if in the end the Congress decides under those circumstances to extend the milk program, the funding for that will come out of the hide of each and every other farm program, all because of this 1-month gimmick that we tried to correct in the Appropriations Committee.

Now, the Appropriations Committee adopted an amendment that I offered last week which attempted to correct that problem by simply extending the milk program by 1 month so that it would expire at the same time as the other programs in the farm bill. But now our friends on the authorizing committee have insisted that the Rules Committee not protect that provision from being stricken on a point of order. As a result, if such a motion is made and upheld by the Chair, it will mean that we are going to create the conditions for a billion dollar war between farm groups all over this country. That could easily be avoided by the \$40 million provision represented by section 752 of the appropriations bill that will shortly be before us.

That \$40 million correction is fully paid for so that at this point there is no budget problem associated with 752. So I would simply want to alert every Member of this House who represents dairy farmers that they will be at a substantial disadvantage in considering the farm bill a year and a half from now if this section 752 of this bill is stricken.

And I want to alert Members who represent other kinds of farmers that lest they think this is only a problem only affecting dairy farmers, I'm sorry, it will affect all farmers because financing for whatever dairy program that eventually emerges from that authorization bill will come out of reductions for other farm programs.

Now, this may not be a big problem for persons who have thousand-cow dairy herds, but it is a huge problem if you represent a district like mine where the average herd is 50 or 60 cows. The extension to the milk program will determine whether or not many of those farmers stay in business. And I would submit that the House would be doing itself a great favor if they could prevail upon our friends on the authorizing committee not to lodge a point of order against this provision in this bill.

There is another provision in this bill which affects an extension of the peanut program for storage. It seems to me that there are good reasons for extending both of those programs. So I would urge any Member of this House who is concerned about being able to pass a decent farm bill down the line to recognize that if this action takes place today, if this action takes place today, anyone who votes for the farm bill, if this is stricken today, anyone who votes for this agriculture appro-

priations bill will be voting to put dairy farmers at a huge disadvantage a year and a half from now when the reauthorization is considered and they will be inviting a very nasty war between different commodity groups and different regions of the country.

That is what the milk program sought to end 3 years ago when we wanted to end all of these regional fights on dairy, and I would suggest that the House would be ill advised if it produces that result by allowing this provision to be knocked out on a point of order.

So I will be calling for a roll call on the rule to protest the action of the Rules Committee, and I will urge Members from farm country to vote "no" on the rule and "no" on the bill if that provision is stricken.

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

Mr. Speaker, I appreciate the remarks of the distinguished ranking member of the Appropriations Committee, but we have a long-standing tradition in the Rules Committee that when the authorizing committee has a problem with amendments or policies that are put on the Appropriations Committee that they feel is under their jurisdiction, they ask that that not be protected. That was the case here as you pointed out in your remarks with the peanut program and the milk program.

So as you suggested, if somebody from the Agriculture Committee or the chairman stands up and asks for a point of order then, of course, the Chair will have to make his ruling by what the rules are.

I will also say this, and I know that the gentleman from Wisconsin has been working just because of the nature of his committee on a lot of milk programs, I too have a lot of dairies in my district. There has been a gravitation towards those dairies in my district. When I talk to my dairy farmers, I have essentially one message for them and that message is at some point, and I know this is a very difficult thing to do, but at some point the dairy industry in this country has got to try to speak with one voice as much as they possibly can. I know that is very, very difficult. They are cognizant of that.

When this provision was put in place several years ago, there was an attempt to do that. So we will have to see. But the Rules Committee has a tradition and that is the reason why we did not protect that portion of the bill.

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

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

Mr. Speaker, I would like to take just a moment to thank Chairman BONILLA and Ranking Member DELAURO and members of the committee for providing funding for the Congressional Hunger Center. The Hunger Center is co-chaired by my colleague Congressman JO ANN EMERSON

and myself, and it trains young people to be the future leaders of the anti-hunger movement. The Congressional Hunger Center, I think, is known to most Members of this Chamber. It has an incredible staff, an excellent staff, and does a very good job in raising awareness and getting young people involved and getting them to feel passionate about combating hunger, not only here in the United States but around the world. I think every Member of this Chamber should be proud of this center's work. So I am pleased that the committee continues to fund this center.

Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this rule.

I am pleased that under the rule we will be able later in the deliberations to have a debate, a discussion, on a modest amendment to the sugar subsidy program. This is something that unfortunately flies under the radar screen here in Washington, DC. Any approach to look at independent analysts, to look at conservative groups like the Cato Institute, to look at environmental organizations, all document that the sugar subsidy program we have provides tremendous cost to the taxpayers, billions of dollars.

It starts by forcing American consumers and the industries that use sugar to pay two to three times the world market price. It puts at risk over 500,000 jobs that are still in the United States in the confectionery industry. We used to have more people at work in Hershey, Pennsylvania, in the Northeast, in Chicago making candy; but these jobs are being driven to Canada, to Mexico and other places because our price of the raw material, sugar, is so much more expensive.

We find that the sugar cane industry particularly is a cause of significant pollution in the everglades. This Congress has placed a \$7.5 billion down payment cleaning up the everglades in part because of the significant expansion of cane sugar production because it is so heavily subsidized and produces a toxic run off of pollution.

It even drives up cost to the Federal Government in other areas you do not think about; \$90 million that the Federal Government pays for food, for example, for U.S. troops, with added cost because of these subsidies.

This sugar subsidy continues at a time when we are cutting programs for other farmers for their environmental programs at a time when there is no help for many farmers, in my State that are short-changed row crops, the specialty crops, the nursery industry, and wine producers. We have an out-of-whack, hopelessly expensive, outmoded and anti-competitive trade subsidy program that will leave the taxpayer footing the bill for years to come.

We will have an amendment offered later today that will provide for a mod-

est adjustment, downward, so the taxpayer will not be on the hook for quite so much and we can reduce the pressure on American industry that uses sugar and American consumers who will be paying over a billion dollars a year.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman for yielding. I speak at this time in regard to an amendment which I understand will be offered later concerning the National Animal Identification System.

Two Tennessee legislators who also happen to represent parts of my district, State Representative Frank Niceley and my own State Senator Tim Burchett, have introduced a bill to prohibit the use of State funds to implement the program in Tennessee. As Representative Niceley told the Knoxville News Sentinel: "I think this thing had more to do with selling chips than anything else." He said, "I just get tired of business going to Washington and selling their business plan up there and getting rich off the public."

The people pushing this are international and national bureaucrats who want more power and control, their academic supporters, and especially a few agri-giant businesses. Small and medium-sized farmers do not want it.

Ron Freeman, a fifth-generation cattleman said, "NAIS will not prevent or control disease. Instead it will allow the government and big business to control our food supply and intrude into the lives of every farmer and rancher."

Judith McGeary, a Texas lawyer, described the program as, "One of the most far-reaching acts of surveillance of the most wholesome activities of U.S. citizens. Children in 4-H with pet goats, senior citizens raising food for themselves, friends going on trail rides would all be forced to endure the warrantless government surveillance."

If this isn't Big Brother government I do not know what is.

Mr. Speaker, this sure isn't traditional conservatism. Costs of new programs such as this are always low-balled on the front end. The president of the Australian Cattleman's Association called this program "the single worst thing to ever hit the beef industry in Australia."

□ 1100

He said they were promised on the front end that it would cost only \$3 a head. The costs are already running \$37 a head counting cost of scanners and various indirect costs.

A farmer in Roane County, Tennessee, Everett Phillips has only eight beef cattle, a milk cow, some chickens and a few barnyard animals. He told the Knoxville News-Sentinel, if you add up cost, the inconvenience of Federal bureaucracy and privacy concerns, and "It is going to hurt the farmer." He said he considers selling out and mov-

ing to Argentina. I know that people laugh when people make statements like this, but this highlights the serious concern that small farmers have about this program.

If this is still a free country, Mr. Speaker, we should at least make this program voluntarily instead of mandatory. This NAIS program will really hurt the smallest of our farmers, the very farmers we always claim to be helping.

I urge support if this amendment is offered later today to really help the small farmer.

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

I am sure there will be a number of amendments offered during the day. I just want to call my colleagues' attention to one amendment that may be offered by Representative JOHNSON of Illinois that I strongly oppose, and I would urge all my colleagues to oppose it as well.

This is an amendment that is supposedly an attempt to tackle the obesity problem in this country, but what it is, is an amendment that would restrict the choice of people who are on food stamps. It would basically dictate to people on food stamps that they could not buy certain things, and this is problematic, I think, for a number of reasons.

First, I think the emphasis should be on promoting healthier foods in our nutrition and not on constant punitive measures against poor people. If we want to deal with the obesity problem in this country, which is a serious problem, we should do so thoughtfully, and we should do so with considerable deliberation to make sure that what we are doing is actually solving and tackling the problem. I do not think this will do that.

Secondly, this bill I do not think is the appropriate bill for us to make these kinds of big changes. There are other bills that are more appropriate coming down the line, and I hope that my colleagues will respect that. But, again, rather than limiting choices for poor people, we should focus our attention and put the emphasis on healthier foods, like fruits and vegetables, without limiting people's choices. We should focus on nutrition education, and we should focus on raising people out of poverty instead of constantly blaming them and trying to pursue punitive measures, which I think is not only the wrong way to deal with the problem but I also think shows kind of a lack of respect for people who are struggling in this country.

Mr. Speaker, I yield 5 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO), the ranking member on this committee.

Ms. DELAURO. Mr. Speaker, it has been a privilege to serve on this subcommittee and to work on issues of such importance, such as rural development, nutrition, drug safety and so many others, and I have enjoyed working with Chairman BONILLA in my time as ranking member.

We have produced a good bill I think, but I am disappointed that this rule does not allow for consideration of an amendment I planned to offer that would have increased funding for rural development and renewable energy programs by \$500 million. Nor does this rule protect language giving the FDA, the Food and Drug Administration, the much-needed authority to mandate post-market drug studies when needed.

In offering this amendment, I believe we could have begun to meet a variety of rural development needs, from waste and water grants and community facility grants to funding for broadband expansion and renewable energy infrastructure.

In particular, we could have made a strong commitment to renewable energy by providing meaningful incentives for renewable energy production, consumption and infrastructure through programs in the farm bill and in the energy bill, the Bioenergy Program, the Value-Added Agricultural Product Market Development Grants, the Renewable Energy Systems and Energy Efficiency Improvements Programs, just to name a few.

But even though we have an extraordinary opportunity to reenergize our farm economy at the same time we jump start the country's energy independence efforts by getting these new technologies out of the labs, onto our roads and into our homes and businesses, our investment in these programs continues to be tentative.

Mr. Speaker, with Americans ready to declare their energy independence, with biofuels on the cusp of revolutionizing the American economy in the very near future, just as they did for Brazil in only a few years' time, we can make a statement that the Congress is ready to face this challenge. We should be tapping the promise that our farms hold to reduce our dependence on oil and provide a more secure economic future for our farmers.

I am also disappointed that the Rules Committee failed to protect language approved by the Appropriations Committee to give the Food and Drug Administration, the FDA, the much-needed authority to mandate post-market drug studies when needed and allow the FDA to begin the process of removing the drugs in question from the market if there are instances of noncompliance.

The amendment is simple. It would require anyone who has the approval of the FDA to sell a drug to conduct any study or studies on any significant safety issue on that product that the FDA requests.

This language addresses one of the key issues identified in the recent GAO study on post-market studies which concluded that, "the FDA lacks clear and effective processes for making decisions about and providing management oversight of post-market safety issues." The FDA needs this authority to ensure that we are not putting lives at risk with unsafe drugs that are not fully tested.

Let me quote to you what the GAO study said: To improve the decision-making process for post-market drug safety, the Congress should consider expanding FDA's authority to require drug sponsors to conduct post-market studies, such as clinical trials and observation studies, as needed and to collect additional data on the drug safety concerns.

This is an issue that could not have come up at a more appropriate time. Just yesterday, the New York Times reported that the data analysis that was completed on Vioxx was done in a way that actually minimized the risks of the drug. That tells us that even when post-market studies are conducted, they cannot be counted on to be completely reliable. The language stripped by this rule would have constituted one small step toward implementing a better post-market system at the FDA and to stop putting at risk the lives of the American public and make sure that the drugs are safe and that they are fully tested and that, when we have adverse reactions to these drugs, that there is a way in which the government can, in fact, make sure that these companies do what is required to ensure public health.

So, Mr. Speaker, while I do believe we have produced a good bill, these are two areas in which I am very disappointed because I think we had an opportunity to produce an even better bill.

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

I will be calling for a "no" vote on the previous question. If the previous question is defeated, I will amend the rule so that we can consider the DeLauro amendment that was rejected in Rules Committee last night on a straight party-line vote.

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

The SPEAKER pro tempore (Mr. BASS). Is there objection to the request of the gentleman from Massachusetts? There was no objection.

Mr. McGOVERN. Mr. Speaker, the DeLauro amendment will increase funding for alternative energy research, something that is desperately needed in our Nation these days. The cost of the amendment is fully offset by rolling back a mere 1.21 percent, the tax cut for Americans making more than \$1 million annually.

Mr. Speaker, the energy crisis continues to get worse and worse in our country every day. All you need to do is fill up your gas tank or open your heating bill to know that the cost of fuel is skyrocketing, with no signs of letting up anytime soon, if ever.

We can continue to ignore this crisis until the costs are prohibited or our supplies run dry, or we can do the responsible thing and invest in research and development of alternative energy sources, something that we should have been doing a long time ago.

Our energy needs are growing every day in this Nation and in the rest of the world as well. We have to find other ways to meet those needs. We need a substitute for oil and other fossil fuels. There are many promising alternative energy sources out there that we need to explore immediately to ensure that they are available in the near future. The DeLauro amendment will help support these efforts.

Mr. Speaker, in the Rules Committee last night, we were told, as we are told often, that there is a germaneness issue and that thereby they would not make this amendment in order, but the fact of the matter is that those of us on this side of the aisle are trying to actually solve America's problems. We are trying to propose alternatives and pay for them as we go. We are not just proposing ideas and not identifying where the money would come from. We are actually laying out a plan to make this country energy independent, to try to deal with the rising costs of gas and of oil, and this is the only way we can do this. We are constantly denied the opportunity to debate and to vote on a comprehensive plan or to deal with this issue. This is the moment.

I want to point out to my colleagues that a "no" vote will not prevent us from considering the agricultural appropriations bill under an open rule, but a "no" vote will allow Members to vote on the DeLauro amendment. A "no" vote will allow us to be able to support an initiative and a plan to deal with this energy crisis, to actually map out a strategy to support renewable energy sources.

I urge my colleagues to vote "no" on the previous question.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am going to urge my colleagues to vote for the previous question and for the resolution. I want to make two points.

The gentleman says that one reason to vote against the previous question is to have a chance to have a say on the DeLauro amendment. I would advise my colleagues that the DeLauro amendment was offered in the full committee, notwithstanding the fact that it is legislating on an appropriations bill, and even the members of the Appropriations Committee rejected the DeLauro amendment.

As I mentioned earlier in my remarks, there is a long-standing tradition that when an authorizing committee has an objection to a provision in an appropriations bill, that provision is not waived.

With that, Mr. Speaker, this is a good rule. It allows for open debate. It is an open rule.

The material previously referred to by Mr. McGOVERN is as follows:

PREVIOUS QUESTION FOR H. RES. 830—RULE FOR H.R. 5384, THE AGRICULTURE, RURAL DEVELOPMENT, FOOD & DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS FOR FY 2007

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

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative DeLauro of Connecticut or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. 5384, AS REPORTED

OFFERED BY MS. DELAURO OF CONNECTICUT

Page 13, line 6, insert after the dollar amount the following: “(increased by \$25,000,000)”.

Page 36, line 21, insert after the dollar amount the following: “(increased by \$229,303,000)”.

Page 48, line 26, insert after the dollar amount the following: “(increased by \$12,000,000)”.

Page 50, line 6, insert after the dollar amount the following: “(increased by \$23,000,000)”.

Page 51, line 23, insert after the dollar amount the following: “(increased by \$10,000,000)”.

Page 52, line 7, insert after the dollar amount the following: “(increased by \$6,697,000)”.

At the end of the bill (before the short title), add the following new sections:

“SEC. _____. In addition to amounts otherwise provided by this Act, there is hereby appropriated to the Secretary the following amounts for the following purposes:

“(1) For biorefinery grants authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103), \$50,000,000.

“(2) For grants under the energy audit and renewable energy development program authorized by section 9005 of such Act (7 U.S.C. 8105), \$10,000,000.

“(3) For payments under the bioenergy program authorized by section 9010 of such Act (7 U.S.C. 8108), and notwithstanding subsection (c)(2) of such section, \$120,000,000.

“(4) For grants under the Biomass Research and Development Initiative authorized by section 307 of the Biomass Research and Development Act of 2000 (7 U.S.C. 7624), \$14,000,000.

“SEC. _____. In the case of taxpayers with income in excess of \$1,000,000, for the calendar year beginning in 2007, the amount of tax reduction resulting from enactment of Public Law 107-16, Public Law 108-27, and Public Law 108-311 shall be reduced by 1.21 percent.”.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the

control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

APPOINTMENT OF CONFEREES ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, pursuant to clause 1 of rule XXII

and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. LEWIS of California, YOUNG of Florida, REGULA, ROGERS of Kentucky, WOLF, KOLBE, WALSH, TAYLOR of North Carolina, HOBSON, BONILLA, KNOLLENBERG, OBEY, MURTHA, SABO, MOLLOHAN, OLVER, VISCLOSKEY, Mrs. LOWEY, and Mr. EDWARDS.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 830, by the yeas and nays;

Adoption of H. Res. 830, if ordered;

Motion to suspend the rules on H.R. 4681, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5384, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 830 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 213, nays 194, not voting 25, as follows:

[Roll No. 179]

YEAS—213

Aderholt	Blackburn	Brown-Waite,
Akin	Blunt	Ginny
Alexander	Boehert	Burgess
Bachus	Boehner	Burton (IN)
Baker	Bonilla	Buyer
Barrett (SC)	Bonner	Calvert
Bartlett (MD)	Bono	Campbell (CA)
Barton (TX)	Boozman	Cannon
Bass	Boustany	Cantor
Beauprez	Bradley (NH)	Capito
Biggert	Brady (TX)	Carter
Billirakis	Brown (SC)	Castle
Bishop (UT)		Chabot