

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Mr. Speaker, I yield to my friend, the majority leader, to give us some information about the schedule for next week.

Mr. HOYER. I thank the Republican whip for yielding.

On Monday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business with votes postponed until 6:30 p.m. On Tuesday, the House will meet at 10:30 a.m. for morning hour and 12 p.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected, and I underline "expected," in the House.

We will consider several bills under suspension of the rules. The final list of suspension bills will be announced, as is our practice, by the close of business tomorrow. We will consider legislation to address the housing crisis, including bills reported out of the Financial Services Committee regarding the Federal Housing Administration and H.R. 5818, the Neighborhood Stabilization Act of 2008. We also hope to consider the farm bill conference report.

Mr. BLUNT. On the housing question, you mentioned one bill. Is there a chance there will be two bills coming out of Financial Services that may be incorporated there in some way?

Mr. HOYER. That is possible that they would be considered separately. I have not conferred with Mr. FRANK, the chairman, so I can't definitively say that. I'm not absolutely sure, but the answer to your question is it's possible.

Mr. BLUNT. I thank the gentleman for that.

The gentleman also mentioned we had a possibility, or at least your hope that we would consider the farm bill conference report. I know there are some other conference reports out there, the budget, higher education, consumer product safety. We've got 11 working days left before we take the District Work Period at Memorial Day.

I wonder if the gentleman has the sense of the likelihood that any specific one of those might also be available during that period of time.

Mr. HOYER. If I had my druthers and I could make it happen, all of them would be within the context of that 11 days to which you refer. The chairman of the Budget Committee is on the floor. I know he's been working very, very hard, and I believe that we are close on the budget conference. I think that may well be a possibility.

There may well be other conference reports available as well. I cannot tell you now specifically that there are bills that I am absolutely assured will be ready for that time frame, but I do believe that there will be significant pieces ready.

The DOD authorization bill will, of course, be considered on the week of the 18th, I believe. That's the week of

the 18th. The supplemental is obviously on our radar screen, and we hope to pass the supplemental before we leave as well. I was hoping for next week. That still is a possibility, but I'm not assured that they will be in place, "they" being Mr. OBEY in our discussions. I'm not sure what his plans will be, whether he can move it ahead that quickly.

The budget conference, of course the farm bill conference, the supplemental, and the DOD authorization are major pieces of legislation I want to see passed before we leave.

Mr. BLUNT. I have a couple of questions about that.

First of all, on the one you didn't mention, the higher education conference, I think the higher education, the current bill, expired last evening. Will we extend that? Would that be the gentleman's intention that we extend the current bill next week as well as the other work that's been listed?

Mr. HOYER. That is an option as well as in the best of all possible worlds, the conference would be completed and we could pass the bill itself. If that does not happen, we will contemplate an extension.

Mr. BLUNT. On the supplemental, you mentioned Mr. OBEY. Is there now a possibility that the supplemental might be marked up in conference? I know during the 5 weeks now that we've talked about this, you had announced a hope that we would have the supplemental on the floor either in the last week in April or you every time have said, "No later than the first week in May." So we're not there yet but we get there next week.

You now would not anticipate that on the floor, is one question. The other is, where are we on the question whether the committee will mark that supplemental up or it will come to the floor in some other way.

Mr. HOYER. I think that's, candidly, still up in the air. I know that's of concern to you. I understand that concern, but I will tell you again, I think it's still up in the air.

Mr. OBEY has been discussing with the Senate how they think we can best move forward as expeditiously as possible and so that we can try to achieve the end.

As you know, there is substantial discussion about what is in the supplemental. The President, as you know, has indicated that and Mr. Nussel has indicated that if anything above the dollars asked essentially for Iraq and Afghanistan are included for investment here in this country on various different items, perhaps dealing with unemployment insurance, perhaps dealing with energy credits so that we can ensure the expansion of alternative enterprises for alternative fuels, those are all being discussed to see whether they are possibilities in terms of passage and, hopefully, signature by the President.

We think that there are a number of items that are critically important to

pass now that we think this bill is appropriate for but we don't have agreement on at this point in time. But Mr. OBEY is working today and hopefully tomorrow, and we have a number of meetings today to see if we can move that forward.

So I regret I do not have a more definitive answer for you, but that is the candid answer.

Mr. BLUNT. I thank my friend for the candidness of that answer.

I also remember and remind him that last week on the topic of the expanded GI benefits, the supplemental, under the rules we've been working with, would be considered, at least the war-time part of that, an emergency spending and not under the PAYGO rules. The GI benefits that have been talked about both here and on the other side of the building, I think last week you suggested that those were related to the Iraq-Afghanistan expenditures in a way that you thought that the majority might waive PAYGO and include those in the supplemental.

I'm wondering if any of those other items that you discussed, like unemployment insurance, might also meet that criteria where if they were in the supplemental, they wouldn't have to comply with the PAYGO provisions of the current rules of the House.

I would yield.

□ 1430

Mr. HOYER. I thank the gentleman for yielding.

As it relates to the first item, the GI Bill, there is a comprehensive GI Bill, as you know, sponsored by Mr. WEBB. Also Ms. HERSETH over here and others have legislation which tries to respond to the critical need that our veterans returning from Afghanistan and Iraq now have because they have substantially less generous benefits and, therefore, less opportunity to reintegrate themselves into the community and stabilize themselves and their families. We believe that is a cost of the war.

I don't believe that under the current suggestion, and I'm not suggesting that it's in or out at this point in time, I'm not suggesting there is anything in or out in terms of proposal, but it is my belief that that would not require a waiver of the PAYGO given the context in which it may be considered. What I mean by that, and not to be too esoteric, is that we may respond to the need this coming year as opposed to a longer term.

Mr. BLUNT. Again, would that apply if we look at it as an economic provision to the bill to the unemployment insurance and other things as well?

Mr. HOYER. Will the gentleman yield?

Mr. BLUNT. I would.

Mr. HOYER. As you know, we came together and we agreed on the passage of a stimulus package. We passed a stimulus package because we thought our economy was either about to go in recession or was in recession—not at the time when we passed it, but that

seems to be the case now—and the stimulus package was designed to either keep us out or to bring us out of a recession and to try to help our people who are at risk. As you know, we did that on an emergency basis. The reason we did that on an emergency basis, we felt, in terms of stimulating the economy, you didn't want to stimulate and depress at the same time. So the answer to your question, for instance, on unemployment insurance, that may well fall in the same category from our perspective.

Mr. BLUNT. I thank the gentleman for that.

I would suggest if that was the criteria, that on the expired research and development credits or the expired deductibility of sales tax from income tax in those States that had that deductibility for a few years ending on December 31, or even on the alternative minimum tax protection for people who don't pay that tax now, it seems to me they would meet that same criteria of having negative economic impact as we let those research and development credits expire or as we no longer allow people in Florida and Texas and other States to deduct their sales tax before they pay their income tax or if we let the AMT patch extend to a number of people. I don't know if there is a way to handle those issues under that same umbrella of economic impact or not, but I would yield.

Mr. HOYER. I thank the gentleman for his observations. I think he and I have a difference on the perception of some of the items that he mentioned as being analogous to some of the other items that we have discussed.

On the AMT, for instance, there is a disagreement on that alternative minimum tax. The alternative minimum tax was not intended. I don't think by any of us, to impact the people that it is now impacting. I believe strongly that we ought to fix the AMT, not just for this coming year, but permanently, and we ought to pay for that. And the reason I think that we ought to do that is, A, it clearly falls within the ambit of PAYGO, and secondly, because I think that our generation incurred this liability and we ought to pay for that liability.

But some of the things that we have already mentioned I think are more analogous, not to tax extenders, giving additional tax relief or fixing the AMT, but are, as the UI is, unemployment insurance, directed to an emergency that confronts us as a result of a substantial downturn in the economy, which is analogous, I think, to the stimulus package, which is why we didn't consider that to be a PAYGO issue and were prepared not to address it in a PAYGO way.

Mr. BLUNT. I hear that answer and I respect it, but I also believe that when we've let these tax policies expire, they have some of the same economic consequences. I suppose that can be debated when we get to that point in the debate. But sort of selective waiving of

PAYGO, I hope we have developed some principles here that can maybe apply to some other things as well. I think we've discussed that and I appreciate the fact that we've had a difference on this for some time.

I mentioned a couple of States that are particularly impacted by the credit situation that we face right now on the sales tax deductibility. That's just another burden on taxpayers that may be dealing with another problem that's part of the overall economic challenge we face right now. And just like the stimulus package waived PAYGO to try to help solve this problem, I'd suggest that there may be items beyond unemployment insurance that equally are related and may be even more contributory to the problem than unemployment insurance.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

You mentioned the States. One of the things that we're very concerned about is the very substantial fiscal adverse impact to the States that will be caused by the change in the Medicaid regulations proposed by the administration. That is one of the items under consideration because that change, as I understand it from Mr. WAXMAN—as a matter of fact, we just talked about it—will have a very great adverse financial impact on the States. I'm sure you received a letter similar to the one that I received from both Democratic and Republican Governors asking us to address that.

So there clearly are some items which have impact on the States. Very frankly the discussion is, how many of those do we try to address, if any, in the supplemental? How many do we address in the stimulus package? Or how many do we address in separate legislation?

One of the positive aspects of the stimulus package, as you will recall because you and I were in the room, was that Secretary Paulson, on behalf of the administration, the Speaker, you and I and Mr. BOEHNER sat down together and talked about how we can get from where we were to where we wanted to get, and we came to agreement. We have been unable to do that, as you know, on some of these things that we think are of serious concern, and the Medicaid regulations are an example of that.

Mr. BLUNT. I appreciate that. And I do recall those discussions.

Also, the tax policies that encourage purchases that create jobs are in place. And as all of us on the floor here know, the initial checks that go out as part of the stimulus package are going out in the next few days over the next couple of months. And that, hopefully, will be helpful.

On the supplemental, anything that we can do, that I can do, that our side can do to encourage going through the committee in the regular process, we would like to do that. In the last 20 years, under both Democrats and Re-

publicans, there have been 36 supplementals. All but seven of them went through the committee. And those seven did not go through the committee based on a bipartisan decision that Katrina or 9/11 or some other event had occurred where Members on both sides of the aisle essentially said we know what needs to be done here, we're in agreement with it, let's take a bill to the floor. In the other 29 instances where there was not bipartisan agreement, every supplemental went through the committee.

In the 12 years that we were in the majority, there were 20 supplementals. None of them had a closed rule, all of them except the ones I mentioned by bipartisan agreement went through the committee, and 10 of them had an absolutely open rule where we brought the supplemental to the floor and the rule essentially said bring on every amendment that you want to and we'll debate it until the amendments are exhausted. That's a time-honored process not just under the Democrat majority, but under the Republican majority. I'd like to again encourage that we do whatever we can do to further that discussion that you suggested may be going on now that would have the committee option as one of the options.

Mr. HOYER. I thank the gentleman for his observation. He has made it before. I will say that other Members, for whom I have a great deal of respect, on your side of the aisle have discussed this with me. I think your point is well taken, and that is under discussion.

Mr. BLUNT. I have one other question that wasn't on a list and not on an immediate schedule, but one of our Members from Oregon (Mr. WALDEN) had asked me if I would bring up with you the topic of H.R. 3058. It's a bill sponsored by Mr. DEFAZIO from Oregon on public lands, communities transition. It was introduced last July, voted out of Resources in December. The Agriculture Committee has now discharged the bill. This involves schools in western lands, very important to our western Members on both sides.

Mr. WALDEN has asked me to ask you, first of all, is there any information about when that might be scheduled? And secondly, to make the request that that bill be scheduled.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

I don't have information now about the status of that bill, where it is. Obviously it's a bipartisan bill, Mr. DEFAZIO and Mr. WALDEN and others. It is a bill that, very frankly, has been brought up in the context of whether it might be included in some other pieces of legislation, so that it obviously has bipartisan support. I will look at it and discuss it with Mr. DEFAZIO and let you know where we are on it.

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

I do know the gentleman mentioned this week that in the 11 days left before this next work period at home, we

might have a flurry of activity. And I would suggest, you've seen lots of interest on our side, that hopefully part of that flurry of activity could be an energy bill. I think now we're in the 18th or 19th straight day of highest gasoline prices ever. Tomorrow may be the 19th or 20th straight day of that. That would be one of the things that we would certainly like to see Members of the House address before we leave here for the Memorial Day break.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

Without going into the polemics of the politics that we exchange on this of what legislation we have passed through here, which was, we think, directed at trying to address the short-term problems, dealing with OPEC, dealing with manipulation of prices, dealing with price gouging, which many, if not all of you, on your side voted against. Suffice it to say I think all of us are concerned about the high prices of gasoline. Suffice it to say that all of us, if we're honest, know that in the short term it's going to be very difficult to impact on that. Thirdly, that the solution longer term is obviously moving towards alternative sources of energy and renewable sources of energy.

We passed a major piece of legislation last year. Happily we passed it in somewhat of a bipartisan fashion, not totally, I don't mean everybody unanimously voted for it. But the President did sign it. The President said it was a step forward. For the first time in a very long period of time it said our automobiles need to be more efficient. For the first time in a very long time it required the use of alternative fuels. So that we addressed initially, and there's much more that needs to be done, longer term solutions.

Short-term solutions are tough. There is discussion about the SPR. There are discussions about taxes, gasoline taxes, as you know. There are other discussions. If you have ideas, we would be glad to have them in terms of what can be done in the short term.

Mr. BLUNT. I thank the gentleman.

I think we've brought some ideas in the last couple of weeks to the floor on bills that didn't necessarily relate to this and we will probably have more that we will be talking about.

I yield back.

ADJOURNMENT TO MONDAY, MAY 5, 2008

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

□ 1445

ON THE RETIREMENT OF MARK O'SULLIVAN

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

Mr. HOYER. Ladies and gentlemen of the House, many of you have heard me, and Mr. DREIER as well, over the years speak to how extraordinarily advantaged we are in the House of Representatives, and the American people are, by the quality and commitment of the staff that serves this institution.

It doesn't serve Republicans or Democrats, but it serves the purposes of assuring that this institution runs in a way that gets the business of the American people done in a way that's productive and positive for them and for our country.

Regretfully, I am going to observe the retirement of one of those people. Happily, I can extol his virtues. I've known him for a very long period of time. I've seen his work, conscientious, able, and a very positive impact on this institution.

Mark O'Sullivan, who is sitting just to my left on the second-level rostrum, has been with us 31 years in the House, and he commutes from Baltimore every day. I don't know whose district he is in, maybe Mr. CUMMINGS' or Mr. RUPPERSBERGER's. I'm not sure whose district he is in, but I'm sure they are happy that he is living there, although he's totally bipartisan, I'm sure.

He has done an outstanding job. I have always found him to be in even humor, even in the toughest of times. Even in the times when the body sometimes gets more loud and uproarious than at other times, he maintains an even demeanor. And, as I say, the competency and the talent and the commitment and the character he has brought to his job has advantaged our country and the House of Representatives.

Mark, we thank you. Congratulations to you. We wish you the very best, and we look forward to seeing you back here in the near future and repeating it.

MOTION TO INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

Mr. RYAN of Wisconsin. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Ryan of Wisconsin moves that the managers on the part of the House on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2419 be instructed, within the scope of the conference, to use the most recent baseline estimates supplied by the Congressional Budget Office when evaluating the costs of the provisions of the report.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent that the text of the motion be considered as read.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, it's not my intention to consume the full amount of time, as we had discussed earlier.

At the beginning of this Congress, the Speaker of the House said the following: "After years of deficit spending, this new Congress will commit itself to a higher standard: pay-as-you-go, no new deficit spending."

Well, the majority did follow through on half of their promise. One of the first things they did when they took control of this place was put in a new pay-as-you-go rule.

But things haven't quite worked out as well on the deficit. This year's deficit is projected to double as spending is projected to rise by over \$200 billion. But at least they did put in the rule. And one of the things that makes this rule interesting, that requires this rule, is that the House must use the most recent CBO baseline when determining whether a bill complies with PAYGO. Let me read this rule word for word to be clear:

"The effect of a measure on the deficit or surplus shall be determined on the basis of estimates by the Committee on Budget relative to the most recent baseline supplied by the Congressional Budget Office."

It sounds pretty straightforward, Mr. Speaker. You've got to use the current baseline when you apply PAYGO, no questions asked.

But despite this, everyone I have talked to about this issue, everything I've heard, everything I've read in the newspapers had told me that the farm bill isn't going to use the updated 2008 baseline but instead is going to use the 2007 baseline, an outdated baseline from over a year ago. Now, I hope that this is not the case. I hope that this does not happen. But it sounds like that's the direction they are headed. And that is what this motion is all about.

This motion is very simple. All it would do is require that the House will follow its own rules and use the current CBO baseline when determining whether or not the farm bill complies with PAYGO.

Why should we care? Why does this seemingly technical issue make a difference?

First of all, economic conditions have changed in the past year. Agricultural profits are way up. Food prices are soaring. And it's simply not accurate to use an estimate that's over a year old.

Second, there's a strong possibility that using the old baseline could hide