

We have found such a compromise in Congressman Walden's substitute to H.R. 3058. But that is not what we are voting on today.

The Walden compromise that has been approved by the stakeholder organizations contains reauthorization of both Payments in Lieu of Taxes and the Secure Rural Schools program which are so vital for people whose counties are majority owned by the Federal Government, and thus don't have the property tax base to support education. But that is not the bill we are voting on today.

The proposed Walden compromise addresses our growing energy crisis by expanding state control and protection of the outer continental shelf, and by producing new energy in the deep ocean. It provides funding for front-end engineering and design grants for coal-to-liquids, oil shale, tar sands, carbon sequestration, and enhanced oil recovery.

Congressman WALDEN'S compromise proposal contains provisions that have been previously debated on this floor, passed by this body, and approved by the administration. But that is not the bill we are voting on today.

The bill we are voting on today breaks contracts that were negotiated in good faith between the previous administration and American energy providers. The bill we are voting on today has prompted a veto threat, and will probably not even make it through the House today. If the majority wants to make this a partisan vote, so be it. That is their prerogative. But let me make one thing clear; the superintendents of Groveton, Crockett, Latexo, Grapeland, Lovelady, and Kennard Independent School Districts do not care about partisanship. The reality of what we are doing today is that these, and thousands of other school administrators, are going to have to cut jobs and programs as they see their revenues shrink drastically. All for the sake of making a political statement.

When Congress decided to take land out of the tax base of thousands of rural counties in order to create our National Forest System, we made a promise to help cover the cost of education. We have a chance to fulfill this promise by taking up the Walden compromise for Secure Rural Schools and PILT reauthorization. I urge my colleagues to vote no on the political stab before us today, and I urge majority to bring to the floor Congressman WALDEN'S proposal as soon as possible. Our rural communities depend on it.

Mr. RUSH. Mr. Speaker, I rise today in strong support for H.R. 3058, the Public Lands Communities Transition Act. This legislation will provide crucial funding to school districts located in Federal forest counties. Without these funds, these school districts will have to make large cuts to their educational services and programs.

It is imperative to address the fact that these counties have little to no local tax base to levy for their school districts. Therefore, any assistance from the Federal Government is essential.

Mr. Speaker, with the passage of this bill, we will ensure that the education of our children will not fall victim to devastating cuts in these areas. Adequate education should be provided to all of our children, regardless of where they live. I urge all of my colleagues to join me in supporting this bill with bipartisan support.

Mr. DEFAZIO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 3058, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PROVIDING FOR CONSIDERATION OF H.R. 3021, 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1234 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 1234

*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. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill

for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 3021 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 1 hour.

Ms. SUTTON. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 1234.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. SUTTON. Mr. Speaker, H. Res. 1234 provides for consideration of H.R. 3021, the 21st Century Green High-Performing Public Facilities Act, under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Education and Labor. The rule makes in order eight amendments which are printed in the Rules Committee report. The rule also provides one motion to recommit, with or without instructions.

Mr. Speaker, I am proud to rise today in strong support of H.R. 3021, the 21st Century Green High-Performing Public Schools Facilities Act. This legislation is important and groundbreaking because it simultaneously addresses important issues confronting our Nation in the 21st century, improving our education system, modernizing our buildings and infrastructures to be environmentally sustainable, and creating jobs to grow our economy.

Mr. Speaker, our Nation's school districts are struggling to make essential improvements during these lean economic times. According to recent estimates, America's schools are hundreds of billions of dollars short of the funding needed to ensure that every student attends a high quality facility. Too many parents across this country are forced to drop off their children at schools that are falling apart, schools with leaking roofs and faulty electrical systems, schools with outdated technology which compromises their ability to achieve and succeed.

Our bill provides \$33.2 billion over 5 years for schools across the country for projects to modernize, renovate, and repair their facilities. This funding is crucial to improve our schools so that

the students have a healthy and safe environment in which to learn and develop the knowledge and the skills necessary to compete in today's workforce.

H.R. 3021 also addresses disparities in school facilities funding. It directs the Secretary of Education to distribute funds to school districts according to the same need-based formula used under title I of the Elementary and Secondary Education Act which provides funding for low income school districts. Funding provided in this bill can be used for energy efficiency and technology improvements, asbestos removal and lead abatement, and for ensuring that schools are prepared for emergencies. The funding is provided with few restrictions, which will allow individual schools to satisfy their individual needs.

Renovating schools so that they are environmentally sustainable will provide numerous health and educational benefits for students. Increasing air quality and lighting will enhance our students' ability to focus and learn, while reducing student sick days and improving the health of students with asthma and other respiratory problems.

□ 1500

Green schools also cost about 2 percent less than conventional schools, while providing financial benefits that are 20 times as large, utilizing 33 percent less energy and 32 percent less water than traditional schools.

Enabling students to attend environmentally sustainable schools not only insures a healthy learning environment. It will also naturally facilitate environmental literacy in our youth. This will help our children grow into stewards of our environment and natural resources that we must treasure and preserve for future generations.

Unfortunately, many schools in my district and across the Nation are also forced to address difficult security challenges. For example, Brunswick High School in my district is the largest single-level high school building in Ohio, stretching a quarter of a mile from end to end with 60 entrances. As you can imagine, this presents a formidable security challenge for teachers and administrators.

For these reasons, Congresswoman MCCARTHY and I have worked to include a provision in the manager's amendment for this legislation that will allow schools to improve building infrastructure to accommodate security measures and security doors.

This bill authorizes \$100 million a year through 2013 specifically for public schools in the gulf coast that are still working to rebuild from the devastation that Hurricanes Katrina and Rita wrought three years ago.

Families in the gulf coast are still fighting to recover and to put their lives back together. Mr. Speaker, we must continue to devote extra resources so that those schools and those communities can rebuild.

School modernization is the central purpose of 3021. Equally important and necessary is the essential economic stimulus that this bill will provide by creating more than 100,000 new jobs for American workers who design and build schools, from roofing contractors, construction workers and electricians, to architects and engineers. It's estimated that this bill will result in the creation of nearly 4,000 jobs in my home State of Ohio in 2009 alone.

Mr. Speaker, in these challenging economic times, important and innovative legislation such as this bill will go a long way to creating new opportunities for America's workforce. Passing this bill will enable school districts to upgrade their facilities and lead our Nation's students towards a brighter and healthier future while addressing the job crisis we face today.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank the gentlewoman from Ohio (Ms. SUTTON) for the time, and I yield myself such time as I may consume.

Today, the House is set to consider H.R. 3021, the 21st Century Green High-Performing Public School Facilities Act. This bill will direct the Secretary of Education to make grants and loans to local educational agencies for the construction, modernization or repair of public educational facilities. It also would require the funds to be used only for projects that meet certain green standards such as Leadership in Energy and Environmental Design, Energy Star, or an equivalent State or local standard.

Tomorrow, we are scheduled to consider H.R. 5540, to reauthorize the Chesapeake Bay Gateways and Water Trails Network.

I spent last week, Mr. Speaker, meeting and speaking with constituents in my district about the issues that matter to them, and no one mentioned anything closely related to these two bills. Both of these bills may be important in their own right, but I believe there are other issues that are much more pressing, issues we should be debating.

When Americans are paying \$4 a gallon for gasoline, we should be working on legislation to lower the cost of gasoline, increasing domestic energy exploration, reducing our reliance on unstable foreign energy.

France produces over 80 percent of its electricity from nuclear power, and there's a strong environmental movement in France. And yet the United States hasn't built a nuclear power plant in 30 years.

When our military forces are running out of personnel, operation and maintenance funds, we should be working to bring bipartisan legislation to the President's desk that he can quickly sign and fund the troops.

When the intelligence community is stripped of one of their key tools in the fight against international terrorism because the majority let the Protect

America Act expire, we should be working to give our intelligence officials the tools they need to stop terrorist attacks.

Instead, the majority has decided to work on a green schools bill and a water trails network reauthorization. These are not exactly the pressing issues facing Americans every day. These are not the issues our constituents want us working on today.

One of the central tenets of the Democrats' campaign in 2006, Mr. Speaker, was that they would run Congress in a more open and bipartisan manner. On December 6, 2006, the distinguished Speaker, Ms. PELOSI, reiterated her campaign promise. She said, "we promised the American people that we would have the most honest and open government, and we will."

However, that promise has yet to come to fruition as the majority has consistently blocked an open process through the Rules Committee. A prime example of how they've consistently stymied openness and bipartisanship is by the number of open rules that they've allowed in the 110th Congress. We're three-quarters of the way through the 110th Congress, and so far the majority has allowed only one open rule. One open rule, Mr. Speaker, in 18 months.

They had a chance to double to two the open rules last night, but by a party line vote they decided that they would once again use a restrictive rule process in making only four Republican amendments in order. They struck down 15 Republican amendments that had been introduced, including one from the ranking member of the Education and Labor Committee, Mr. McKEON. So much for the open process they promised.

I reserve the balance of my time.

Ms. SUTTON. Mr. Speaker, at this point I yield 3 minutes to the distinguished gentleman from California, the chairman of the Committee on Education and Labor, Mr. MILLER.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank my colleague from Ohio (Ms. SUTTON) for agreeing to handle this rule on this piece of legislation, and for her strong support of this legislation to provide for green high-performing public schools and the facilities in which our children learn.

This legislation comes along at a time when the record is very clear that in far too many instances our Nation's school buildings are literally crumbling around the students that we send to them every day. They're in desperate need of renovation; they're in desperate need of remodeling; they're in desperate need of modernization, so that our students who attend those schools every day can have a safe learning environment.

Not only will this bill help improve student achievement by providing students and teachers with modern, clean,

safe and healthy learning environment, but it will also give a boost to our economy and help make schools a part of the solution to the global warming crisis.

It is this kind of forward thinking and innovative policy that is needed to strengthen our Nation and help build a brighter future. By addressing a number of key challenges at once, this bill is a clear win for our children, for the workers and for our planet.

I would like to thank my colleagues who were instrumental in drafting this legislation and working on it many years. I want to thank Congressman BEN CHANDLER, the author of this bill, for the hard work and dedication of moving this legislation through the House.

I would also like to thank Congressman DALE KILDEE, the Chair of the Subcommittee on Early Childhood, Elementary and Secondary Education for his work on this bill. Mr. KILDEE has been a longtime champion of efforts to improve the physical conditions of our Nation's schools, and he deserves great credit for his leadership in this area.

I also want to thank Congressman DAVE LOEBSACK, who joined the fight the moment he stepped foot into the Congress. Like Mr. KILDEE, Mr. LOEBSACK is a former teacher, and he understands firsthand the difference that a top-notch facility, that a modern facility, that a safe facility, that a clean facility can mean to a child's education. That's the promise of this legislation.

And I would like to recognize the efforts of Congressmen RUSH HOLT, CHARLIE RANGEL, BOB ETHERIDGE and Congresswoman DARLENE HOOLEY, who is the head of the Green Schools Caucus.

As study after study has told us, we don't have a choice when it comes to rebuilding our schools. We simply won't be able to provide every child with the world-class education they need and deserve unless we're willing to help the States and school districts improve the conditions of these buildings and facilities. It's not a question of if we should modernize and repair our Nation's schools; it's a matter of when. It's simply a decision that we have to make and we can make it today.

Today we have that opportunity to begin this investment, an investment that will yield great results for our children, our economy and our future.

Finally, I want to thank all of the members of the Rules Committee for the consideration of this rule, for the reporting of this rule, and to Chairwoman SLAUGHTER for her diligence in making sure that this rule came to the floor.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it's my privilege to yield 3 minutes to the distinguished gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I thank my friend from Florida for yielding me the time.

I rise today in opposition to this rule and the underlying bill.

Mr. Speaker, last night the Rules Committee voted along party lines to not allow the U.S. House of Representatives, this body, to even consider two amendments that I offered that would have helped school districts whose tax bases are significantly reduced by the presence of tax-exempt Federal lands.

This bill would drastically expand the Federal Government's role in school construction and maintenance, activities historically funded at the State and local level before. But they're doing this before the Federal Government meets its existing responsibilities to schools that are impacted by Federal land ownership.

Mr. Speaker, over 33 percent of my district in Central Washington is owned by the Federal Government; making 11 school districts eligible for Impact Aid programs. I know all too well the consequences of Federal land ownership and the impact it has on the ability of schools to make needed improvements.

In the Grand Coulee Dam area in my district, students attend classes in buildings that are more than half a century old and that are literally falling apart. While the local residents in those districts have agreed to pay one of the highest school levies to maintain current levels in the State of Washington, the school district remains unable to secure a bond to make improvements on physical facilities because the community is surrounded by Federal lands and, therefore, has a limited tax base.

The Federal Government has a responsibility to ensure that no child's education is shortchanged because of Federal land ownership. And, in my view, it's only fair that the Federal Government take care of federally impacted schools before launching a brand new spending program costing billions of dollars that's aimed at schools that aren't federally impacted.

I offered two amendments in the Rules Committee. The first would have required that our commitment to federally impacted schools be met through full funding in the Impact Aid program before funding is spent on new Federal spending in this bill.

My second amendment, which I offered along with my colleague, ROBIN HAYES of North Carolina, would have simply given preference, preference, to federally impacted schools as the new construction and maintenance funds were distributed.

Unfortunately, Democrat leadership blocked both of my amendments from being debated or voted on today on the House floor.

Mr. Speaker, if the Federal Government cannot meet its current responsibilities to federally impacted schools, then it certainly has no business creating a brand new \$20 billion spending program for other schools. Rather than passing this massive expansion of the Federal Government's role in school

construction, we should refocus our efforts on fulfilling existing obligations to schools and children impacted by Federal actions.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question and against the underlying bill.

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

Mr. BLUMENAUER. I appreciate the gentlelady's courtesy in permitting me to speak on the bill, the work that is done by the Rules Committee in bringing this legislation before us. I am enthusiastically supportive of the rule and the underlying bill.

An opportunity to integrate sustainability into the neighborhood school, the building block of communities, is a double win. In the long run, this is going to save significant amounts of money at a time of skyrocketing energy prices. And the evidence is that at the green schools I've seen in my community, there's actually better performance. There's better performance on the part of the students, higher job satisfaction with the staff, and as I have seen in communities around the country where these principles are integrated into the school construction, it is a valuable learning experience for the children themselves.

I am particularly pleased in elements dealing with the transportation, allowing some of the facilities work to be done to help our children get to school safely on foot or cycling.

□ 1515

In 1969, so long ago that I was still in school, over half of America's children were able to get to school on their own walking or biking. By 2001, that percentage had fallen to 15 percent, and I routinely do work in other parts of the country where that percentage is under 10 percent where children can safely get to school on their own.

This poses an inordinate problem in terms of the costs for transportation for school districts. We're all familiar in our own communities with schools that have a rush hour around the start of school, and then there's the rush hour to commuting. It complicates lives for families, it's a problem of congestion and pollution, and with energy prices projected to continue to remain high, it costs money.

But with the provisions of this legislation, we're going to have resources available that compliment our Safe Routes to School legislation in the last transportation reauthorization to be able to help, once again, children to be able to walk and bike safely to school.

At a time when we are looking at 10 million young people of school age who are overweight, and when the projection is that by 2010, 20 percent of the school-age population will be obese, this is an opportunity to help children, particularly when one of the failures of No Child Left Behind is that there isn't a provision for physical education in our schools.

This is a triple win. I strongly urge support.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 3 minutes to the distinguished gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the distinguished gentleman for yielding, and I do rise in opposition to the rule and the bill. I don't think in my entire time in Congress I have ever opposed anything that provides additional funding for education, but I think this bill has many underlying elements we have to pay some attention to.

I don't disagree with virtually anything I've heard from the other side of the aisle in terms of what this might do. There is, as Mr. MILLER indicated, a desperate need for rebonding and renovation. We do need good schools. I think it would help our children. I'm in full agreement with all of that.

I'm also in full agreement with the gentlewoman from Ohio who said there's hundreds of billions of dollars of these kinds of renovations which are needed out there in the referenda for many of those things which are going on.

The issue is what else is needed to be done in education and what can we afford to do at the public government level.

If you look carefully at this bill and analyze the bottom-line expenditures, it's \$6.4 billion for the first year of fiscal year 2009. It sets some thereafter for the basic renovations. There's \$100 million for each of 5 years for emergency help in those States which were so devastated by storms which perhaps could be done separately, and I would have no problems with them, Louisiana, Mississippi, et cetera.

The title III provision is the green provision which calls for a percentage of this money to be spent for green aspects of our schools, as we should be doing. This is something the Federal Government has not done heretofore. We have had certain responsibilities either assigned to us or done by statute in some way or another, and one of those is an amendment which I introduced saying that before we do this, we should fully fund the authorization of title I. It is very arguable that if we have good schools, our students will do better. I think it's even more arguable that if we have the necessary teachers and other personnel to make absolutely sure the kids are going to be well-educated, they will do even better than that.

In title I last year, we appropriated \$13.9 billion, but we have authorized \$25 billion for title I. IDEA is not a part of this bill in particular, but again, we're not up to the statutory mandate of that which is up to 40 percent of contribution by the Federal Government; and if we were to add the \$6.4 billion to that, we would get very close to that number which would be \$17.3 billion.

This is money that we should be spending, and we can't afford to for one

reason or another. I've heard the old saw about spending on the war, or whatever it may be. But the bottom line is there's going to be so much spending on education and other resources this year, and my judgment is that we are really opening the door here. If we open this door at \$6.4 billion without hundreds of billions of dollars that are needed, we're going to find that that's going to double almost overnight when they find out there is a Federal resource for it.

The pressure in this place to take that up to \$10 billion, \$15, \$20 billion a year is going to be overwhelming, and all of a sudden, the education programs which we have a responsibility to be funding, which was so important to the basic instruction of kids, will fall by the wayside.

I would urge all of the Members oppose this rule.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it's my privilege to yield 3 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong opposition to both this restrictive rule and the underlying bill brought forward today by the Democratic majority.

As a former chairman of the Marietta City School Board in my district, I strongly believe that there needs to be more of an emphasis on public school construction but at the State and local level. However, H.R. 3021, the 21st Century Green High-Performing Public School Facilities Act, sends the wrong message of how the Federal Government should be involved in local education decisions.

With limited exception in the 1930s and 1940s, the Federal Government has rightly left the responsibility of public school construction up to the State and local governments. State and local governments know the construction needs in schools much better than bureaucrats in Washington. And the Federal Government has promoted the autonomy and flexibility of local control over education in this matter. However, this bill would negate much of this work and would only expand the size and scope of the Federal Government, as my good friend from Delaware, Mr. CASTLE, just pointed out.

Furthermore, Mr. Speaker, H.R. 3021 would cost \$20 billion over 5 years for a brand new Federal program to compete for the already precious Federal assistance dollars for education. Currently these funds are focused on the curriculum needs of States through our title I grants to provide assistance to low-income and disadvantaged students, as well as funding for the Individuals With Disabilities Education Act, IDEA, for special education.

Mr. Speaker, I can remember when I was on the Education and Workforce Committee in the 108th Congress when

we were in the majority. There was this outcry constantly from the Democrats about not funding fully to the 40 percent level of IDEA, and of course the trajectory of spending in the Bush administration under Republican majority was a geometric progression. We spent much more money than the Democrats have spent in the previous 10 or 12 years when they were in control.

But now we're going to take this money that should be spent on these programs like title I and IDEA and create a whole new program. It makes no sense. If enacted, it will create abundant squeeze, make it less likely the Federal Government will be able to fulfill financial commitments that have already been made for student achievement.

Mr. Speaker, we need to continue promoting local control over education decisions while providing Federal assistance for student achievements. The best and most immediate way that we can do that is by defeating the previous question and the rule for H.R. 3021. For these reasons, I ask that all of my colleagues oppose the rule and the underlying legislation.

Ms. SUTTON. Mr. Speaker, I am going to reserve my time until the gentleman has closed for his side and has yielded back his time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished lady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Speaker, as the author of an amendment that was not made in order under this rule, I rise in opposition to this rule. My amendment would have prohibited taxpayer funds authorized by this bill from being used to purchase mercury-laden compact fluorescent light bulbs, also known as the CFL.

Mr. Speaker, it is not my intention to take the choice away from public schools as to how to meet their lighting needs. In fact, I believe that Congress already makes, too often, decisions for our citizens. But it is Congress' single-minded dangerous pursuit of this environmental fad that has gotten us all to this point of silliness today.

Congress must ensure that mercury-laden light bulbs are safe before we encourage their use in our child's classrooms. There are very serious health concerns about these light bulbs that are filled with mercury. They pose problems to humans precisely because of their high mercury content, and we must be sure of their safety before we force them on our public school children through this ill-conceived law.

When mercury light bulbs break, let's remember, extensive cleanup is needed. That's what these regulations show us. This is very highly selective and very detailed clean-up regulations.

What does this mean for school children that could be exposed to light bulbs of the broken mercury latent light bulbs? On the EPA's own Web site

are these eight pages of instructions about how to deal with a mercury spill, specifically including spills due to broken mercury light bulbs.

Let me run you through just some of the steps for cleaning up just one broken mercury light bulb.

Before the clean-up ever begins, people must leave the room for 15 minutes as the room airs out putting a halt to the learning that's taking place in the classroom. The school then is told to shut off their central air-conditioning system, or, in Minnesota's case, central heating system, and then they're told not to use a broom to sweep up the broken light bulb as they could come in contact with mercury at a later time.

This should give Congress pause to think about this next rule that says if clothing comes in contact with a broken light bulb and the mercury, it must be disposed of immediately. Imagine that. Children or teachers or the janitorial staff would have to remove their clothing immediately, and we're told that you are not allowed to wash your clothes. That's what the EPA rules say. You're not allowed to wash your clothes. That won't do the trick because mercury fragments in the clothing might contaminate the washing machine and also pollute sewage.

Let's get this straight. Congress is worried about harming sewage and yet we're rushing to place these mercury light bulbs in our classrooms next to our children. That step alone should be a warning to the dangers of mercury-laden light bulbs.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentlewoman 1 additional minute.

Mrs. BACHMANN. But the kicker of them all is the disposal process. Immediately a person must place all of the clean-up materials in an outdoor trash can or protected area for normal trash pickup. But make sure that you check with your local government.

In Minnesota, my home State, it does not allow for normal trash disposal for mercury. Instead, they require that broken and unbroken mercury bulbs be taken to a local recycling center.

There are so many rules that are contained on the EPA Web site that I don't have time to address them all, but while these clean-up guidelines are important and should be followed, the harm that just one broken light bulb can have on a child, senior citizen, or an animal is very real, which is why Congress should not embark on these fads.

I hope none of us will have to respond to the news story of a girl or a boy or a senior citizen or an animal who is poisoned by a broken mercury-laden light bulb. That would be horrible.

I speak today to alert this body and the American people of this yet considerable loss of liberty.

Ms. SUTTON. Mr. Speaker, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 3 minutes to the distinguished ranking member from California (Mr. McKEON).

□ 1530

Mr. McKEON. I thank the gentleman for yielding and I rise in opposition to this rule.

Schools around the Nation are facing an immediate funding shortfall, but it's not a lack of funds for green facilities maintenance. Mr. Speaker, like the rest of us, they're struggling with gasoline prices.

For local school systems, energy represents a significant share of their budget. They pay for the fuel to operate the buses that drive children to and from school. They pay to heat their schools in the winter and cool them in the summer. They pay for electricity to light their classrooms and power their computers. And with the national average for a gallon of regular gasoline reaching \$3.98 today—now, that might have been at the start of debate. It could be \$3.99 or \$4 now the way it's going up. In California, it's much higher than this already—these energy costs are consuming an increasing share of overall school budgets.

For schools, rising energy costs don't stop with school buses and utilities. The cost of fuel makes almost everything more expensive, from books and supplies to the food that goes into school lunches. So, yes, our schools do have an immediate need, and we ought to be on the floor addressing that need today. We should be taking action on comprehensive energy legislation that will increase production, drive innovation, and promote conservation. Unfortunately, that's not what we're going to do today.

Instead, the House will consider a bill that fundamentally changes the Federal role in education. I'm talking about legislation that begins the process of Federalizing the building and maintenance of individual schools in communities across this Nation. Agree or disagree with what this bill is trying to accomplish, no one can deny that what's being proposed is a significant, perhaps even monumental, shift in education policy.

In keeping with the pattern established by the majority, it is no surprise then that this bill is being brought up with limited opportunity for debate and amendment, after being rushed through an abbreviated committee process.

Of the 20 amendments submitted by Republicans, just four were made in order. That's one in five.

Not surprisingly, members of the majority party fared a little better. Of the eight amendments they offered and did not withdraw, fully half of them were made in order. Several others were combined with amendments that were accepted or added to the manager's amendment, making sure that in the end virtually all of their concerns are going to be addressed.

We can do better than this. We should do better than this, but after a year-and-a-half under this iron-fisted majority, I know better than to expect better.

So much for the most open Congress in history. I urge a "no" vote on the rule.

Ms. SUTTON. I continue to reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank my good friend from Florida for his leadership on this issue and so many others.

Mr. Speaker, I came to the floor today. I wanted to talk about the amendments that I had offered to this bill that would have provided some accountability to the spending that's incorporated in this bill, but as we have heard, those amendments weren't made in order.

So, in addition to the majority not wanting to have accountability for the bill that we're talking about on school construction, the first time Federal moneys have been used for school construction, no accountability, what I thought I would do then is address the issue that we ought to be talking about today. That's the issue that we all heard about last week when we went home.

When I went home, what did I hear from my constituents? I didn't hear about school construction. I heard about gas prices. And I heard that people are tired, sick and tired, and fed up with inaction in Washington. They want solutions.

Mr. Speaker, there are three ways to address this issue. One is conservation, and we all can do more.

The second is to make certain that we put appropriate incentives in place for alternative fuels so that we can bridge to the next generation and American genius can be unleashed. This majority isn't doing anything about that.

But the way that we bridge to the next generation is to increase supply, and so I asked some folks on our side of the aisle to get the information that said what has the majority party, what have the Democrats, done in order to increase supply of American energy.

It won't surprise you, Mr. Speaker, to know that 91 percent of the folks on our side of the aisle, 91 percent, supported exploration in Alaska over the last 15 years; 86 percent on the other side opposed it to increase supply.

Coal-to-liquid technology, 97 percent on our side of the aisle supported increasing supply in coal-to-liquid technology; 78 percent on the other side opposed it.

How about oil shale exploration? Ninety percent on our side of the aisle support oil shale exploration increasing supply; 86 oppose it on the other side.

Deep sea exploration, Mr. Speaker, 81 percent on our side support it; 83 percent on the other side oppose it.

How about increasing refining capacity? There hasn't been a new refinery built in this Nation in over 30 years. Ninety-seven percent on this side of the aisle support it; 96 percent on the majority side oppose increasing refining capacity in vote after vote after vote.

Mr. Speaker, my constituents and I know Americans across this Nation are sick and tired, sick and tired of a majority that's keeping us dependent on Middle Eastern oil. So I call on this majority and I call on the Speaker to bring forward a positive bill that will increase conservation, increase incentives for alternative fuel, and make certain that we can use American resources, American energy for Americans.

Ms. SUTTON. Mr. Speaker, I want to remind my colleagues who may be listening to this debate that this rule and this bill are about repairing and improving our Nation's schools.

I also want to remind the people at home that, of course, those who are railing now about the effects of energy policy over the past 6 or so or 8 or 10 years were in charge, most of that time with a Republican President, and this is what we get.

So this Congress, of course, is a new majority, and we have taken bold steps to put incentives in place that will lead to historic change and will turn the corner to renewable sources of energy in this country being developed.

We have 30 million acres on which oil drilling can take place right now, and those are just sitting idle. Those on the other side of the aisle don't tell us the whole story when they're talking about these issues.

But I just want to repeat, I want to remind my colleagues who may be listening to this debate, that this rule and this bill is about the very important business of repairing and improving our Nation's schools.

With that, I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, first it's important to set the record straight. Ten years ago, this Congress passed drilling in the ANWR, and it faced a Presidential veto by then-President Clinton, and imagine if it hadn't faced a veto how much of a difference we would have been able to make.

Now we're seeing the consequences of that, as Mr. PRICE of Georgia pointed out. Effort after effort that we've engaged in to try to increase the production of energy, the supply of energy has been opposed by the other side of the aisle and I think nowhere more dramatically than when we were able to pass legislation to have production in Alaska, and it was vetoed by the last President, a Democratic President.

So these things have to be put on the record, Mr. Speaker, because now with \$4 gas the record counts, and the record is of interest to all Americans, and it will be more and more of interest every day.

Mr. Speaker, back on April 24, 2006, just over 2 years ago, now-Speaker PELOSI issued the following statement:

"With skyrocketing gas prices it is clear that the American people can no longer afford the Republican rubber stamp Congress and its failure to stand up to Republican big oil and gas company cronies. Americans are paying \$2.91 a gallon on average for regular gasoline, 33 cents higher than last month, and double the price than when President Bush first came into office."

Mr. Speaker, most Americans would be happy if they were paying \$2.91 a gallon today. Yet here we are this week debating bills on green schools and watertrails network instead of working on legislation to reduce the price of gasoline and increase supply. Now, the price of gasoline is at \$4 gallon now.

Reinforcing the fact that the majority has yet to confront that issue, just over a month ago the newspaper *Investors Business Daily* in an editorial said that this Congress "is possibly the most irresponsible in modern history. This is especially true when it comes to America's dysfunctional energy policy."

[From *Investor's Business Daily*, Apr. 29, 2008]

#### CONGRESS VS. YOU

We've said it before, but we'll say it again: This Congress is possibly the most irresponsible in modern history. This is especially true when it comes to America's dysfunctional energy policy.

The media won't call either the House or the Senate on its failures, for one very obvious reason: They mostly share an ideology with the Democrats that keeps them from understanding how free markets and supply and demand really work. Sad, but true.

So we were happy to hear the president do the job, calling out Congress for its inaction and ignorance in his wide-ranging press conference Tuesday.

"Many Americans are understandably anxious about issues affecting their pocketbook, from gas and food prices to mortgage and tuition bills," Bush said. "They're looking to their elected leaders in Congress for action. Unfortunately, on many of these issues, all they're getting is delay."

Best of all, Bush didn't let the issue sit with just generalities. He reeled off a bill of particulars of congressional energy inaction, including:

Failing to allow drilling in ANWR. We have, as Bush noted, estimated capacity of a million barrels of oil a day from this source alone—enough for 27 million gallons of gas and diesel. But Congress won't touch it, fearful of the clout of the environmental lobby. As a result, you pay at the pump so your representative can raise campaign cash.

Refusing to build new refineries. The U.S. hasn't built one since 1976, yet sanctions at least 15 unique "boutique" fuel blends around the nation. So even the slightest problem at a refinery causes enormous supply problems and price spikes. Congress has done nothing about this.

Turning its back on nuclear power. It's safe and, with advances in nuclear reprocessing technology, waste problems have been minimized. Still, we have just 104 nuclear plants—the same as a decade ago—producing just 19% of our total energy. (Many European nations produce 40% or more of their power with nuclear.) Granted, nuclear power plants are expensive—about \$3 billion each. But they produce energy at \$1.72/kilowatt-hour vs. \$2.37 for coal and \$6.35 for natural gas.

Raising taxes on energy producers. This is where a basic understanding of economics

would help: Higher taxes and needless regulation lead to less production of a commodity. So by proposing "windfall" and other taxes on energy companies plus tough new rules, Congress makes our energy situation worse.

These are just a few of Congress' sins of omission—all while India, China, Eastern Europe and the Middle East add more than a million barrels of new demand each and every year. New Energy Department forecasts see world oil demand growing 40% by 2030, including a 28% increase in the U.S.

Americans who are worried about the direction of their country, including runaway energy and food prices, should keep in mind the upcoming election isn't just about choosing a new president. We'll also pick a new Congress.

The current Congress, led on the House side by a speaker who promised a "common sense plan" to cut energy prices two years ago, has shown itself to be incompetent and irresponsible. It doesn't deserve re-election.

Today, I will be asking each of my colleagues to vote "no" on the previous question to this rule. If the previous question is defeated, I will amend the rule to make it in order for the House to consider any amendment that would actually do something to reduce gas prices for consumers, such as H.R. 5905, the CARS Act, which would give commuters a tax break on their commuting expenses and require the Speaker of the House to submit a plan to lower gas prices.

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

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I am so pleased that our colleague Dr. PRICE pointed out on issue after issue, whether it's ANWR exploration or coal-to-liquid or oil shale exploration or refinery increased capacity or on the issue of nuclear power. There is a strong environmental movement in France, but over 80 percent of their electricity is generated from nuclear power. Yet we haven't built a nuclear power plant in this country in over 30 years.

It's time to face the issue of energy independence in this country.

Mr. Speaker, at this time, I would reserve the balance of my time.

Ms. SUTTON. Mr. Speaker, at this time, I yield 3 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, it's interesting that my colleagues on the other side railed against this legislation in the name of energy.

It doesn't do a lot of good to pump more energy into these schools, more air conditioning into these schools, more heat into these schools when the schools are such inefficient users of energy. It makes no sense to pump more and more electricity into the schools, to use lighting that's outdated, outmoded, harmful to the learning of these children.



The purpose of this legislation is to take a major institution in our country, our elementary secondary education system, and have the Federal Government lend some support to local efforts that are struggling now, trying to accelerate their programs to cut their energy costs in the running of their schools.

That's what this bill allows us to do. It allows us to put in place as they renovate, as they repair, as they remodel these schools, trying to recover, as all businesses are all across the country, as homeowners are all across the country, to reduce their energy costs. It allows us to partner up with them and to provide some assistance in doing that.

It's rather interesting that all they can talk about on the other side is somehow that they didn't get to go to Alaska. If they'd gone to Alaska, it probably would have made a penny or 2 cents or 3 cents a difference in a gallon of gasoline today.

But the fact of the matter is why would you go to Alaska and put it into cars that are getting 12 and 13 miles a gallon? But you never went to the question of efficiencies. You never went to the question of better automobiles.

We did. The first time in 30 years, this Congress improved the mileage standard for automobiles. Just think if we had done it when George Bush said he wanted it done. Today, it would have been an entire different industry.

But no, you listened to the oil industry and you listened to the automobile industry. Well, listen to them today as the chairman of General Motors has to admit that they didn't see it coming, they didn't see it was going to happen. They laid off 20,000 workers. They shut down four plants making SUVs and trucks. Why are we listening to those people?

If we continue to listen to them, we'll be the only people in the world that are listening to them. They've made one bad business decision, one bad energy decision after another for the last two decades, and it cost them almost 450,000 jobs to the workers. It cost them market share, it cost them productivity, it cost them profit. Now what are they doing? They're trying to play catch-up.

Well, we don't think the school districts in this country should play catch-up like General Motors. We think the school districts in this country ought to have an opportunity to make these facilities more efficient in the use of the energy, more efficient in the conservation of energy so that they can come into the modern age and they can make the changes that all of the studies indicate to us not only will save them energy, not only will make the facilities safer, cleaner and better for the learning environment that these children need, it will also dramatically change the cost of running these school districts.

It's happening, but too many school districts in too many areas don't have

sufficient funds. We think the Federal Government ought to put its shoulder to the wheel and help these school districts conserve their energy.

□ 1545

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I'm glad to speak against this rule and against this bill in itself.

First off, this is not a Federal responsibility, this is a State and local responsibility. And to the extent that we spend Federal taxpayer dollars, this isn't the Federal Government doing this, there is no such thing as the Federal Government doing this; this is the Federal taxpayer doing this. So you've got taxpayers on one hand funding their local schools; you've got Federal taxpayers funding those same local schools. This is a wreck of bureaucratic nightmare. This should not happen.

We're not fully funding IDEA, we're not fully funding title I; this is just something new. So it's because it's new that we can get away with acting like this is something that's good, and it's not because we're not fully funding what we should be.

Electrical costs in our schools are very high, no doubt about it. And the truth of the matter is we can't conserve our way into lowering those electricity costs because electricity cost generation is going to continue to go up. And as this majority continues to restrict the growth in clean coal burning technology, as they continue to restrict the growth in nuclear power plants, they're going to continue to drive electricity costs higher and higher.

Now we all like wind, we all like solar, but the truth of the matter is growth in those alternatives cannot even keep up with the growth in the demand for electricity. As schools begin to quit going to field trips, as they begin to quit going to football games and quit going to things they're already telling us they're going to do because of gasoline costs and diesel costs being higher because of lack of supply, it's our responsibility to address the broader issue of energy and not school buildings, which is a local and State issue.

Mr. Speaker, I speak against this rule and against this bill.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. CONAWAY. I would be happy to yield.

Mr. GEORGE MILLER of California. What would you prefer that they do, have the schools do nothing when they know that they have a waiver? Every business in America is investing in energy conservation.

Mr. CONAWAY. Reclaiming my time, what I would have them do is take the local responsibility of making these decisions on their own.

Mr. GEORGE MILLER of California. This doesn't take anything away from local responsibility.

Mr. CONAWAY. Reclaiming my time, what I would have them do is take the responsibility themselves to make these very good decisions to create energy-efficient facilities. But it's their job, not the Federal taxpayer's job.

Mr. LINCOLN DIAZ-BALART of Florida. Again, Mr. Speaker, we're asking for a "no" vote on the previous question to be able to address the energy issue. If we're ever going to address it, it's time to start doing so with \$4 a gallon gasoline.

Members can take a stand against high fuel prices and insist that the energy issue be addressed seriously by voting "no" on the previous question. I encourage a "no" vote on the previous question.

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

Ms. SUTTON. Mr. Speaker, as we lead this country in the 21st century, we must work creatively to form policies that address the intertwining nature of the challenges we face.

I've heard that this isn't important legislation from the other side of the aisle, and that is concerning to me because safe and healthy schools are important. Environmentally sustainable schools are important. Creating 100,000 jobs in this country is important. Acting to instill environmental stewardship in students and our youth is important.

One out of five Americans attends school each day. A 2006 report concluded that, despite significant State and local expenditures on school construction and renovation from 1996 to 2004, there continues to be millions of students in substandard and overcrowded school conditions. This bill will set our 60 million school children on a path to a better education and a healthier future by providing a Federal investment to help renovate, prepare, and modernize thousands of public schools.

I urge a "yes" vote on the previous question and on the rule.

Ms. MATSUI. Mr. Speaker, we are tasked with finding solutions that are innovative and multifaceted, to secure a better future for America.

Part of that responsibility is ensuring that young Americans have access to safe, constructive environments to learn in.

H.R. 3021 will help give our children and grandchildren the sound, healthy classrooms they need and deserve. It is clear that our schools are aging and in need of repairs . . . repairs that must be made to allow students to focus on learning and reaching their full potential.

Not only will we be investing in future generations of Americans, we will provide thousands of much-needed, high-quality jobs.

With the bill before us today, we are taking steps that will help address so many of the challenges we face.

The improvements made to schools will encourage green building techniques and help reduce our greenhouse gas emissions. These standards will save school districts money on utilities for years to come.

In my district, the Natomas Unified School District, the state's only "Climate Action Leader," recently received the Clean Air "Government Award" for its dedication to air quality and energy-saving techniques. It is innovative approaches like this that H.R. 3021 will encourage across the country.

I cannot help but think of my grandchildren, Anna and Robby; they are approaching school age, and I want them to be in a healthy environment that will enable them to reach their full potential.

I ask my colleagues to support the Rule and final passage of H.R. 3021.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1234 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution or the operation of the previous question, it shall be in order to consider any amendment to the bill which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline. Such amendments shall be considered as read, shall be debatable for thirty minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 of rule XXI. For purposes of compliance with clause 9(a)(3) of rule XXI, a statement submitted for printing in the Congressional Record by the proponent of such amendment prior to its consideration shall have the same effect as a statement actually printed.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

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 Democratic 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 Democratic 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 definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

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 Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SUTTON. 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. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and motions to suspend the rules on H.R. 1343 and H.R. 5669.

The vote was taken by electronic device, and there were—yeas 221, nays 196, not voting 16, as follows:

[Roll No. 370]

YEAS—221

Abercrombie	Boyd (FL)	Cohen
Ackerman	Boyd (KS)	Conyers
Allen	Brady (PA)	Cooper
Altmire	Braley (IA)	Costa
Arcuri	Brown, Corrine	Costello
Baird	Butterfield	Courtney
Baldwin	Capps	Cramer
Barrow	Capuano	Crowley
Bean	Carnahan	Cuellar
Becerra	Carney	Cummings
Berkley	Carson	Davis (AL)
Berman	Castor	Davis (CA)
Berry	Cazayoux	Davis (IL)
Bishop (GA)	Chandler	Davis, Lincoln
Bishop (NY)	Childers	DeFazio
Blumenauer	Clarke	DeGette
Boren	Clay	DeLauro
Boswell	Cleaver	Dicks
Boucher	Clyburn	

Dingell	Levin	Ruppersberger
Doggett	Lipinski	Ryan (OH)
Doyle	Loebach	Salazar
Edwards	Lofgren, Zoe	Sanchez, Linda
Ellison	Lowe	T.
Ellsworth	Lynch	Sanchez, Loretta
Emanuel	Mahoney (FL)	Sarbanes
Engel	Maloney (NY)	Schakowsky
Eshoo	Markey	Schiff
Etheridge	Marshall	Schwartz
Farr	Matheson	Scott (GA)
Fattah	Matsui	Scott (VA)
Foster	McCarthy (NY)	Serrano
Frank (MA)	McCollum (MN)	Sestak
Giffords	McDermott	Shea-Porter
Gonzalez	McGovern	Sherman
Gordon	McIntyre	Sires
Green, Al	McNerney	Skelton
Green, Gene	McNulty	Slaughter
Grijalva	Meek (FL)	Smith (WA)
Gutierrez	Meeks (NY)	Snyder
Hall (NY)	Melancon	Solis
Hare	Michaud	Space
Harman	Miller (NC)	Speier
Hastings (FL)	Miller, George	Spratt
Herseth Sandlin	Mitchell	Stark
Higgins	Mollohan	Stupak
Hinchey	Moore (KS)	Sutton
Hinojosa	Moore (WI)	Tanner
Hirono	Moran (VA)	Tauscher
Hodes	Murphy (CT)	Taylor
Holden	Murphy, Patrick	Thompson (CA)
Holt	Murtha	Thompson (MS)
Honda	Nadler	Tierney
Hooley	Napolitano	Towns
Hoyer	Neal (MA)	Tsongas
Inslee	Oberstar	Udall (CO)
Israel	Obey	Van Hollen
Jackson (IL)	Oliver	Velázquez
Jefferson	Ortiz	Visclosky
Johnson (GA)	Pallone	Walz (MN)
Johnson, E. B.	Pascarella	Wasserman
Jones (OH)	Pastor	Schultz
Kagen	Payne	Waters
Kanjorski	Perlmutter	Watson
Kaptur	Peterson (MN)	Watt
Kennedy	Pomeroy	Waxman
Kildee	Price (NC)	Weiner
Kilpatrick	Rahall	Welch (VT)
Kind	Rangel	Wexler
Klein (FL)	Reyes	Wilson (OH)
Kucinich	Richardson	Woolsey
Langevin	Rodriguez	Wu
Larsen (WA)	Ross	Yarmuth
Larson (CT)	Rothman	
Lee	Roybal-Allard	

NAYS—196

Aderholt	Culberson	Herger
Akin	Davis (KY)	Hill
Alexander	Davis, David	Hobson
Bachmann	Davis, Tom	Hoekstra
Bachus	Deal (GA)	Hulshof
Barrett (SC)	Dent	Inglis (SC)
Bartlett (MD)	Diaz-Balart, L.	Issa
Barton (TX)	Diaz-Balart, M.	Johnson (IL)
Biggert	Donnelly	Johnson, Sam
Blibray	Doolittle	Jones (NC)
Bilirakis	Drake	Jordan
Bishop (UT)	Dreier	Keller
Blackburn	Duncan	King (IA)
Blunt	Ehlers	King (NY)
Boehner	Emerson	Kingston
Bonner	English (PA)	Kirk
Bono Mack	Everett	Kline (MN)
Boozman	Fallin	Knollenberg
Boustany	Feeney	Kuhl (NY)
Brady (TX)	Ferguson	LaHood
Broun (GA)	Flake	Lamborn
Brown (SC)	Forbes	Lampson
Brown-Waite,	Fortenberry	Latham
Ginny	Fossella	LaTourette
Buchanan	Fox	Latta
Burgess	Franks (AZ)	Lewis (CA)
Burton (IN)	Frelinghuysen	Lewis (KY)
Buyer	Garrett (NJ)	Linder
Calvert	Gerlach	LoBiondo
Camp (MI)	Gilchrest	Lucas
Campbell (CA)	Gingrey	Lungren, Daniel
Cannon	Gohmert	E.
Cantor	Goode	Mack
Capito	Goodlatte	Manzullo
Carter	Granger	Marchant
Castle	Graves	McCarthy (CA)
Coble	Hall (TX)	McCaul (TX)
Cole (OK)	Hastings (WA)	McCotter
Conaway	Hayes	McCrery
Crenshaw	Heller	McHenry
Cubin	Hensarling	McHugh



McKeon	Ramstad	Smith (TX)	Gutierrez	McCarthy (NY)	Sanchez, Loretta	Putnam	Schmidt	Tiberi
McMorris	Regula	Souder	Hall (NY)	McCollum (MN)	Sarbanes	Radanovich	Sensenbrenner	Turner
Rodgers	Rehberg	Stearns	Hare	McDermott	Schakowsky	Ramstad	Sessions	Upton
Mica	Reichert	Sullivan	Harman	McGovern	Schiff	Regula	Shadegg	Walberg
Miller (FL)	Renzi	Tancred	Hastings (FL)	McIntyre	Schwartz	Rehberg	Shays	Walden (OR)
Miller (MI)	Reynolds	Terry	Hersteth Sandlin	McNerney	Scott (GA)	Reichert	Shimkus	Walsh (NY)
Miller, Gary	Rogers (AL)	Thornberry	Higgins	McNulty	Scott (VA)	Renzi	Shuster	Wamp
Moran (KS)	Rogers (KY)	Tiahrt	Hinchey	Meek (FL)	Serrano	Reynolds	Simpson	Weldon (FL)
Murphy, Tim	Rogers (MI)	Tiberi	Hinojosa	Meeke (NY)	Sestak	Rogers (AL)	Smith (NE)	Weller
Musgrave	Rohrabacher	Turner	Hirono	Melancon	Shea-Porter	Rogers (KY)	Smith (NJ)	Westmoreland
Myrick	Ros-Lehtinen	Upton	Hodes	Michaud	Sherman	Rogers (MI)	Smith (TX)	Whitfield (KY)
Neugebauer	Roskam	Walberg	Holden	Miller (NC)	Sires	Rohrabacher	Souder	Wilson (SC)
Nunes	Royce	Walden (OR)	Holt	Miller, George	Skelton	Ros-Lehtinen	Stearns	Wittman (VA)
Paul	Ryan (WI)	Walsh (NY)	Honda	Mitchell	Slaughter	Roskam	Sullivan	Wolf
Pearce	Sall	Wamp	Hoolley	Mollohan	Smith (WA)	Royce	Tancred	Young (AK)
Pence	Scalise	Weldon (FL)	Hoyer	Moore (KS)	Snyder	Ryan (WI)	Terry	Young (FL)
Peterson (PA)	Schmidt	Weller	Inslee	Moore (WI)	Solis	Sali	Thornberry	
Petri	Sensenbrenner	Westmoreland	Israel	Moran (VA)	Space	Scalise	Tiahrt	
Pickering	Sessions	Whitfield (KY)	Jackson (IL)	Murphy (CT)	Speier			
Pitts	Shadegg	Wilson (SC)	Jefferson	Murphy, Patrick	Spratt			
Platts	Shays	Wittman (VA)	Johnson (GA)	Murtha	Stark			
Poe	Shimkus	Wolf	Johnson, E. B.	Nadler	Stupak			
Porter	Shuster	Young (AK)	Jones (OH)	Napolitano	Sutton			
Price (GA)	Simpson	Young (FL)	Kagen	Neal (MA)	Tanner			
Putnam	Smith (NE)		Kanjorski	Oberstar	Tauscher			
Radanovich	Smith (NJ)		Kaptur	Obey	Taylor			

## NOT VOTING—16

Andrews	Gillibrand	Rush
Baca	Hunter	Saxton
Cardoza	Jackson-Lee	Shuler
Chabot	(TX)	Udall (NM)
Filner	Lewis (GA)	Wilson (NM)
Gallegly	Pryce (OH)	

## □ 1614

Mrs. SCHMIDT and Mr. PEARCE changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 370, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore (Mr. POMEROY). The question is on the resolution.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 193, not voting 17, as follows:

[Roll No. 371]

## YEAS—223

Abercrombie	Capuano	Davis, Tom
Ackerman	Carnahan	DeFazio
Allen	Carney	DeGette
Altmire	Carson	Delahunt
Arcuri	Castor	DeLauro
Baird	Cazayoux	Dicks
Baldwin	Chandler	Dingell
Barrow	Childers	Doggett
Bean	Clarke	Donnelly
Becerra	Clay	Doyle
Berkley	Cleaver	Edwards
Berman	Clyburn	Ellison
Berry	Cohen	Ellsworth
Bishop (GA)	Conyers	Emanuel
Bishop (NY)	Cooper	Engel
Blumenauer	Costa	Eshoo
Boren	Costello	Etheridge
Boswell	Courtney	Farr
Boucher	Cramer	Fattah
Boyd (FL)	Crowley	Foster
Boyd (KS)	Cuellar	Frank (MA)
Brady (PA)	Cummings	Giffords
Braley (IA)	Davis (AL)	Gonzalez
Brown, Corrine	Davis (CA)	Green, Al
Butterfield	Davis (IL)	Green, Gene
Capps	Davis, Lincoln	Grijalva

Gutierrez	McCarthy (NY)	Sanchez, Loretta
Hall (NY)	McCollum (MN)	Sarbanes
Hare	McDermott	Schakowsky
Harman	McGovern	Schiff
Hastings (FL)	McIntyre	Schwartz
Hersteth Sandlin	McNerney	Scott (GA)
Higgins	McNulty	Scott (VA)
Hinchey	Meek (FL)	Serrano
Hinojosa	Meeke (NY)	Sestak
Hirono	Melancon	Shea-Porter
Hodes	Michaud	Sherman
Holden	Miller (NC)	Sires
Holt	Miller, George	Skelton
Honda	Mitchell	Slaughter
Hoolley	Mollohan	Smith (WA)
Hoyer	Moore (KS)	Snyder
Inslee	Moore (WI)	Solis
Israel	Moran (VA)	Space
Jackson (IL)	Murphy (CT)	Speier
Jefferson	Murphy, Patrick	Spratt
Johnson (GA)	Murtha	Stark
Johnson, E. B.	Nadler	Stupak
Jones (OH)	Napolitano	Sutton
Kagen	Neal (MA)	Tanner
Kanjorski	Oberstar	Tauscher
Kaptur	Obey	Taylor
Kennedy	Oliver	Thompson (CA)
Kildee	Ortiz	Thompson (MS)
Kilpatrick	Pallone	Tierney
Kind	Pascrell	Towns
Klein (FL)	Pastor	Tsongas
Kucinich	Payne	Udall (CO)
Lampson	Perlmutter	Van Hollen
Langevin	Peterson (MN)	Velázquez
Larsen (WA)	Pomeroy	Visclosky
Larsen (CT)	Price (NC)	Walz (MN)
Lee	Rahall	Wasserman
Levin	Rangel	Schultz
Lipinski	Reyes	Waters
Loeb sack	Richardson	Watson
Lofgren, Zoe	Rodriguez	Watt
Lowey	Ross	Waxman
Lynch	Rothman	Weiner
Mahoney (FL)	Roybal-Allard	Welch (VT)
Maloney (NY)	Ruppersberger	Wexler
Markey	Ryan (OH)	Wilson (OH)
Marshall	Salazar	Woolsey
Matheson	Sánchez, Linda	Wu
Matsui	T.	Yarmuth

## NAYS—193

Aderholt	Doolittle	Kline (MN)
Akin	Drake	Knollenberg
Alexander	Dreier	Kuhl (NY)
Bachmann	Duncan	LaHood
Bachus	Ehlers	Lamborn
Barrett (SC)	Emerson	Latham
Bartlett (MD)	English (PA)	LaTourette
Barton (TX)	Everett	Latta
Biggert	Fallin	Lewis (CA)
Bilbray	Feeney	Lewis (KY)
Bilirakis	Ferguson	Linder
Bishop (UT)	Flake	LoBiondo
Blackburn	Forbes	Lucas
Blunt	Fortenberry	Lungren, Daniel
Boehner	Fossella	E.
Bonner	Fox	Mack
Bono Mack	Franks (AZ)	Manzullo
Boozman	Frelinghuysen	Marchant
Boustany	Garrett (NJ)	McCarthy (CA)
Brady (TX)	Gerlach	McCaul (TX)
Brown (GA)	Gilchrest	McCotter
Brown (SC)	Gingrey	McCrery
Brown-Waite,	Gohmert	McHenry
Ginny	Goode	McHugh
Buchanan	Goodlatte	McKeon
Burgess	Granger	McMorris
Burton (IN)	Graves	Rodgers
Buyer	Hall (TX)	Mica
Calvert	Hastings (WA)	Miller (FL)
Camp (MI)	Hayes	Miller (MI)
Campbell (CA)	Heller	Miller, Gary
Cannon	Hensarling	Moran (KS)
Cantor	Herger	Murphy, Tim
Capito	Hill	Musgrave
Carter	Hobson	Myrick
Castle	Hoekstra	Neugebauer
Coble	Hulshof	Nunes
Cole (OK)	Inglis (SC)	Paul
Conaway	Issa	Pearce
Crenshaw	Johnson (IL)	Pence
Cubin	Johnson, Sam	Peterson (PA)
Culberson	Jones (NC)	Petri
Davis (KY)	Jordan	Pickering
Davis, David	Keller	Pitts
Deal (GA)	King (IA)	Platts
Dent	King (NY)	Poe
Diaz-Balart, L.	Kingston	Porter
Diaz-Balart, M.	Kirk	Price (GA)

## NOT VOTING—17

Andrews	Gillibrand	Pryce (OH)
Baca	Gordon	Rush
Cardoza	Hunter	Saxton
Chabot	Jackson-Lee	Shuler
Filner	(TX)	Udall (NM)
Gallegly	Lewis (GA)	Wilson (NM)

## □ 1622

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 371, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted “yea.”

# MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask the House to observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan, their families, and all who serve in our Armed Forces.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POMEROY). Without objection, 5-minute voting will continue.

There was no objection.

# HEALTH CENTERS RENEWAL ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1343, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. GENE GREEN) that the House suspend the rules and pass the bill, H.R. 1343, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 393, nays 24, not voting 16, as follows: