

BREAST CANCER AWARENESS  
MONTH

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in recognition of Breast Cancer Awareness Month. It is perhaps appropriate that in this month we are all tasked to reform this Nation's health care system for the millions of women who each year are screened and diagnosed with breast cancer and other breast disease.

And yet there is also a glaring disparity in the diagnosis and treatment of breast disease. According to the Office of Minority Health, African American women are 34 percent more likely to die from breast cancer than white women. African American women are also 10 percent less likely to be diagnosed with breast cancer.

This disparity in screening diagnosis and treatment leads to not only more expensive care in the long run, but far too often death. A report released by the Joint Center for Political and Economic Studies estimates that the combined costs of such health inequalities and premature deaths in the United States total \$1.24 trillion.

We must eliminate disparities and discriminatory insurance practices impacting minorities and women not only because it's cost effective but because it's the right thing to do.

It's time to provide quality, affordable, and accessible health care with a public plan that allows choice, care, and competition.

POST MAJOR LEGISLATION 72  
HOURS BEFORE VOTE TAKES  
PLACE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, it's fitting that Congress pass a bill that gives Members of Congress and the American public 72 hours to read major legislation before Congress votes. Both the stimulus and the national energy bill passed in the House less than 1 day after coming to the floor.

In town halls all across the country, constituents have demanded that each major bill be made available to Members of Congress and the public for at least 72 hours before a vote takes place. We should not rush to pass a sweeping government takeover of health care and energy or advance any other important issue without taking the time to understand fully its impact on American families and small businesses.

Mr. Speaker, the American people have spoken. Let's give them and their elected leaders 72 hours to read what's in the bills before Congress.

## ICE DETENTION REPORT

(Mr. POLIS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, yesterday Secretary Napolitano and Immigration and Customs Enforcement Assistant Secretary John Morton released a much-anticipated report on ICE's detention policies, which detailed observations and recommendations made by former detention policy and planning director, Dora Schriro.

Despite ICE's previously stated goals of focusing on the detention and deportation of dangerous criminal immigrants, Dr. Schriro's report clearly states that two-thirds of the individuals being detained at taxpayer expense by ICE are noncriminal immigrants, a proportion which has stayed constant over the past 2 years.

I am encouraged by Secretary Napolitano's commitment to reforming our Immigration Detention System and her acknowledgment that ICE must create a system that reflects the needs of a largely noncriminal civilian detainee population versus those of a prison population. We must ensure community members that those ICE has classified as "special population," such as parents with minor children, the ill and injured, women, non-violent asylum seekers, are not routinely detained. Those who are eligible and do not present a flight risk or a danger to their community should be able to pay a bond and seek parole.

Luckily, ICE has found successful alternatives to detentions. Secretary Napolitano should continue these alternatives to detention programs.

PROVIDING FOR CONSIDERATION  
OF CONFERENCE REPORT ON  
H.R. 2997, AGRICULTURE, RURAL  
DEVELOPMENT, FOOD AND DRUG  
ADMINISTRATION, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 2010.

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 799 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 799

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2997) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes. All points of order against the conference report and against its consideration are waived. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

□ 1045

The SPEAKER pro tempore (Mr. BLUMENAUER). The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the

customary 30 minutes to the gentleman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

## GENERAL LEAVE

Mr. MCGOVERN. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 799.

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

There was no objection.

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

Mr. Speaker, H. Res. 799 provides for consideration of the conference report to accompany H.R. 2997, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010. The rule waives all points of order against the conference report on H.R. 2997 and against its consideration, and the rule provides that the previous question shall be considered as ordered without intervention of any motion except one hour of debate and one motion to recommit, if applicable.

Mr. Speaker, I rise in strong support of the conference report for the fiscal year 2010 Agriculture Appropriations conference report. This is a good bill, one that went through the regular order. It is, in fact, the third appropriations conference report that this body will consider this year. I want to especially commend Subcommittee Chairwoman ROSA DELAULO and Ranking Member JACK KINGSTON, as well as the other subcommittee members, for their efforts in completing this bill.

Mr. Speaker, this bill is one that normally doesn't get a lot of attention but, in reality, is one of the most important bills that we can pass. I wish the allocation, Mr. Speaker, for this bill, quite frankly, was higher than it is because there is a great need for the programs that make up this bill. This conference report funds the following areas at the Department of Agriculture: public health programs, rural communities, agriculture research, animal health and marketing programs, and conservation. Most importantly, this bill funds domestic and international antihunger and nutrition programs, programs that literally put food in the mouths of hundreds of millions of hungry people here at home and around the world.

Mr. Speaker, this bill is \$2.7 billion more than last year and \$325 million more than the President's request, a 13 percent increase over last year's bill. Following my opening statement, we will hear from my friends on the other side, and I expect that they will talk about how this bill spends too much money and that this increase is simply unnecessary, especially during these difficult economic times.

Well, Mr. Speaker, this increase is needed now more than ever. Just look at where the increases in this bill are targeted: to the areas of nutrition, international food assistance, and food

and drug safety. Simply, these increases go to protect our food supply and to provide food for those who either cannot afford it or do not have access to it. It is unconscionable to me that anyone can complain about helping people in need during these tough economic times.

Today, there are over 36 million low-income individuals who rely on the SNAP program, formerly known as the Food Stamp Program. The sad fact is that this is a record number of people who are currently relying on this safety net program. This bill provides over \$58 billion for the SNAP program, an increase of more than \$4 billion from 2009.

WIC is funded at \$7.2 billion, an increase of almost \$400 million. This increase will provide up to 9.6 million women, infants, and children help with a healthy pregnancy and a healthy start in life.

The Commodity Supplemental Food Program, a program that provides nutritious food to low-income women, infants, children, and elderly citizens who all struggle with rising food costs, is funded at \$171 million. That is \$11 million more than 2009 and \$9 million more than the President's request.

Finally, the Child Nutrition Programs, school meals and snacks, receive almost \$17 billion, \$1.9 billion above the 2009 levels.

Hunger is a real problem in America, and this bill provides funding that keeps the safety net intact. Look at one of the more affluent areas in this country, Fairfax County in Virginia. According to a recent Washington Post article, Fairfax churches and nonprofit organizations report a 39 percent increase in food assistance in the fourth quarter of 2008 when compared with the fourth quarter of 2007. Let me repeat that, a 39 percent increase. "Almost half of the respondents reported helping families that had never asked for aid before, many of them former middle class residents now unemployment or facing foreclosure." I will insert this article into the RECORD at the end of my statement.

Mr. Speaker, this is just one example of how hunger is creeping into areas of the country that are not used to seeing hunger. Food banks, WIC clinics, and SNAP processors are the ones providing food for people who simply cannot make ends meet. Yet some of my colleagues on the other side of the aisle say we cannot afford to properly fund these programs, insinuating that we should turn our backs on these people who are in desperate need.

I, for one, make no apologies for these increases in food and nutrition programs. We have a moral obligation to step up to the plate to help the most vulnerable people during these difficult times.

Internationally, the need is just as great. This bill provides critical funding for the Food for Peace program and McGovern-Dole Food for Education program. Overall, there is \$1.89 billion

provided for international food aid programs. That is an increase of \$564 million over 2009.

The P.L. 480 Food for Peace Title II grants program receives \$1.69 billion, which is \$464 million above 2009. And a program close to my heart, the McGovern-Dole program, is more than doubled from the previous year. In 2010, this important program will receive \$209.5 million, \$10 million more than President Obama's request and \$109.5 million more than 2009 levels.

Mr. Speaker, for too long this country has underfunded international food and nutrition programs. This bill is changing that course. We are putting more money up front for development, providing assistance before it becomes an emergency that we and the rest of the world have to respond to. This is appropriate and necessary, and I applaud Chairwoman DELAURO for working to right the misguided policies of the previous administration. I would add that investing in food and nutrition programs overseas and investing in smart development is in our national security interests. Taking a global leadership role in combating hunger and fighting global poverty I think is something that wins us the hearts and minds of people all over the world, and I want to again commend Chairwoman DELAURO for her leadership.

I am also pleased that there is more than \$33 million for eradication of the Asian longhorn beetle, an increase of more than \$13 million over last year. This funding will help USDA in their efforts to help in identifying and eradicating the infestation of this pest. While more funding is needed, and I will be asking the USDA for additional emergency funding for this effort, the funding included in this bill is welcome and I appreciate its inclusion.

Finally, Mr. Speaker, I want to address the tragic bombing of the United Nations World Food Program offices in Islamabad, Pakistan. The World Food Program benefits from the international food aid programs that are funded in this bill. WFP is an excellent partner and is on the front lines of many of the efforts to combat hunger and starvation around the world. Josette Sheeran and everyone at WFP do an excellent job, and I am pleased to be able to work with them as they work to end hunger around the world.

I want to convey my deepest condolences and sympathies to the family and friends and colleagues of the WFP staff who were killed in Pakistan. My thoughts and prayers are also with those who were wounded and injured in the bombing attack, and we hope for their full recovery. The bombing underscores the often dangerous situations in which the World Food Program and so many other humanitarian relief workers find themselves. And I, for one, can only thank them for their important and too often unrecognized service to humanity.

[From the Washington Post, Sept. 29, 2009]

WHOLE FOODS TO FOOD BANKS

(By Annie Gowen)

The Germantown woman was loading boxes of food from the Manna food bank into a shiny sport-utility vehicle one recent afternoon when she was approached by a donor dropping off food.

"What group are you with?" the donor asked the woman, who promptly burst into tears. With her Toyota Sequoia and quilted Vera Bradley bag, she had been mistaken for a volunteer—rather than a client waiting to take home a bag of potatoes.

"I'm a mother of four just trying to feed my kids," the woman sobbed to the donor, who was taken aback, then sympathetic.

Such awkward scenes are playing out frequently at food pantries and other charities across the region as they struggle to help the still upward-spiraling number of formerly middle-class people knocking on their doors.

For the charities, the surge in demand has tested their resourcefulness—and sometimes their patience. Not only must they stock millions of pounds of additional food in bigger warehouses, but they also must adopt fresh tactics to help the newly needy, who can be more bewildered, more emotional and more selective than their traditional clients.

One intake volunteer at Food for Others in Fairfax County, for example, has learned that the formerly affluent won't wait outside in line for food at evening neighborhood giveaways, lest they be spotted.

"We have more people than ever coming here thinking they'd never ever be here," said Amy Ginsburg, executive director of Manna Food Center in Montgomery County. Manna, along with most food area pantries, requires people to prove by income that they need assistance.

The group is moving into a 12,000-square-foot warehouse in Gaithersburg on Oct. 5 to meet the growing need. Manna gave away 3.1 million pounds of food to 102,519 Montgomery County residents last fiscal year, up from 2.1 million pounds the year before. They've increased food drives, and cash donations have kept pace.

Manna's workers and volunteers try to make the experience as dignified as possible for everyone, helping clients load their cars and handing out juice boxes and pretzels to families waiting in increasingly longer lines. On a recent morning, residents dressed in pressed khakis waited for boxes of fresh produce, meat and canned goods alongside those in dirty T-shirts.

"Not having enough money for food is a bizarre, foreign experience" for the new needy, Ginsburg explained. "They're still getting over the shock."

Ginsburg and others running local charities expect the number of residents seeking help to continue to rise even as the economy improves. Jobless numbers are increasing, they point out, while severance checks and unemployment benefits are running out.

Fairfax found in a recent survey of 89 churches and nonprofit organizations that 32,044 households received food assistance in the last quarter of 2008, a 39 percent increase from the previous year's fourth quarter. Almost half of the respondents reported helping families that had never asked for aid before—many of them former middle-class residents now unemployed or facing foreclosure.

Wanda Moloney, client relations manager at Loudoun Interfaith Relief, which served 56,000 residents last year, said her group gives food to 100 new families a week. Increasingly, Interfaith volunteers from some of Loudoun's most affluent neighborhoods find themselves packing boxes for their friends and neighbors.

Nobody knows what to say.

"You can see it in the eye contact," Moloney said. "The tears say it all."

Barbara Curtis, 61, said that the experience of getting groceries from the food pantry was "startling at first." She and her husband, Tripp, lost their sprawling Loudoun home this year after he became ill and was unable to work. With five children at home, their descent from a comfortable middle-class life seemed to happen overnight. "It really let me see how vulnerable we all are," Curtis said.

Terry Wilson, 43, a floral designer, also sought help in Loudoun after he was bumped from full time to part time at work and lost his benefits. But it wasn't easy. The first time he pulled open the door and took in the crowd in the waiting room, he turned around and walked out.

"It was like, 'Whoa . . . I can't do this,'" he recalled Wednesday as he picked up food for the second time. But then he realized having the groceries could help him shift money to his utility bill and his car payment. "Everyone else is doing it, and times are tough. Let's suck it up and see what happens."

Out in the Manna parking lot, the Germantown woman—who was visiting the food bank for the second time and did not want her name used to spare her children embarrassment—was inspecting her food allotment with the zeal of a soccer mom at Whole Foods. She turned to Manna for help after her husband refinanced their home into a costly subprime mortgage and then moved out. She has been able to get the mortgage modified, but her finances remain precarious.

She checked the expiration date on a carton of soy milk, unscrewed the lid of a jar of organic peanut butter to make sure it was sealed and read the label on a tube of ground turkey. The turkey did not pass muster, and she politely returned it to a Manna staffer. "I don't know what's in it," she explained.

"It's a double-edged sword," she said. "You can't go without food, but certain foods at Manna, no way I'm going to feed my kids. It's kind of snotty." She rejoiced in a big bag of day-old bagels, sport drinks and doughnuts, treats she could no longer afford to buy her sons.

At times, this changing face of need has sparked moments of confusion and discomfort for those who are trying to help.

Christine Lucas, executive director of the Arlington Food Assistance Center, said she is often asked by volunteers and donors about the number of clients driving fancy cars. (A well-dressed couple who declined to be interviewed was there recently, putting their sacks into a Cadillac.) Lucas responds that it could be an employer's car or a family hanging onto its last asset.

Or it could be the formerly middle-class mom with Calvin Klein sunglasses perched atop her head who said she was going to have to search Epicurious.com for recipes that use black beans because the pantry had given her so many cans.

Appearances can be deceiving, as Debbie Lane and her two children discovered when they drove out to an affluent neighborhood in Chantilly to deliver \$200 worth of school supplies to a needy family. Lane, of Fairfax, said her kids had offered to reuse some of their school supplies from last year so that they could contribute to the back-to-school drive, organized by the food pantry Our Daily Bread.

"My son, who is 8, said, 'Mom, if this is the neighborhood we're dropping these things off in, I think we should turn our car around,'" Lane recalled. "It was a great segue for me to talk about what poverty does and does not look like."

But even she was surprised at the size and scope of "this palatial home with two brand-

new expensive cars in the driveway. I was really grapping with this. I was thinking, 'This is crazy.'" She later learned that what she had tried to explain to her kids was true: The family that needed the supplies was renting rooms in the home's basement and had recently seen its income drop when the mother died of cancer.

The Germantown mother of four said she knew why she'd been mistaken for a volunteer by the donor dropping off food—it was her car.

"Because I have the [Sequoia], she thought I was doing the same thing she was, I guess," the woman speculated. She watched the donor drive away with a mix of envy and sadness, remembering what it was like "to be normal."

"What a glorious feeling . . . to be able to give to other people," she said. "It is a better feeling to give than to receive. But sometimes you have to receive."

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I want to thank my colleague from Massachusetts for yielding me time, and I yield myself such time as I may consume.

Mr. Speaker, I come before you today deeply concerned by this conference agreement. This legislation that was originally brought to the House was offered under a closed rule. Throughout this appropriations season, the Democrat majority took unprecedented steps to silence both the minority and their own Democrat colleagues by offering all appropriations bills under closed rule. This has consistently eliminated the ability for Members to speak up for how their constituents believe their money should be spent.

This is not the way the House should be operating, and we want to express again our concern about this and will be doing that throughout our time in discussing the rule this morning.

I will urge my colleagues to vote not only against the rule but against the previous question.

I reserve the balance of my time.

Mr. MCGOVERN. I will reserve my time at this point in time, Mr. Speaker.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER), the ranking member of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, I thank my friend from Grandfather community for yielding me the time.

I rise with a great deal of concern, Mr. Speaker, for what is taking place here. My friend from Worcester has talked about the commitment to nutrition programs. I share his concern about nutrition, child nutrition especially. It is a very high priority. And anyone, anyone who tries to characterize those of us who are opposed to this conference report as being opposed to child nutrition is totally off base.

I was just speaking to my good friend Mr. CONAWAY, who is a member of the Agriculture Authorization Committee, and he points to the fact that while we look at this conference report, every

single line item, every single line item has had a plus-up, an increase, and it brings to that total a 14 percent increase.

Now, Mr. CONAWAY has reminded me that we can have that strong commitment, as we do in a bipartisan way, to nutrition. There are other areas where cuts can be made. And so again, once again, the tired old argument that somehow those of us who are Republicans want to throw children out in the street and have them starve is a nonstarter. So, Mr. Speaker, I urge my colleagues not to continue with that kind of argument.

Now, there are other concerns that exist. We have the 14 percent increase with this measure. We have something known as air-dropping, which is a violation of House rules, and this rule waives a measure which provides an addition of items that were never considered by this House or considered by our colleagues in the other body in the Senate. That is described as a scope violation. It means that neither House considered it and yet the conferees came together and without a single hearing, without any kind of deliberation, they just dropped a couple of provisions into the conference report.

Now, Mr. Speaker, this is what is leading us to raise concern that is bipartisan on the fact that this House is not taking the amount of time that it should to look at legislation, and this came to the forefront on June 26 of this year.

On June 26 at 3 in the morning, my Rules colleagues and I were sitting upstairs in the Rules Committee and my friend, Mr. MCGOVERN, offered the motion that would allow us to move ahead with the cap-and-trade bill. As he was reading that motion, Mr. Speaker, as he was reading that motion, I had dropped on my lap at 3 in the morning a 300-page amendment to the cap-and-trade bill. No one on that committee had had an opportunity to look at it. We know that most Members of the House had not read it. What did it lead to? It led to our very, very strong level of degree of outrage, and it led our minority leader to use a great deal of time, taking 1 hour to actually walk through that 300-page amendment. The by-product of that, Mr. Speaker, has been outrage across this country.

I have spent most of my career here focused on process. I believe process is substance. But many of my colleagues on both sides of the aisle, when I talk about process, make it very clear that they and their constituents have their eyes glaze over. But guess what, Mr. Speaker? The American people understand when you don't take the time to deliberate and read and look at legislation.

Now, I will admit that in Republican Congresses, we have waived the 3-day layover requirement. In fact, in the 109th Congress, on 40 occasions we waived the 3-day layover requirement. But, Mr. Speaker, we were told that in

this new Congress there would be a better way and they would change those ways.

In the 110th Congress, this new majority waived the 3-day layover requirement 43 times. And so far in this Congress, and we are 40 percent of the way through this Congress, Mr. Speaker, the 3-day layover requirement has been waived 22 times already, and we are only 40 percent through this Congress.

□ 1100

And so this new majority has said we are not going to allow for the reading of legislation. We're not going to allow for an adequate amount of time. We're going to move quickly, without letting Members look at or the American people look at legislation to the floor.

So what is it that happened? A bipartisan group, led by our colleague from Washington, Mr. BAIRD, our colleague from Texas, Mr. CULBERSON, came together with legislation saying that there should, in fact, be a process that requires that that 3-day layover be maintained. Now, there was no opportunity provided by the majority to allow for consideration of this, and so it led my very good friend from Oregon, Mr. WALDEN, to launch a discharge petition, a discharge petition which, at this moment, has 181 signatories. A bipartisan group saying what we should do is, we should say that Members should look at legislation before it's considered.

And on this conference report, the notion of air-dropping measures in is just a further example of not allowing the membership to look at legislation. My colleague from Grandfather community, Ms. FOXX, is going to move to defeat the previous question, Mr. Speaker. When she does that, she is going to be seeking to make in order the bipartisan Baird-Culberson resolution, which states that we must have 72 hours to look at legislation before it is considered. It's a commonsense proposal that the American people understand and that this membership understands.

And so, Mr. Speaker, I'm going to urge my colleagues to join with Ms. FOXX and Mr. CONAWAY, and the wide range of people who are working on this, led by Mr. WALDEN, who's here on the floor and is going to have some very, very interesting numbers and figures to show to buttress this argument that we're making here. So I urge my colleagues to vote "no" on the previous question so that we'll be able to allow this measure to move forward so that the commonsense idea of saying we should look at things before we vote on them is, in fact, able to prevail.

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

The gentleman from California is correct when he says that his side was guilty of air-dropping provisions into conference reports. I remember one time being up in the Rules Committee when a Department of Defense bill

came before the committee. And after the conferees had finished all their work, all of a sudden this kind of mysterious language appeared providing immunity to drug companies that produced drugs that were not safe. And the reality was, Mr. Speaker, that they did that after the conference had finished up.

In this case here it's very, very different. In this case here, the child nutrition reauthorization, a bill we had hoped to have already done by now, is not completed. And if, in fact, this language was not put in here to extend expiring child nutrition authorization programs—and let me just kind of tell people what that is. It's things like school breakfasts and school lunches and after-school meals for kids who otherwise wouldn't get access to meals or nutrition.

So that language, which was agreed to by the authorizers, was put into this bill. Now, if we want to have an argument about process, fine. But the reality is here: if you did not do this right now, these programs would expire. And I don't know of anybody, maybe on your side they do, but I know for the majority on this side, people do not want those programs to expire because people depend on them.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield the gentleman 30 seconds.

Mr. DREIER. I thank my friend for yielding. And let me just say, I will say to my friend that he must not have listened to my opening remarks. The notion of pointing the finger to the other side of the aisle and somehow saying that we have an interest in seeing child nutrition deteriorate is outrageous, and it should not be said on this House floor.

And I will say this, too. If you look at the number of times that that 3-day layover requirement was waived when we were in the majority, as I said, 40 times in the 109th Congress. And you promised a better way on the majority side of this aisle. And what has happened is you've bested us by doing it 44 times in the 110th Congress and so far 22 times, 40 percent of this. And I thank my friend for yielding.

Mr. MCGOVERN. I thank the gentleman for his comments. And I do think we have bested you in the area of responding to a need that, quite frankly, when your party was in control here, these areas were underfunded. And the deal, this is about school breakfasts and school lunches and after-school snacks for kids who otherwise wouldn't get it. That's what this is about. That's what we are debating here.

Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from New York, a member of the Rules Committee, Mr. ARCURI.

Mr. ARCURI. I thank the gentleman for yielding, and I thank him for his leadership on nutritional issues. Clearly, we can't do enough, I think, for the

people who need assistance in this country. And I rise in very strong support of this conference report that focuses, not only on nutritional issues, but focuses on the need for food safety in this country, and certainly, the need for our farmers and our agricultural industry.

And I want to talk specifically about dairy farmers. And what this bill does among other things, many other good things, is it appropriates \$350 million for dairy farmers. Now, I can tell you that in my district in upstate New York, dairy farmers have been hit extremely hard. We see the cost of 100 weight of milk about the same price, about \$10 or \$11, the same that it was 20 or 25 years ago. Yet the cost of feed, the cost of fuel, the cost of everything has gone up dramatically, and we see this real difficult time.

And I talk about this all the time. I did a town hall meeting in a place called Waterville, New York, and it was a dairy farming community. And I thought we were going to talk about health care, but that wasn't the most important issue to these dairy farmers. The most important issue was the cost of milk and the difficulty that they're having staying in business. And to see a grown man, a farmer who's worked his whole life, worked very hard, stand up and cry because he isn't sure he's going to be able to hold on to his farm is the kind of thing that we're up against.

So I think that the fact—and I want to compliment the chairlady, Ms. DELAURO, for the work she's done and the way that we've come forward to put \$350 million—again, it's not going to save the entire dairy industry, but it certainly is going to help dairy farmers, and they need it at this time. We need to continue this. We need to continue to move because dairy farming in America is not just an industry. It's not just a business, but it's a way of life, and we need to do everything we can, and I strongly support this conference report. And I urge my colleagues to do the same.

Ms. FOXX. Mr. Speaker, the gentleman from Massachusetts (Mr. MCGOVERN) blames Republicans. I mean we're used to it. We're being blamed for everything. And yet, you all are in the majority. You have the votes to do whatever you want to do. You've been in the majority for the last 3 years. So I don't understand why it's our fault that these programs haven't been authorized at the appropriate levels for the last 3 years.

I would like to yield now 4 minutes to my colleague from Texas, Mr. CONAWAY.

Mr. CONAWAY. Mr. Speaker, I want to thank the gentlelady for giving me some time to speak.

First off, I want to brag on the majority. The gentlelady and the previous speaker and I talked about the 72-hour rule, the concept of a bill being available for not only Members to read but also constituents to read. This one's

been available longer than 72 hours. And as far as I can tell, the sun came up in the east this morning and the world's continuing to turn, so this system can, in fact, work under a rational process that allows 72 hours to expire before something is voted on.

So I want to brag on the majority for conducting themselves in the way that they said they would do throughout the 2006 campaign. And now, at least with this one narrow example, they have shown that the 72-hour rule will, in fact, work.

Mr. Speaker, I am going to ask my colleagues to vote against the rule, to vote against this bill itself. I represent an agricultural district. I have a rural district in Texas. I represent 14 percent of the land mass of Texas. It is rural and it is agricultural. I'm going to vote against this bill because of the reckless increases in spending that are being proposed or being pushed forward. None of us are for hunger. None of us are for children getting up and going to school hungry. That's not what this is about.

This bill, with a 28 percent increase over what we spent in 2008, a 14 percent increase in what we spent over 2009, plus an \$8 billion stimulus infusion of cash, is reckless, simply reckless. We can't afford it. This will contribute to a \$1.3 trillion deficit for 2010. We will have to borrow all \$1.3 trillion.

Now, what that does in effect is it fixes today's problems for just 2010. It doesn't fix anything, but it addresses the problems for 2010. The interest on that debt will be paid for by every generation every year of their lives. They will not pay it back. We will not pay it back. So what we are saying is with respect to the interest on that debt is that future generations will have to tax themselves to pay for that. Those are resources that they will not have available to deal with the hungry and the hungered in their generations because, as Jesus Christ said, the poor you will always have with us. There will be hunger in this world as long as this world exists. And what we are doing today with this bill is contributing to the irresponsible resource reallocation from future generations to today's problems.

Both sides have made an art form over the last four years of taking future resources to fix today's problems. It's been wrong in the past. It's wrong today. And I would urge my colleagues to vote against this rule and against this bill when it comes up later on this afternoon.

Mr. MCGOVERN. Mr. Speaker, let me just clarify for the record, because I think maybe there is a difference here between what some of us are saying on this side of the aisle compared to what some of my friends are saying on the other side of the aisle.

I don't believe a hungry child can wait. I don't believe we can put that problem off till next year or 5 years or 10 years down the road. And in fact, I would argue that investing and making sure that that child gets the proper nu-

trition and the proper food early on in their lifetime will probably save us a whole bunch of money in terms of health care costs and lost learning opportunities and so many other things that come as a result of people being hungry and not getting enough to eat.

So we don't have time to wait. And one of the reasons we are trying to tackle health care, Mr. Speaker, is to try to get this deficit and this debt under control, something, by the way, that when Bill Clinton left office, he left historic surpluses. After a few years of my friends on the other side of the aisle, we have historic deficits, and now we're trying to dig ourselves out of this ditch.

Mr. Speaker, at this time I would like to yield 4 minutes to the distinguished gentlewoman from Connecticut, the Chair of the Appropriations Subcommittee on Agriculture, Ms. DELAURO.

Ms. DELAURO. I thank the gentleman for yielding time, and I am delighted to present the 2010 Agriculture, Food and Drug Administration Appropriations Conference Report.

I wanted to note that this is the earliest that an Agriculture appropriations conference report has come to the floor of this House since 1999. In fact, we have been busy all year. The subcommittee has held seven hearings so far, including two hearings with the Secretary of Agriculture, a hearing with the Acting Commissioner of the Food and Drug Administration, another with the Inspector General of the Department of Health and Human Services. We had a hearing on domestic nutrition programs, a hearing on the equivalency process for imported meat and poultry. We also had a hearing at which Members discussed their priorities.

This report before us is then the culmination of this process. It focuses on several key areas, supporting agricultural research, investing in rural communities. My colleague from Texas was just up on his feet, and he represents a rural part of Texas. Well, in fact, what we did was increase resources for rural America, and I'm sure that that includes his portion in Texas. He ought to think twice about voting against a bill which is going to help his constituents. And that's probably true of agricultural research as well.

We also focused on protecting the public health, bolstering nutrition programs and food aid, and conserving our natural resources. I would just say that the report proposes investments in these priorities and the agencies that can help us to meet them while making specific and sensible budgets cuts where feasible. The appropriations bill on Agriculture and the Food and Drug Administration for 2010 provides for \$23 billion in funding. It is a 13 percent increase over the 2009 levels, the reason being, as our colleague from New York said a moment ago, because there was an additional \$350 million put in this bill in order to deal with the crisis amongst dairy farmers in this country.

Whether you are from the East Coast, the way I am, the middle of the country, where others are, or the West coast, dairy farmers are in critical difficulty. Now, if we propose not to do that, let's close it down. Let's close the dairy industry down, because, you know what? You can't stop milking cows just because the prices are low. You have to continually do it. And our small dairy farmers are going under. We also made responsible investments across the board and, yes, in fact, we did make cuts in programs. We made a significant investment in agricultural research, \$1.2 billion for the Agriculture Research Service, \$1.3 billion for the National Institute for Food and Agriculture.

□ 1115

Among the key programs that were funded was the Agriculture and Food Research Initiative.

In addition, the report seeks to create new opportunities for growth in the Nation's small-town economies, rural America. The conference agreement provides \$173 million for section 502 Guaranteed Single Family Housing Loans and \$40 million for the Renewable Energy Program to focus in on renewable energy projects so that rural communities can take advantage of this effort.

I also might say again to my colleague from Texas who was standing up there, the administration proposed to cut the Farm and Ranchland Program, the Wildlife Habitat Program, and several other very good conservation programs. The Resources Conservation Agency development offices, I would bet he's got those issues in his district.

Well, you know what we did? We restored that funding because those communities need to have these resources in order to succeed.

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

Mr. MCGOVERN. I yield the gentlewoman an additional 2 minutes.

Ms. DELAURO. We did provide a substantial increase for the Food and Drug Administration, \$306 million, to conduct more inspections of domestic and foreign food and medical products. We fully fund the administration's request for the Food Safety and Inspection Service at the U.S. Department of Agriculture. We provided money for them the first time. Why? So that in fact we can make sure that our food supply is safe and that youngsters are not dying from an E. coli infection or hurt by an E. coli infection, like we saw on the front page of The New York Times this past week, or we're getting a tainted product from China which puts people in this country at risk.

The bill provides \$392 million for an increase for the WIC program to help those hit hardest by the current economic crisis. And, yes, per the request of the committees in both the House and the Senate and the Democratic and Republican members of those committees, the bill extends the important

and expiring child nutrition programs such as School Lunch, School Breakfast, and other programs.

But, you know, if you had been here several years ago the way I was, a number of years ago, you know where the other side of the aisle comes from, because there was an attempt at that time to say, Let's end the School Lunch program.

Yes, nutrition is critical. This is a bill that deserves to be extended, and that was its purpose in putting it with the agricultural bill. It is self-contained, no additional money, and it was not air-dropped. It was not air-dropped.

These programs continue our long-standing commitment to international aid, to fighting hunger. It works to conserve America's natural resources, sustain our national priorities. It includes \$350 million for dairy assistance; \$290 million to the Secretary of Agriculture to supplement producers' income; \$60 million for purchasing surplus cheese and other dairy products to distribute to food banks. It continues to protect our Nation's families and our farmers from the dangers that are posed by unsafe, processed poultry imports from overseas.

Taken as a whole, I believe we have crafted a responsible agriculture legislation. It alleviates short-term suffering, encourages long-term growth, invests in our future, reflects our priorities.

Support this rule.

Ms. FOXX. I appreciate very much the sympathy and concern from our friends from urban areas for our dairy farmers and our farming interest. I come from a rural district.

I represent a rural district and many dairy farmers. I grew up milking a cow. I understand that cows have to be milked. I know they can't wait. But what we've done to hurt dairy farmers in this country is we're putting them out of business because we've driven up the costs of doing business.

We have an EPA that is totally out of control in this country and that has harassed our farmers, and particularly dairy farmers, to the point where we have almost driven them completely out of business.

Yes, dairy farmers are hurting right now, and we need to do something to help them; but we could do a lot to help them by reducing the cost of their doing business with the ridiculous rules and regulations that we've put on them.

I also would like to say that we need to be setting priorities in this Congress, and that's one of the main problems that we have with the majority in charge right now.

I'd like to now yield 4 minutes to my colleague who also understands rural United States' needs, the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. I want to thank the gentlelady from North Carolina for her leadership consistently in this House for common sense. I'm glad that she understands agriculture like some of us do in the West as well.

I want to talk today about the rule and the rules of this House. As my colleague from California said pretty clearly, for too long we have had a process that's been followed in this House, regardless of who was in control of this House, to make sure that the people and the press and we politicians have a chance to read the bills before they're voted on.

Consistently, when the will of the majority has been exercised, we have waived the House rules of the 72-hour requirement. We need to change that, and we can do it on a bipartisan basis.

My colleagues, Mr. BAIRD and Mr. CULBERSON, have legislation, H. Res. 554, introduced in June, to change the House rules to require 72 hours for bills like this, the so-called "stimulus," to be put on the Internet for the people, the press, the public, people affected, and us, to actually read them.

Now this bill was 1,073 pages. It cost \$787 billion. And we were allowed 12 hours to consider it. This legislation is the national energy tax, the cap-and-trade bill. It's 1,420 pages, 16½ hours to review, and it cost \$846 billion.

Now, this House recently passed a resolution saying that on the Ag appropriations conference report, the issue before us at the moment, that we should have 72 hours to consider it before it's voted on. That hasn't always been the case on all these rules. As I mentioned, on the national energy tax, on the stimulus, even the health care bill before it came to the Energy and Commerce Committee, 1,026 pages, we had 14 hours and 43 minutes to consider.

You know, it's kind of interesting. If you go back to the beginning of our country, and I just put it in comparison, the Declaration of Independence, same type-face size, nine pages, 4 days; the entire United States Constitution, 82 days, 24 pages; Bill of Rights, 57 days and 3 pages. Yet one-sixth of the economy, we're given, what, 14 hours and 43 minutes for health care in committee; 16½ hours for the national energy tax, 12 hours for the stimulus.

It's time to change how our House operates. It's time for the Rules Committee to bring forward H. Res. 544. And since that doesn't appear to happen, that's why I filed the discharge petition No. 6 to bring forward House Resolution 544 so that we can improve this process and gain some credibility with the folks back home who think we actually should have time to read these bills, that they should have time to read these bills, including bills like the Ag conference report.

Now, 182 members, as of yesterday, have signed this petition. It only takes 218. We have six Democrats who have signed it. Yet there are 35 Democrats who have cosponsored the underlying resolution, but have not signed the petition.

I know the Speaker has been supportive of this similar process of changing the House rules a couple of sessions ago. It is a bipartisan calling.

It is difficult when you're in the majority to change the rules that affect how you operate. But isn't that what real reform is all about? It's saying, For once, we will stand up; we will listen to the people; we will change the rules; and we will have a more open and transparent process, which should lead to better policy.

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

Ms. FOXX. I yield the gentleman an additional 30 seconds.

Mr. WALDEN. And it is a wonderful cleanser, if you will, to a process that, frankly, has lost most credibility among the people of America. You see, they think we should read the bills, and they think we ought to understand them. Moreover, they now, in this modern age of Internet communications, believe we should post them on the Internet so that they, the public, the taxpayers, the people writing the checks to pay for this government, can have an understanding of what is in there.

So I would encourage my colleagues to vote against the previous question and to allow us to move forward on reform and transparency in this House.

Mr. MCGOVERN. I yield myself 30 seconds. I find it interesting the gentleman's not talking about the bill before us, which, as he failed to mention, was actually filed last Wednesday. It's been over a week that people have had access to this bill.

He's right about one thing: we are changing the way we do business in this House compared to when the Republicans were in charge. We are changing our priorities. When they were in charge, they were talking about immunity for big drug companies, talking about corporate tax breaks. What we're talking about in this bill is making sure that our kids have breakfasts and lunches and good nutritional programs; making sure that our farmers get the food they deserve.

I'd like to yield 5 minutes to the distinguished chairman of the Rules Committee, the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Thank you, Mr. MCGOVERN, for yielding me the time.

Mr. Speaker, before I start, let me say that although I represent New York State, I want to make sure everybody understands that agriculture is the largest business in New York State, most of that obviously taking place up in eastern-western New York along the border. And we do know our cows.

A lot of debate on this bill is about food safety and the need to ensure that the products we consume are as safe as they can be.

I want to pause a minute here to respond to some of the comments that were made in the Senate just this last week, to which I take very strong exception. As many of you know, or may not—I'd like you to know—I've introduced legislation that would phase out

seven classes of antibiotics that are currently approved for nontherapeutic use in animal agriculture.

We held a hearing on the preservation of antibiotics for medical treatment last spring, which, for the first time, the new administration acknowledged that the issue of overuse of antibiotics in farm animals is serious and they are seeking a solution. The Rules Committee held a hearing on this on July 13 to gather testimony from the administration, the private sector, and the scientific community.

Now why is this bill necessary? Well, an estimated 90,000 Americans die every year from infections that are increasingly resilient against the most powerful antibiotics in the world. Seventy percent of those infections are associated with bacterial pathogens displaying resistance to at least one antimicrobial drug. And as much as 70 percent of all the antibiotics—I can't stress this enough—70 percent of all antibiotics and related drugs used in this country go to healthy food animals, not people, according to the Union of Concerned Scientists.

Our legislation would in no way infringe upon the use of these drugs to treat a sick animal. It simply bans the nontherapeutic use—the constant, daily use by farmers who mix the medicine they buy in 50-pound bags to mix it in the food of the livestock in the hope that doing so will prevent the animals from getting sick.

Think about that for a moment. If anyone suggested that you mixed antibiotics every day in your children's cereal, you would think that's crazy. Not only that, you would understand that it's very dangerous and, more importantly, likely only to lead to a new class of drug-resistant "super bugs" that eventually stop feeling the effects of our best antibiotics.

A Senator claimed on the floor this week that Denmark, which has instituted the same restriction that we call for in this bill on the overuse of antibiotics, the result was an increase in animal mortality.

While criticizing a Time magazine article on this issue, he said, "We only have to turn to our neighbor across the Atlantic to see how a ban on antibiotics has played out. The European Union made a decision to phase out the use of antibiotics as growth promoters over 15 years ago and in 1998 Denmark instituted a full voluntary ban, which in 2000 became mandatory. After the ban was implemented in 1999, pork producers saw an immediate increase in piglet mortality and post-weaning diarrhea."

□ 1130

In fact, just the opposite is true. In a recent letter to Speaker PELOSI and to me, the National Food Institute of Denmark, concerned about the wrongful debate taking place in the United States, has written us that production has actually increased by 47 percent from 1992 to 2008. He also said that

mortality of livestock was largely "unaffected" by the ban—but I will assume that they cleaned up, that they didn't stack up the animals who lived in their feces and rarely set foot outside the confined bin—but has improved again more recently. I would like to put a copy of that letter and report into the RECORD today.

In fact, it is my guess that several of my colleagues would agree with me and disagree with our colleague in the Senate.

Finally, I want to touch on one other issue relating to the legislation which we are speaking of, and it's the economy. This is a looming trade issue. Denmark and other European countries already are using strict food safety regulations against American products as we know. We all know exactly what has happened to our industries with each domestic food poisoning or health scare: Other countries respond by telling us they do not want to import our products, and the losers are our farmers and industries.

As this trend continues, I see nothing but downside for American farmers who may soon be told by more and more countries that their pork or beef or poultry or other products are potentially hazardous and cannot be imported.

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

Mr. MCGOVERN. I yield the gentlelady 2 additional minutes.

Ms. SLAUGHTER. Before I close, I want to speak a bit about an article that appeared on the front page of the New York Times this past Sunday. It told about a young woman named Stephanie Smith, 22 years old, who was paralyzed from eating hamburger, frozen hamburger bought at a market. And they traced the genesis of this hamburger, and let me tell you what they found:

Meat companies and grocers have been barred from selling ground beef tainted by a virulent strain of E. coli after an outbreak at Jack in the Box left four children dead. Tens of thousands of people are sickened annually by this pathogen, and Federal health officials estimate that hamburger is the biggest culprit. This summer, contamination led to the recall of beef from nearly 3,000 grocers in 41 States.

Now we talk about the cuts of beef that are used in this hamburger. Most of them are trimmings that they get from God knows where. We found in the hamburger that paralyzed Ms. Smith that some of it came from Uruguay. They are low-grade ingredients cut from areas of the cow likely to have had contact with feces which carries E. coli.

So the filthy cattle is brought in. And one of the most telling things is there are unwritten agreements between some companies standing in the way of ingredient testing. Many big slaughterhouses will only sell to grinders who agree not to test their shipments for E. coli according to officials

at two large grinding companies. Slaughterhouses fear that one grinder's discovery of E. coli will set off a recall that they sold to others.

Food scientists have expressed increasing concern about the virulence of this pathogen since only a few stray cells can make you sick and there are no safety issues that we require about washing up, scrubbing everything. None of them are at all sufficient against this bug which has become more virulent. And I avow that that is because they are fed the antibiotic to kill E. coli almost daily.

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

Mr. MCGOVERN. I yield the gentlelady an additional 30 seconds.

Ms. SLAUGHTER. On August 16, 2007, the day Ms. Smith's hamburger was made, the No. 3 grinder at the Cargill plant in Butler, Wisconsin, started up at 6:50 a.m. The largest ingredient was beef trimmings, which they call 50/50—half meat, half whatever—costing 60 cents a pound. Potential for this contamination is present every step of the way, according to both the workers and the Federal inspectors. The cattle arrive with smears of feces all over them. They are poorly kept. I would also like to put this article in the RECORD.

I hope people will read this. I think that we are really heading for a trade disaster as well as, most importantly, not making 90,000 Americans sick every year.

NATIONAL FOOD INSTITUTE,  
DANISH TECHNICAL UNIVERSITY,  
Copenhagen, September 19, 2009.

Re meeting with a Congress delegation on the Danish experience with stop for nontherapeutic use of antimicrobials.

Hon. NANCY PELOSI,  
Speaker, House of Representatives, The Capitol,  
United States of America.

DEAR SPEAKER PELOSI: We have just had the pleasure of meeting with a delegation consisting of four members of the House of Representatives, where we presented our data on the effects of the stop for nontherapeutic use of antimicrobials for food animals in Denmark.

We know that various rumours and sometimes "creative" interpretations of what has taken place in Denmark have been circulated to members of the U.S. Congress, and we are grateful for having been given this opportunity to correct some of these stories.

We are very pleased that you have approved the visit by this delegation, and would hereby like to send you a complimentary copy of the data we presented to the delegation.

If any further information is required, please do not hesitate to contact me.

Sincerely yours,

FRANK M. AARESTRUP,  
Professor.

SUMMARY OF CONCLUSIONS: MEETING WITH NATIONAL FOOD INSTITUTE, TECHNICAL UNIVERSITY OF DENMARK ON DANISH EXPERIENCE WITH THE STOP FOR USE OF NON-THERAPEUTIC ANTIMICROBIALS

SWINE PRODUCTION, DISEASES AND ANTIMICROBIAL CONSUMPTION

The Danish swine production has increased from 18.4 millions in 1992 to 27.1 millions in 2008; a 47% increase.

Productivity increased continuously before and after NTA stop.

Weaner mortality increased before and a few years after NTA stop—the rate seemed unaffected, except the first year after the ban. Mortality has improved considerably in recent years (management).

Weaner average daily gain decreased until and increased after NTA stop (continuously during a decade).

Finisher mortality increased before and after NTA stop, similar rate. (mortality decreased first year).

Finisher average daily gain increased before and after NTA stop.

Total antimicrobial consumption has fluctuated over time, but has in summary decreased from 100.4 to 48.9 mg/Kg pork produced; a 51% reduction.

Major reductions in resistance among animal pathogens, indicator bacteria and zoonotic bacteria.

#### BROILER PRODUCTIVITY

Kg broilers produced per square meter: not affected.

The feed-conversion ratio: an increase of 0.9% (0.016 kg/kg) was observed after NTA withdrawal.

Percent dead broilers in total (mortality): increased until and decreased after NTA withdrawal. Positively affected.

[From the New York Times, Oct. 4, 2009]

#### E. COLI PATH SHOWS FLAWS IN BEEF INSPECTION

(By Michael Moss)

Meat companies and grocers have been barred from selling ground beef tainted by the virulent strain of *E. coli* known as O157:H7 since 1994, after an outbreak at Jack in the Box restaurants left four children dead. Yet tens of thousands of people are still sickened annually by this pathogen, federal health officials estimate, with hamburger being the biggest culprit. Ground beef has been blamed for 16 outbreaks in the last three years alone, including the one that left Ms. Smith paralyzed from the waist down. This summer, contamination led to the recall of beef from nearly 3,000 grocers in 41 states.

Ms. Smith's reaction to the virulent strain of *E. coli* was extreme, but tracing the story of her burger, through interviews and government and corporate records obtained by The New York Times, shows why eating ground beef is still a gamble. Neither the system meant to make the meat safe, nor the meat itself, is what consumers have been led to believe.

Ground beef is usually not simply a chunk of meat run through a grinder. Instead, records and interviews show, a single portion of hamburger meat is often an amalgam of various grades of meat from different parts of cows and even from different slaughterhouses. These cuts of meat are particularly vulnerable to *E. coli* contamination, food experts and officials say. Despite this, there is no federal requirement for grinders to test their ingredients for the pathogen.

The meat industry treats much of its practices and the ingredient in ground beef as trade secrets. While the Department of Agriculture has inspectors posted in plants and has access to production records, it also guards those secrets. Federal records released by the department through the Freedom of Information Act blacked out details of Cargill's grinding operation that could be learned only through copies of the documents obtained from other sources. Those documents illustrate the restrained approach to enforcement by a department whose missions include ensuring meat safety and promoting agriculture markets.

Within weeks of the Cargill outbreak in 2007, U.S.D.A. officials swept across the

country, conducting spot checks at 224 meat plants to assess their efforts to combat *E. coli*. Although inspectors had been monitoring these plants all along, officials found serious problems at 55 that were failing to follow their own safety plans.

"Every time we look, we find out that things are not what we hoped they would be," said Loren D. Lange, an executive associate in the Agriculture Department's food safety division.

In the weeks before Ms. Smith's patty was made, federal inspectors had repeatedly found that Cargill was violating its own safety procedures in handling ground beef, but they imposed no fines or sanctions, records show. After the outbreak, the department threatened to withhold the seal of approval that declares "U.S. Inspected and Passed by the Department of Agriculture."

In the end, though, the agency accepted Cargill's proposal to increase its scrutiny of suppliers. That agreement came early last year after contentious negotiations, records show. When Cargill defended its safety system and initially resisted making some changes, an agency official wrote back: "How is food safety not the ultimate issue?"

#### THE RISK

On Aug. 16, 2007, the day Ms. Smith's hamburger was made, the No. 3 grinder at the Cargill plant in Butler, Wis., started up at 6:50 a.m. The largest ingredient was beef trimmings known as "50/50"—half fat, half meat—that cost about 60 cents a pound, making them the cheapest component.

Cargill bought these trimmings—fatty edges sliced from better cuts of meat—from Greater Omaha Packing, where some 2,600 cattle are slaughtered daily and processed in a plant the size of four football fields.

As with other slaughterhouses, the potential for contamination is present every step of the way, according to workers and federal inspectors. The cattle often arrive with smears of feedlot feces that harbor the *E. coli* pathogen, and the hide must be removed carefully to keep it off the meat. This is especially critical for trimmings sliced from the outer surface of the carcass.

Federal inspectors based at the plant are supposed to monitor the hide removal, but much can go wrong. Workers slicing away the hide can inadvertently spread feces to the meat, and large clamps that hold the hide during processing sometimes slip and smear the meat with feces, the workers and inspectors say.

Greater Omaha vacuums and washes carcasses with hot water and lactic acid before sending them to the cutting floor. But these safeguards are not foolproof.

"As the trimmings are going down the processing line into combos or boxes, no one is inspecting every single piece," said one federal inspector who monitored Greater Omaha and requested anonymity because he was not authorized to speak publicly.

The *E. coli* risk is also present at the gutting station, where intestines are removed, the inspector said.

Every five seconds or so, half of a carcass moves into the meat-cutting side of the slaughterhouse, where trimmers said they could keep up with the flow unless they spot any remaining feces.

"We would step in and stop the line, and do whatever you do to take it off," said Esley Adams, a former supervisor who said he was fired this summer after 16 years following a dispute over sick leave. "But that doesn't mean everything was caught."

Two current employees said the flow of carcasses keeps up its torrid pace even when trimmers get reassigned, which increases pressure on workers. To protest one such episode, the employees said, dozens of workers

walked off the job for a few hours earlier this year. Last year, workers sued Greater Omaha, alleging that they were not paid for the time they need to clean contaminants off their knives and other gear before and after their shifts. The company is contesting the lawsuit.

Greater Omaha did not respond to repeated requests to interview company officials. In a statement, a company official said Greater Omaha had a "reputation for embracing new food safety technology and utilizing science to make the safest product possible."

Ms. Smith's burger also contained trimmings from a slaughterhouse in Uruguay, where government officials insist that they have never found *E. coli* O157:H7 in meat. Yet audits of Uruguay's meat operations conducted by the U.S.D.A. have found sanitation problems, including improper testing for the pathogen. Dr. Hector J. Lazaneo, a meat safety official in Uruguay, said the problems were corrected immediately. "Everything is fine, finally," he said. "That is the reason we are exporting."

Cargill's final source was a supplier that turns fatty trimmings into what it calls "fine lean textured beef." The company, Beef Products Inc., said it bought meat that averages between 50 percent and 70 percent fat, including "any small pieces of fat derived from the normal breakdown of the beef carcass." It warms the trimmings, removes the fat in a centrifuge and treats the remaining product with ammonia to kill *e. coli*.

Ms. FOXX. Mr. Speaker, I now yield 3 minutes to our colleague from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentlewoman from North Carolina for the time.

I have to rise today in strong opposition to this rule, and unfortunately and reluctantly in opposition to the conference report itself. The main reason, this rule is simply outrageous. We've had a long debate for years around here about air-dropping items in conference. What happens is that you have a bill that comes out of the House that does not have a provision in it, a bill that comes out of the Senate that does not have the provision in it, and then policies and new laws are dropped in in conference with no debate, no discussion, nothing passed off the floor of either body but just come from afar, air-dropped at conference time.

In this bill, there are at least five new programs that were air-dropped in conference costing \$150 million. That's in this bill. And it certainly is way beyond the scope of the Rules Committee to approve this. Maybe there was some debate in the Rules Committee sometime that they agreed to it, but certainly there is no other Member that knows what these provisions are for.

Again, to spend \$150 million, five new mandatory programs in this bill that no one has debated in either body is simply outrageous.

Mr. Speaker, I also today have to oppose the conference report reluctantly. There are things in this conference report that I support, such as the research for agriculture, child nutrition, aid to farmers, all of these things. However, this is not, in my opinion, a responsible bill.

Today we are going to vote on an agriculture appropriations package that

exceeds \$121 billion. It contains huge increases in spending over last year's levels. Mandatory appropriations in this bill total \$97.8 billion. That is \$10 billion more than last year. And nearly two-thirds of this increase is for domestic nutrition programs. They may be very, very worthwhile and needed. That's a \$6.2 billion increase, 9 percent over last year's level. However, neither the House nor the Senate Appropriations Committee ever held a hearing on these items, where you're spending an additional \$6.2 billion, with the proper agency to actually discuss the need whether or not this spending is justified.

Farm commodity programs receive a \$2.8 billion increase. That's 25 percent over last year. And again Congress, the committee had no hearings to justify that kind of kind of an increase.

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

Ms. FOXX. I yield the gentleman 2 additional minutes.

Mr. LATHAM. I thank the gentleman.

Federal crop insurance that I very much support receives about \$900 million more than last year. That's a 14 percent increase, and yet never a hearing, no one from the agency that oversees crop insurance came to justify that kind of an increase.

Discretionary appropriations in the bill total \$23.3 billion, that's \$2.7 billion more than fiscal year 2009, a 13 percent increase. This is \$325 million more than the President requested, and \$404 million more than was passed in the House bill. The largest discretionary increases are for nutritional assistance, including a \$421 million increase for that. That's 6 over percent over last year. But did Congress have a hearing on it? No.

The agreement contains a \$590 million increase for foreign food assistance. That is a 39 percent increase. Again, neither the House nor the Senate held any hearings to discuss such an enormous spending increase.

This spending bill was written with virtually no congressional oversight. It also almost seems that the motto of the Appropriations Committee today should be "Spending Your Tax Dollars With No Questions Asked."

The American taxpayers deserve a heck of a lot better than this. Accountability matters for both the administration and this Congress. And at the very least, the Congress should be asking the tough questions about these budget requests, these spending increases, and we deserve to get answers about how these huge government programs are administered. To date, we haven't had hearings.

I urge my colleagues to vote "no" on this rule because of the air-dropped items and the spending increases and support accountability and responsibility in this Congress. Unfortunately, I ask them to vote against the conference report.

Mr. McGOVERN. Mr. Speaker, I yield 1¾ minutes to the gentleman from

California, the Chair of the Education and Labor Committee, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I rise in strong support of this conference report and the rule that enables it to come to the floor. I want to thank the chairwoman of the committee for bringing this matter to the floor. I also want to thank Chairman OBEY and Chairwoman DELAURO for their work on this conference report.

This legislation makes some important changes in child nutrition. First, this extension recognizes that hunger does not take a vacation during the summer. This extension provides \$85 million for pilot summer food service program demonstration projects that will help expand benefits for low-income children during the summer.

Secondly, the extension provides support to States to help increase the number of children who are automatically enrolled in the free school meals and to help reduce administrative errors in that program.

Third, we are responding to the calls of school food directors across the country by including funding for school food service equipment grants in order to improve the quality of school meals. The program was created in the Recovery Act and was immediately successful. The demand in fact outpaces resources 6-to-1.

Fourth, we know that promoting nutrition in school is not enough. Today almost 12 million children under 5 regularly spend time in child care, and that is why this bill invests \$8 million in competitive grants to improve the quality of meals and promote health in child care settings.

And finally, this bill supports our ongoing commitment to promote breastfeeding among the WIC population with \$5 million to incentivize States to achieve and sustain higher rates of breastfeeding.

These programs are a sound investment in the nutritional health of our children and come at no expense to the taxpayers because of the savings made elsewhere in the bill.

Ms. FOXX. Mr. Speaker, this rule and this conference report are emblematic of the problems of this Democratically controlled Congress. I want to quote from a piece called "A New Direction For America" which was on the Web site of then-Minority Leader PELOSI. "Our goal is to restore accountability, honesty and openness at all levels of government. To do so we will create and enforce rules that demand the highest ethics from every public servant, sever unethical ties between lawmakers and lobbyists and establish clear standards that prevent the trading of official business for gifts."

Despite this well-known promise, however, Representative CHARLIE RANGEL remains the chairman of the Ways and Means Committee even though he faces serious charges that are now the subject of an Ethics Committee investigation: failure to report \$75,000 in

rental income on Federal and State tax returns; agreed to preserve tax breaks that would benefit a supporter who on the same day pledged to give \$1 million to RANGEL's "Monument to Me"; used official congressional letterhead to solicit support for his "Monument to Me"; rented four rent-stabilized apartments; took at least two corporate-funded trips; and failed to disclose millions of dollars in income and assets.

This promise has certainly not been adhered to. Neither have the promises that have been made on other issues such as allowing 72 hours for bills to be read before they are voted upon.

We are facing a serious economic situation in this country right now. In September, according to the Heritage Foundation, every aspect of the labor market was negative. Labor force participation fell to 65 percent. Job losses were widespread. The negative statistics just go on and on and on: 15 million people unemployed and looking for work; 263,000 jobs eliminated in September; almost 2 million people laid off in September, the highest number in 1 month ever; and 3 million jobs lost since the Democrat stimulus was passed in February.

□ 1145

As I said, the numbers go on and on and on. The unemployment rate is at 25.9 percent among job seekers between the ages of 16 and 19, the highest level since the statistic was first measured in 1948.

The people in charge of this Congress, the Democrats, have not lived up to their promises, have not lived up to the expectations of the American people. They talk about a moral obligation. Our moral obligation is that to us personally. We don't have an obligation for wealth redistribution in this country. It is not our job to take from some Americans and give to others. Our moral obligation, again, is on a personal level. We're challenged by Jesus to look after people as individuals, not as a government. So we are not doing what we should have been doing.

As my other colleagues have said, we don't want to starve people. We don't want to starve children. We don't want to deny people the opportunity to succeed in this country.

I heard my colleagues talk about food safety from overseas, and yesterday we heard that less than 1 percent of foods being imported from overseas are being tested for food safety. But what are our colleagues on the other side of the aisle doing? Putting small farmers out of business just as fast as they possibly can, raising taxes by their cap-and-tax bill and by their proposed health care bill.

A large number of small businesses who make over \$250,000 a year file their taxes as individuals. There is this hatred, it appears, for success in this country by members of the opposite party. They don't make the connection that many of these small businesses file as individuals, and therefore, they

are going to be taxed, despite the promises that individuals aren't going to be taxed.

They're out of touch. They don't understand rural America. They don't understand small businesses. They've never been there. They don't know what it's like to make a payroll, so they willy-nilly go ahead and raise taxes. They don't want to dole out money from the government to try to make people beholden to the government.

If we would talk to our farmers out there, particularly our dairy farmers, we would find out that they don't want a handout from the government. They simply want rules and regulations lifted so that they can do the jobs that they want to do. They love farming. They want to stay in it, but they want the government to get out of their way and stop giving them a burden.

So what we need to do is we need to take into account the need to establish priorities, fund those things that the Federal Government should be funding, get out of the way of our farmers and our small businesses and not tax them out of existence. That's what we need to be doing in this Congress.

Mr. Speaker, I would like to submit for the RECORD a statement that says what 9.8 percent unemployment means by the numbers, which has in it many more things than I was able to say on the floor today.

**WHAT 9.8 PERCENT UNEMPLOYMENT MEANS BY THE NUMBERS, OCTOBER 6, 2009**

"I know that ultimately the measure of an economy is, is it producing jobs that help people support families, send their kids to college?"—President Barack Obama, September 20, 2009.

Last week, the Department of Labor reported the highest unemployment rate in 26 years—9.8 percent for the month of September. Sadly, 9.8 percent only tells part of the story of the struggles of average Americans. A deeper look at the numbers reveals the true cost of the Democrats' economic policies, especially for the nation's most vulnerable people.

People unemployed and looking for work—the highest number ever: 15,142,000.

Jobs eliminated in September: 263,000.

People laid off in September—the highest number in one month ever: 1,916,000.

Jobs lost since Democrats' "stimulus" was passed in February: 2,884,000.

People who are working only part-time because they cannot find full time employment: 9,179,000.

People who want work, but who are not currently looking because of state of the economy: 2,219,000.

People unemployed and searching for work for more than 27 weeks—the highest level ever: 5,438,000.

Job seekers that are new entrants to the workforce and have yet to find a job: 1,112,000.

Average number weeks job seekers are unemployed after losing their jobs—the highest number since the statistic was first recorded in 1948: 26.2.

Unemployment rate among job seekers between the ages of 16 and 19—the highest level since the statistic was first measured in 1948: 25.9%.

Unemployment rate among African Americans—the highest level since 1985: 15.4%.

Unemployment rate among Hispanics and Latinos: 12.7%.

Rate of underemployment, accounting for the unemployed and those who are unable to find adequate work: 17%.

Unemployment rate among job seekers without a high school degree: 15%.

Rate of the U.S. population in the workforce—the lowest level since 1986: 65.2%.

Rate of the U.S. population who currently have a job—the lowest level since 1985: 58.8%.

I want to urge my colleagues today to defeat the previous question so an amendment can be added to the rule. The amendment to the rule would provide for separate consideration of H. Res. 544, a resolution to require that legislation and conference reports be posted on the Internet for 72 hours prior to consideration by the House. It does not affect the bill made in order by the rule. My colleagues have spoken very eloquently about this.

The amendment to the rule provides that the House will debate the issue of reading the bill within 3 legislative days. It does not disrupt the schedule. The discharge petition has 182 names, including 5 Democrats. This bill has gained the support of an overwhelming majority of Americans and is widely respected by government watchdogs.

I want to urge the citizens of this country to pay attention to the process, as was discussed earlier, because process is important. Whether people sign the discharge petition is really the measure of whether they support it. This is not a partisan measure, Mr. Speaker. As Members of Congress, we ought to agree that regardless of the legislation brought before us, we should always have the opportunity to read and understand the legislation before we vote. We need to have this debate.

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 North Carolina?

There was no objection.

Ms. FOXX. I encourage a "no" vote on the previous question, and I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I would like to insert into the RECORD an article from the Star-News entitled, "Hungry Eyes—More N.C. children go without food."

[From the Wilmington (NC) Star News, Aug. 15, 2009]

**HUNGRY EYES—MORE N.C. CHILDREN GO WITHOUT FOOD**

(By Amanda Greene)

The three children hadn't eaten a full meal in two days.

In desperation, their grandparents knocked on the door of a downtown Wilmington church.

The children waited in the car as their grandparents asked the minister at the door for help.

He gave them a box of pop-top cans of Vienna sausages and pork and beans.

"They got the food, drove out of the parking lot and stopped beside the road to feed the kids right away," said Jennifer Caslin, development manager at the Wilmington

branch of the Food Bank of Central and Eastern North Carolina.

Such scenes are increasingly common here and throughout the state as joblessness and the weak economy put ever greater strains on an already thin safety net. You don't have to look hard to see hungry children in North Carolina. Whether it's families skipping breakfast so the food will stretch through dinner, or eating packaged foods, because fruits and vegetables are too expensive, many of the state's children aren't eating balanced, nutritious meals.

In May, Feeding America, the largest food bank network in the country, released the results of its first analysis of food insecurity in early childhood, "Child Food Insecurity in the United States: 2005-2007." North Carolina ranked second worst in the nation with 24.1 percent of its children under 5 judged to be food insecure and lacking regular access to nutritional food. The state was 10th worst in the same Feeding America study of food insecurity in children 0-18 years old, using figures from the U.S. Department of Agriculture. Nationally, the food insecurity average is 17 percent for children under 5.

Demand for food at the nation's food banks has increased 30 percent in the past year, said Ross Fraser, media relations manager for Feeding America. "So many people have been plunged into poverty," he said, "and it's terrible for children because it stunts their growth in all ways."

Indicators of food insecurity in North Carolina include high child poverty rates, the 11 percent unemployment rate, broken families, the high price of fresh food and a 21 percent increase in households with food stamps since 2007, said Alexandra Sirota, director of policy and research, Action for Children North Carolina in Raleigh.

North Carolina ranked 37th in child well-being in the recently released 2009 Kids Count Data Book from the Annie E. Casey Foundation using factors such as the percent of low-birth-weight babies, infant mortality rate, child death rate, teen death rate, teen birth rate, percent of teenaged high school dropouts, percent of teens not attending school and not working, percent of children in families without a parent with full-time and year-round employment, percent of children in poverty and percent of children in single-parent families. The state did improve one level from its 38th ranking in 2008.

Often the youngest children fall through the cracks, subject to their parents' ability—or inability—to provide nutritious foods.

"There are a lot of programs that are available once (kids) get into the school system, but those aren't always available for young children until school age," Sirota added. "The fact that families are both losing their jobs and earning such low wages that they're living in extreme poverty is an indicator of that added stress when you're trying to feed the family."

**BRIDGING THE GAP**

When parents can't feed their children regularly, often the schools, local social service networks and churches try to fill the need.

And in the summers, when school's out, the need for meals for children increases. The New Hanover County school district hosts a federally-funded Summer Food Service for Children Program at 15 schools and community centers in the county for any child, 18 years old or younger, to eat a lunch-time meal. For six weeks this summer, the program served about 700 kids each day. That number is slightly lower than previous years because funding for the program came in after the end of school this year and didn't get advertised, said Anne Ohlson, schools child nutrition supervisor.

"We do see a lot of hungry children who are waiting for us when we show up with the

food," said Imer Smith, director of Child Nutrition for New Hanover County Schools. Historically, most of those children would show up at inner-city sites, but the number of children coming to the program's sites outside the city is increasing.

An 8-year-old girl and her 4-year-old brother were among a crowd of about 10 children who were waiting for the Food Service lunch to start at the doors of the Jervay Communities meeting center one day a few weeks ago. The girl and her brother walked from their Jervay home across the square to the center each day that week for lunch. Lunch was a turkey and cheese sandwich, cucumber slices with ranch dressing, a peach cup and skim chocolate milk.

"I love ranch on my sandwich," the little boy said, smiling and slathering his bun.

During the school year, Caroline Hines is seeing more and more parents who can't pay their child's food accounts as food service director at Rachel Freeman Elementary School. Parents who don't qualify for free or reduced meals have sent her notes asking her not to allow their children to eat if they don't bring money with them because the parents can't afford the charge: \$1.25 for breakfast or \$2 for lunch. Defaulted lunch accounts at all New Hanover schools have risen from \$18,223 in 2008 to \$29,203 at the end of last school year. New Hanover County Schools saw an increase in children in free and reduced lunch programs from 9,792 in 2007-08 to 10,375 in 2008-09.

"I had a child who came in at breakfast and waited until the end to get the leftover food that no one had opened," Hines said, adding that teachers and school social workers sometimes buy students meals. Some parents won't fill out the free lunch forms because "they think people will know their child needed it."

#### FEEDING THE POOR

What she sees during the school year frustrates Hines. The state "feeds prisoners," she added, "but our school children that have done nothing wrong are going hungry."

But just feeding children during the week often isn't enough. The local Food Bank's Backpack Program helped 75 children each week during school last year take meals home to help their family over the weekend. The children bring the backpacks back to school each week to be refilled at the Food Bank. One of the parents of the children who participated in the Backpack Program wrote: "I thank you for the program because so many kids might be in the same place as my girls were. They didn't have food before they went to bed at night."

In the tri-county area, many times churches are the main sources of food pantry help for the poor.

The South Brunswick Interchurch Council Food Pantry in Shalotte has seen a 33 percent increase in children ages 0-17 served there since August last year, said Mary Pritchard, a council member.

This spring, Life Community Church in Wilmington was distributing about 800 food boxes a month through the national Angel Food Ministries. Most of their box recipients were families. The church hopes its new location in Independence Mall will help people in need find Angel Food easier.

"We've had people make comments that if it wasn't for this program, we wouldn't be eating," said Mindy McAdams, church director of Angel Food Ministries.

One inner city pastor who works regularly with hungry families in his church blamed the child hunger he's seeing on the lack of family structure.

"I've seen latch-key situations where the parents aren't home and they tell the kids, there's something in the fridge for you to

eat," he said, "But you're talking to an 8-year-old child or younger who doesn't know how to cook."

May I ask how much time I have left?

The SPEAKER pro tempore. The gentleman from Massachusetts has 30 seconds remaining.

Mr. MCGOVERN. Mr. Speaker, let me be clear to my colleagues, the bill before us was filed over a week ago, so this debate we're having is not about process. This really is about substance. And I am sad that my colleagues on the other side of the aisle have a problem with child nutrition programs. They have no problem when it comes to corporate tax breaks. They have no problems when it comes to immunity for big drug companies. But here they are on the floor today, they have a problem with child nutrition programs.

I should say to my colleague from North Carolina, poor kids don't want a handout. They don't want the government to provide them with a free meal. They wish that they weren't in that position. Unfortunately, the tough times that they find themselves in require us to help out. I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT TO H. RES. 799 OFFERED BY MS. FOXX OF NORTH CAROLINA

At the end of the resolution, insert the following new section:

SEC. \_\_\_\_ . On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(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.

Mr. MCGOVERN. I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to a concurrence resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 45. Concurrent resolution encouraging the Government of Iran to allow Joshua Fattal, Shane Bauer, and Sarah Shourd to reunite with their families in the United States as soon as possible.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3326) "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appointees Mr. INOUE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Mr. SPECTER, Mr. COCHRAN, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mrs. HUTCHISON, Mr. BENNETT, and Mr. BROWNBACK to be the conferees on the part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 52 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1216

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 12 o'clock and 16 minutes p.m.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 701

Mr. BOREN. Mr. Speaker, I ask unanimous consent that I remove my name from H. Res. 701.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 799;

Adopting House Resolution 799, if ordered; and

Suspending the rules with regard to: House Resolution 701 and House Resolution 795.

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

electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2997, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 799, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 237, nays 180, not voting 15, as follows:

[Roll No. 756]

YEAS—237

- Abercrombie
- Ackerman
- Adler (NJ)
- Altmire
- Andrews
- Arcuri
- Baca
- Baldwin
- Barrow
- Bean
- Becerra
- Berkley
- Berman
- Berry
- Bishop (GA)
- Bishop (NY)
- Blumenauer
- Bocchieri
- Boswell
- Boucher
- Boyd
- Brady (PA)
- Brown, Corrine
- Butterfield
- Capps
- Capuano
- Cardoza
- Carnahan
- Carson (IN)
- Castor (FL)
- Chandler
- Childers
- Chu
- Clarke
- Clay
- Cleaver
- Clyburn
- Cohen
- Connolly (VA)
- Cooper
- Costa
- Costello
- Courtney
- Crowley
- Cuellar
- Cummings
- Dahlkemper
- Davis (AL)
- Davis (CA)
- Davis (IL)
- Davis (TN)
- DeFazio
- DeGette
- Delahunt
- DeLauro
- Dicks
- Dingell
- Doggett
- Donnelly (IN)
- Doyle
- Driehaus
- Edwards (MD)
- Edwards (TX)
- Ellison
- Ellsworth
- Eshoo
- Etheridge
- Farr
- Fattah
- Filner
- Frank (MA)
- Fudge
- Giffords
- Gonzalez
- Gordon (TN)
- Grayson
- Green, Al
- Green, Gene
- Grijalva
- Gutierrez
- Hall (NY)
- Halvorson
- Hare
- Harman
- Hastings (FL)
- Heinrich
- Herseht Sandlin
- Higgins
- Hill
- Himes
- Hinchey
- Hinojosa
- Hirono
- Hodes
- Holden
- Holt
- Honda
- Hoyer
- Insee
- Israel
- Jackson (IL)
- Jackson-Lee
- (TX)
- Johnson (GA)
- Johnson, E.B.
- Kagen
- Kanjorski
- Kaptur
- Kennedy
- Kildee
- Kilpatrick (MI)
- Kilroy
- Kind
- Kirkpatrick (AZ)
- Kissell
- Klein (FL)
- Kosmas
- Kucinich
- Langevin
- Larsen (WA)
- Lee (CA)
- Levin
- Lewis (GA)
- Lipinski
- Loebsack
- Lofgren, Zoe
- Lowey
- Lujan
- Lynch
- Maffei
- Markey (CO)
- Markey (MA)
- Marshall
- Massa
- Matheson
- Matsui
- McCarthy (NY)
- McCollum
- McDermott
- McGovern
- McIntyre
- McMahon
- McNerney
- Meek (FL)
- Meeks (NY)
- Melancon
- Michaud
- Miller (NC)
- Miller, George
- Mollohan
- Moore (KS)
- Moore (WI)
- Moran (VA)
- Murphy (CT)
- Murphy (NY)
- Murphy, Patrick
- Murtha
- Nadler (NY)
- Napolitano
- Neal (MA)
- Oberstar
- Obey
- Olver
- Ortiz
- Pallone
- Pascrell
- Pastor (AZ)
- Payne
- Perlmutter
- Perriello
- Peters
- Peterson
- Pingree (ME)
- Polis (CO)
- Pomeroy
- Price (NC)
- Quigley
- Rahall
- Rangel
- Reyes
- Richardson
- Rodriguez
- Ross
- Rothman (NJ)
- Roybal-Allard
- Ruppersberger
- Rush
- Ryan (OH)
- Salazar
- Sanchez, Linda
- T.
- Sanchez, Loretta
- Sarbanes
- Schakowsky
- Schauer

- Schiff
- Schrader
- Schwartz
- Scott (GA)
- Scott (VA)
- Serrano
- Sestak
- Shea-Porter
- Sherman
- Shuler
- Sires
- Skelton
- Slaughter
- Snyder
- Space
- Speier
- Spratt
- Stark
- Stupak
- Sutton
- Tanner
- Teague
- Thompson (CA)
- Thompson (MS)
- Tierney
- Titus
- Tonko
- Towns
- Van Hollen
- Velázquez
- Visclosky
- Walz
- Wasserman
- Schultz
- Waters
- Watson
- Watt
- Waxman
- Weiner
- Welch
- Wexler
- Wilson (OH)
- Woolsey
- Wu
- Yarmuth
- Franks (AZ)
- Gallely
- Garrett (NJ)
- Gerlach
- Gingrey (GA)
- Gohmert
- Goodlatte
- Granger
- Graves
- Griffith
- Guthrie
- Hall (TX)
- Harper
- Hastings (WA)
- Heller
- Hensarling
- Herger
- Hoekstra
- Hunter
- Inglis
- Issa
- Jenkins
- Johnson (IL)
- Jones
- Jordan (OH)
- King (IA)
- King (NY)
- Kingston
- Kirk
- Kline (MN)
- Kratovil
- Lamborn
- Lance
- Latham
- LaTourette
- Latta
- Lee (NY)
- Lewis (CA)
- Linder
- LoBiondo
- Lucas
- Luetkemeyer
- Lummis
- Lungren, Daniel
- E.
- Mack
- Manzullo
- Marchant
- McCarthy (CA)
- McCaul
- McClintock
- McCotter
- McHenry
- McKeon
- McMorris
- Rodgers
- Mica
- Miller (FL)
- Miller (MI)
- Miller, Gary
- Minnick
- Mitchell
- Moran (KS)
- Murphy, Tim
- Myrick
- Nunes
- Nye
- Olson
- Paul
- Paulsen
- Pence
- Petri
- Pitts
- Platts
- Poe (TX)
- Posey
- Price (GA)
- Putnam
- Rehberg
- Reichert
- Roe (TN)
- Rogers (AL)
- Rogers (KY)
- Rogers (MI)
- Rohrabacher
- Rooney
- Ros-Lehtinen
- Roskam
- Royce
- Ryan (WI)
- Scalise
- Schmidt
- Schock
- Sensenbrenner
- Sessions
- Shadegg
- Shimkus
- Shuster
- Simpson
- Smith (NE)
- Smith (NJ)
- Smith (TX)
- Smith (WA)
- Souder
- Stearns
- Sullivan
- Taylor
- Terry
- Thompson (PA)
- Thornberry
- Tiahrt
- Tiberi
- Turner
- Upton
- Walden
- Wamp
- Whitfield
- Wilson (SC)
- Wittman
- Wolf
- Young (AK)
- Young (FL)
- Maloney
- Neugebauer
- Radanovich
- Tsongas
- Westmoreland

NAYS—180

NOT VOTING—15

□ 1245

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

Ms. FALLIN and Mr. ROGERS of Alabama changed their vote from "yea" to "nay."

So the previous question was ordered.