

1135 of the Social Security Act to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule as necessary to respond to the pandemic throughout the duration of the public health emergency declared in response to the 2009 H1N1 influenza pandemic.

BARACK OBAMA.  
THE WHITE HOUSE, October 23, 2009.

**MOTION TO INSTRUCT CONFEREES ON H.R. 2996, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010**

Mr. DICKS. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2996) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

Mr. SIMPSON. Mr. Speaker, I have a motion to instruct at the desk.

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

The Clerk read as follows:

Mr. Simpson moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2996 be instructed as follows:

(1) Insist on section 425 of the House bill (regarding a prohibition on funds to implement any rule requiring mandatory reporting of greenhouse gas emissions from manure management systems).

(2) That they shall not record their approval of the final conference agreement (as such term is used in clause 12(a)(4) of rule XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 72 hours prior to the time described in such clause.

Mr. DICKS. Mr. Speaker, I reserve a point of order against the instruction.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to clause 7 of rule XXII, the gentleman from Idaho (Mr. SIMPSON) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Idaho.

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

Mr. Speaker, before I get into the substance of this motion to instruct, I want to thank Chairman DICKS and his staff for listening to the views of the minority during our preconference deliberations. While we may not agree on everything in this Interior Appropriations conference agreement, our staff discussions have been very productive.

The motion I am offering today is very straightforward and does two things. First, it would insist on section 425 of the House bill regarding a prohibition on funds to implement any rule requiring mandatory reporting of greenhouse gas emissions from manure management systems. Secondly, it would require that the Interior Appropriations conference report be available 72 hours prior to House consideration for the public and Members to read.

This motion to instruct simply insists upon the House-passed bill's position relating to the Latham amendment. The Latham amendment simply says that the EPA cannot implement a rule that requires mandatory reporting of greenhouse gas emissions from cow, pig, or chicken manure.

The Latham amendment was offered in full committee and was one of the very few amendments passed this year with strong bipartisan support. Every Democrat on the Appropriations Committee with agricultural interests in his district supported it, and no one made an effort to strike the language on the House floor. Now, of course anyone could have done that—excuse me, I was wrong. We didn't consider this bill under an open rule, so they would have had to go to the Rules Committee, but no one did go to the Rules Committee to get an amendment approved so that they could offer it on the floor. It was part of the House-passed Interior Appropriations bill and should be a part of the Interior Appropriations conference agreement.

According to the EPA, livestock manure management systems account for less than 1 percent of all human-induced greenhouse gas emissions in the United States. Over 85 percent—that's 85 percent—of greenhouse gas emissions from agriculture in total come from sources other than manure management systems, and these sources are not subject to the reporting rule. By the EPA's own admission, regulating these sources would be overly expensive and burdensome.

Members of the Agriculture Committee have been warning us for years of the danger of climate change rule-making outside of the legislative process. This EPA rule is clear evidence that the chickens have finally come home to roost, as have the cows and pigs.

If you have livestock or a family farm in your congressional district, you will want to support this motion to instruct. The simple truth is that the livestock industry is being hammered by the downturn in our national economy. If you are raising animals for food, you are either losing your shirt or you are going out of business. That's the truth. It's not an exaggeration. Frozen credit markets have left farmers and ranchers without the credit they need to run their day-to-day operations, and many have been forced to sell their land or declare bankruptcy.

It was only a few weeks ago that we added \$350 million to the Ag Appropria-

tions conference report to bail out the dairy industry, which is collapsing under the strain of the credit crisis and low milk prices. And in the Interior conference report, we're not only making it more difficult for farmers to succeed, we are setting them up to fail.

There is another irony here worth noting. The Interior Appropriations conference agreement is likely to include an exemption to a clean air rule affecting ships on the Great Lakes. Chairman OBEY recognized that the excesses of the EPA would place additional hardships upon an economy already devastated by the recession, so the chairman has done what anyone in his position would do to help his constituents—he took action. I happen to agree with him. That's no different from what TOM LATHAM is trying to do to help farmers, ranchers, and livestock producers in Iowa and across the country. The only difference is that Mr. LATHAM's amendment was in the original House bill and Chairman OBEY's rider was airdropped in at the last minute. So we are going to protect the Great Lakes on the one hand while we regulate farmers out of business on the other hand.

If the EPA had existed in Biblical times, there is no question in my mind that it would have regulated gas emissions from Noah's Ark. Poor Noah and his livestock; they could withstand a 40-day flood, but they would never have survived the EPA.

I encourage Members on both sides to take a step back and think about this. Let's use a little common sense here. I urge Members, especially if you support agriculture, farming, and the livestock industry, to support this motion.

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

Mr. DICKS. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Washington is recognized for 30 minutes.

Mr. DICKS. I want my colleagues to know that these are two important issues. We are going to work on them, and we are going to do the very best we can.

EPA has come out with a ruling on this issue that wants to make sure that the largest people who have the biggest farms with the most cows, cattle, and pigs have to report, but we are working on this. We're going to do the best we can to come out with a credible position for the House of Representatives.

And we will do the best we can on the 72 hours, but we have to keep the government running. We have a responsibility to do that.

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

Mr. SIMPSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. I thank the gentleman from Idaho, and I thank the Speaker for the recognition.

Mr. Speaker, the Senate included a one-sentence provision in the 2008 omnibus spending bill requiring the EPA

to develop and publish a rule that mandates the reporting of greenhouse gas emissions for all sectors of the U.S. economy. That one sentence reads, "Of the funds provided in the Environmental Programs and Management Account, not less than \$3,500,000 shall be provided for activities to develop and publish a draft rule not later than 9 months after the date of enactment of this act, and a final rule not later than 18 months after the date of enactment of this act, to require mandatory reporting of greenhouse gas emissions above appropriate thresholds in all sectors of the economy of the United States."

Mr. Speaker, this one sentence, incidentally, I will say—and I will say again later—never had a hearing. It was snuck in in this bill. That one sentence resulted in 1,302 pages, 42 volumes of regulations, and I hold here the 1,300 pages. The preamble of this regulation is 500 pages long. This is what this is, another 500 pages. So we've got 1,800 pages, and the Regulatory Impact Analysis of more than 200 pages. Mr. Speaker, here is another 200 pages. So, in total, this one sentence that was snuck in this bill has resulted in over 2,000 pages of new regulations for our country at a time that we're in a recession and people are hurting out there. This is the cost of more government.

The proposed rule generated about 17,000 comments. According to the EPA, this rule will cost employers \$115 million for the first year, and estimates about \$70 million each year after that just to comply with the new 2,000 pages here. Mr. Speaker, as a former small business owner and farmer, I would suggest these numbers are exceedingly low. And there is no estimate as to how much has already been spent by businesses trying to figure out whether or not they fall under the regulation, and if they do, how they're going to follow these new rules.

Congress tucked this sentence into an appropriations bill, again, without holding a single hearing. Let me reemphasize, not a single hearing goes into these 2,000 pages of regulations that are now being put on top of our economy. Consequently, the language provided no limitation or guidelines for the EPA and gave the agency unlimited authority to draft the new rule.

The EPA did its job; 1,300 pages in regulations are a testament to the Congress using the Appropriations Committee to shortcut the authorizing committee process.

The language we are debating today impacts the livestock industry. Within these 1,300 pages, the regulation requires a reporting of greenhouse gases from animal agriculture, which, on the surface, seems harmless enough. However, I want to stress that this regulation has a cost and, more importantly, it will do nothing to improve the environmental health of rural America. It doesn't make manure lagoons smell any better. It doesn't protect water

wells or native species. It doesn't do one thing to improve the standard of living in rural Iowa or any part of this country. It has, however, improved the standard of living of people in metropolitan Washington, D.C., because this one sentence has kept a bunch of bureaucrats at EPA busy for the last year and a half.

Farmers work very hard day to day to try to preserve their environment, from learning how to keep their topsoil from washing away, to improving the quality of our water, to eliminating odor and turning waste products into energy. The health of the environment is critically important to the success of a farming operation.

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American farmers have done a great job in finding ways to protect the environment without sacrificing their families' farms' incomes; but at a time when our Nation's farmers are facing some of the most difficult economic times in the last decade, we are introducing a new and costly Federal mandate. This regulation will generate additional input costs for an industry that can ill afford it.

Dairy has lost about \$12 billion in milk receipts from 2008–2009, about a 33 percent loss; pork, a loss of about \$2 billion, or 10 percent in receipts for hogs, and the industry is expected to lose another \$800 million this year; cattle, a loss of about \$5 billion, or 10 percent of its receipts; and poultry producers are going bankrupt.

If you're in livestock today, you are losing money. The EPA estimates the cost of reporting will be \$900 per facility. However, one instrument used to measure methane can cost about \$15,000, and it requires trained personnel to maintain, which adds further costs. So these farmers are going to have to hire an expert to sit there and monitor the machines. To me, that adds up to a little more than \$900 per facility.

To add further costs to production is simply foolish and irresponsible on the part of this Congress. This language should never have been added to a spending bill. That's why we have an authorizing committee and why Members representing agriculture are concerned about this climate change legislation.

You think about it. One sentence tucked into an appropriations bill generated 1,300 pages of regulations, 500 pages of preamble and 200 pages of regulatory impact analysis, and it regulates all sectors of the economy, agriculture just being a small slice.

We have cap-and-trade bills that have thousands of pages of legislative language alone that Members of Congress want signed into law. This Congress intends to give the EPA a huge increase in spending this year, and I guess they're going to need it. Why? Because the EPA is going to have to hire a heck of a lot of new people to write those regulations, and regulations with equa-

tions like these have real costs to our economy.

Let me just show you what this regulation looks like. This is true. This is why farmers love Washington—when you have a paragraph that puts one of the formulas in these regulations that farmers have to comply with. Let me just read.

It says, "For all manure management system components listed in 98.360(b), except digesters, estimate the annual CH<sub>4</sub> emissions and sum for all the components to obtain total emissions from the manure management system for all animal types using equation JJ-1."

Well, this is equation JJ-1. You figure it out. We're going to have to have a bunch of mathematicians on the farm along with the EPA, apparently.

The regulation, as written, is onerous. The cost and scope is in serious question, and agriculture cannot afford another Federal mandate on this economy. Manure management is a serious issue. I know. I grew up and I live in Iowa, but this rule does nothing—and I emphasize again nothing—to improve the way farmers manage their manure.

Ladies and gentlemen, we stand up here every day, and we talk about the economic problems outside the beltway and about how much we want to work to provide assistance. When will it dawn on us that here in Washington we are part of that problem? Washington mandates costs on a daily basis, whether on farmers who feed us or on our constituents in low-income areas who have to pay more of their hard-earned dollars each month to cover the costs of our well-intentioned handiwork. We need to think about the impacts—\$200 here, \$1,000 here, \$200 million over there. Pretty soon, our employers are struggling to keep up with the government-generated cost-of-living increases.

I ask my colleagues to please support this motion to instruct. It is absolutely critical, not only in agriculture but for our constituents back home.

Mr. DICKS. Mr. Speaker, I just want to give a little background on this. I think the gentleman has a perspective, but I want to make sure that everyone understands what actually happened here.

The EPA administrator signed the proposed rule for the mandatory reporting of greenhouse gases from large emission sources in the United States on March 10, 2009. It was published in the Federal Register on April 10, 2009. The EPA received almost 17,000 written comments on the proposal, and it heard from approximately 60 people at the two public hearings. The final rule reflects changes the EPA made as it carefully considered and responded to significant comments.

Now what has happened here is that thousands of small farmers would be exempted, and only the 90 largest manure management systems in the country would be required to report their emissions, those who annually emit as

much in greenhouse gases as 58,000 barrels of oil. It is important for the EPA to receive information from these systems because the EPA needs reliable data on the greenhouse gas emissions from major facilities in all industries if we are going to be able to base our climate policy on a solid and thorough understanding of the problem.

So I think this rule, which is very close to where, I think, the conferees are going to come out, does the right thing. It exempts thousands of small farmers; but for the ones who have enormous operations, where large amounts of greenhouse gases are emitted, they have to report.

I think that's reasonable, and I think the process is reasonable. Congress directed that this be done. It was our committee that required a greenhouse gas registry so that we could make these decisions based on science, not on just political machinations. We did it on science. The EPA did it on science. I think it's a reasonable compromise.

I reserve the balance of my time.

Mr. SIMPSON. I would just remind the chairman that what we have is an authorizing committee that ought to be doing this and not the Appropriations Committee that ought to be doing this. This is the result of language put in an appropriations bill. We have authorizing committees like the Ag Committee which ought to be looking at this and overseeing it, not the Appropriations Committee.

Mr. Speaker, I yield such time as he may consume to the ranking member of the full committee, the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I want to commend my friends, Chairman NORMAN DICKS and MIKE SIMPSON, for nearing the completion of their work on the Interior appropriations report as we speak. I look forward to discussing their work in greater detail over the next couple of days.

With regard to the motion to instruct, I would like to remind Members how important it is to you if this vote happens to reflect your constituency concerns—those constituents who have farms, ranches, livestock, et cetera in their districts. Without your support, the EPA will place an extraordinary and expensive burden on your constituents by regulating the emissions from cow, pig and chicken manure.

Now, I do know how intently my chairman, over the years, has opposed any kind of minor exemption in a process like this, but the language that we are considering, which was presented by Mr. LATHAM in the committee, was adopted with bipartisan support by the full committee, and it passed the House with overwhelming support. As Mr. SIMPSON pointed out, no one even tried to remove this during the House proceedings.

However, today, as we discuss this commonsense motion to instruct, I can't help but wonder about the greater plan to finish our appropriations work. I remind Members that the clock

is ticking. We are now 1 month into the 2010 fiscal year, and we still have a great deal of work to do if we plan to complete our appropriations business this year.

By my account, the House and Senate have now sent to the President 4 of the 12 appropriations conference reports. Presuming it gets there soon, the Interior conference report will be the fifth. That means that there are 7 spending bills left to complete before the end of the year.

For weeks and months now, the House has had very little substantive work to do. Week after week, the legislative calendar is fashioned to appear that the House is busy with the Nation's business, but Members and those portions of the public who watch carefully know better. Members on both sides of the aisle are frustrated with the House leadership for loading up the calendar with suspension bills, which are relatively insignificant, as the rest of our spending bills languish.

For example, the Defense spending bill has now cleared both the House and the Senate, and there aren't any obstacles to prevent this conference report from moving forward.

I care a great deal about our public lands and environment, but moving the Interior bill before the Defense bill makes no sense. In fact, it borders on the irresponsible. Rather than moving the Defense bill, one of the most important spending bills, that bill is lying on the shelf while our men and women are defending our freedom in places like Afghanistan and Iraq. It is unfortunate that Democrat leaders have prevented the Defense bill from moving forward while we have troops deployed overseas.

Even more disconcerting is the fact that Democrat leaders are talking about using the troop funding bill as a mechanism for increasing the debt limit to the tune of over \$13 trillion. There is no way, certainly, that that can be a reflection of our desire to honor the commitment of our military that is fighting overseas.

In addition, the Transportation-Housing spending bill cleared the House and Senate months ago, and that conference agreement should also be completed in short order. Instead, many of the best and brightest staffers on the Hill are left sitting on their hands, with nothing to do, while they await direction on how this year's work will be wrapped up.

The way we are proceeding, one would presume we are headed for yet another massive take-it-or-leave-it omnibus package. It is my understanding that the Interior bill will also carry the next continuing resolution, which could last until the week of Christmas or maybe even until the end of the year.

For all of the bluster about passing appropriations bills by the August break, albeit by changing the rules to avoid tough amendment votes, the majority has very little to show for it

now. So far, the only bill completed on time is that which contains the budget for the Congress, itself. We certainly wouldn't want to have our being unemployed while the people out there are struggling to pay their bills and their taxes and while the men and women who are fighting for us overseas are left languishing, awaiting this Defense appropriations bill.

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

Mr. SIMPSON. May I inquire of the Speaker as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman has 10 minutes and 30 seconds remaining.

Mr. SIMPSON. I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I want to thank Ranking Member SIMPSON for yielding me time. I have to say that I think that he is much better equipped to be the ranking member of the Interior Committee than I was when I was ranking member.

I also want to commend Chairman DICKS. I think nobody has been better prepared to be chairman of the Interior Committee than he has, and he has done an excellent job.

Yet, Mr. Speaker, we have an honest concern and an honest difference on whether we should have these regulations imposed on the American economy and on American agricultural jobs.

There is an onslaught of regulations going on now, and we forget that, when we hire all of these government workers, they have to do something, so we're reminded when they submit these regulations which do nothing but slow our economy and force more unemployment.

We also forget that it takes five private-sector jobs to pay for each and every one government job, but we very seldom get the opportunity to talk about how we're going to grow our economy in a positive fashion. Instead, we have to play defense on how we're going to save the jobs we have today. Regulations like this do nothing but force more jobs overseas. They do nothing more than raise unemployment.

Is there any belief, when we impose additional regulations as high as this pile is next to me, that it will do nothing less than move agricultural jobs out of America to other countries like Mexico, Brazil and Argentina? Are you convinced that any of those countries will do a better job of regulating this type of production? I don't think they will.

Do you think they will do a better job in Mexico or in Brazil or in Argentina of managing animal diseases? We do a very fine job here. When there is a problem, we respond immediately, but I don't see that in those other countries.

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What we are doing by writing these regulations is forcing production of

animals overseas where we will be more vulnerable as a world, where we will have less jobs as America. It's not the type of direction that I think our President wants to go. It's not the type of direction that I think Congress wants to go.

We see this not only in agriculture but we also have seen this in manufacturing, where as we grow the regulatory burden, the jobs move overseas. Today, 12 percent of the cost of making anything in America is consumed by just complying with the regulations. As a result we have seen jobs go offshore.

Now it's not because we have high wages; we want highly qualified workers. It's not because CEOs are greedy; they can only control so many costs. They cannot control the costs imposed upon their companies by the regulations that they are facing from the Federal Government today.

And we are doing this for what reason? So we can control greenhouse gases? I would defy anybody to show a measurable increase or decrease in greenhouse gases because of these regulations, and not only this year or next year, but in the next 50 or 100 years. This is not worth it. It doesn't meet the common sense. I would request that we keep the language that was passed in the Appropriations Committee by Mr. LATHAM and vote for this motion to instruct.

Mr. DICKS. I reserve the balance of my time.

Mr. SIMPSON. Mr. Speaker, I thank the gentleman from Washington for entertaining this motion to instruct.

I said earlier that we had authorizing committees to do this. Some have suggested maybe they don't do their job and the Appropriations Committee has to do it for them. I don't think that's right.

But I will tell you that in the only comprehensive climate change bill that's passed the House, the Waxman-Markey bill, it exempted all animal agriculture sources from greenhouse gas emissions reporting. We have two bills now that have passed the House, and the House has stated they do not want to have to report animal emissions to the EPA, Waxman-Markey and the Interior appropriations bill that passed.

Now remember this legislation, or this amendment by Mr. LATHAM, was not in the original Interior bill as it came before the Appropriations Committee. It was added as an amendment. We affirmatively said we do not want the EPA to implement this rule on greenhouse gas emissions from animals. We affirmatively said it. It was not an oversight. That's what the committee said. When it came to the full House, no one offered an amendment to remove that language. I think that we ought to insist on the House language that is in this bill.

Now I am puzzled a little bit when the chairman says "we'll do our best" and then stands up and defends the rule. What is "our best"? I don't know where we are headed with this.

Let me tell you how this process works just a little bit. Preconferencing goes on between the House and the Senate, generally between the staffs; they talk with the Members of Congress and so forth, but the preconferencing goes on. Apparently the Senate didn't like the Latham amendment, and we caved. And we said, No, we'll drop the Latham amendment.

I think we need to insist on the Latham amendment. It's been the only expression by either body of the direction we ought to go, that we are opposed to this mandatory reporting by the EPA that's going to cost us, I think the gentleman from Iowa said, \$115 million a year. Remember, we just gave the dairy industry \$350 million because of the hardships they are currently suffering. And now we are going to impose these kinds of costs on them.

We need to go to conference, and when we say we're going to do the best we can, if, when we go to conference, if the preconferenced conference report does not have the Latham language in it, that means we can offer an amendment to put it in the language, in the appropriation bill. But if the Senate doesn't have the votes to pass it there, then it's dropped and it's out.

If it goes to conference with the language in, they have to get an amendment both past the House and the Senate to drop it. It's to our advantage and to the will of this House that it have the language in the preconferenced report before we go to conference, and apparently we've dropped it. So when the chairman says we'll do the best we can, I don't know exactly what that means.

Mr. DICKS. Will the gentleman yield?

Mr. SIMPSON. I yield to the gentleman from Washington.

Mr. DICKS. It means we got 99.9 percent of Latham. That's pretty good.

Mr. SIMPSON. Now I'm really confused. I'm really puzzled. I don't understand what the gentleman is saying.

Mr. DICKS. We all agree that for these small farmers, this makes no sense. The only people that are going to be under this rule are the people who are emitting the equivalent of 58,000 barrels of oil in these emissions. These are the biggest farmers in the country. They can afford to do this.

This is a compromise. The spirit of Latham has been adopted, but we regulate the small number of people, around 90 in the country, who have these very large emissions. I think it makes sense. I think it's a decent compromise.

Mr. SIMPSON. Reclaiming my time, I would yield to the gentleman from Iowa.

Mr. LATHAM. I thank the gentleman.

I don't know how you can say you have 99 percent when the amendment is eliminated. The fact of the matter is that we are going to be spending millions of dollars whether you are large

producers or small producers to figure out who qualifies under this.

That's one of the major problems here is that nobody knows for sure who it is and who it isn't. You are going to have to spend as a large producer, small producer, whatever, a whole bunch of money to figure out whether or not you actually qualify.

The fact of the matter is, any of these costs are going to be passed down to the consumers. Now, I know, maybe another 30, 40 bucks a week out of a grocery bill isn't much for folks around here. But I tell you what, there are folks hurting at home, and that's a lot of money.

The idea that somehow this isn't going to affect the price of food, that it isn't going to affect the cost of agriculture; and to do nothing, just have no improvement as far as the environment, no improvement as far as waste management, as far as air emissions, it will do nothing except add cost to the end consumer. I'm sorry, but my producers out there know what this is going to cost them, each and every one of them, because they're going to have to go through a whole process to figure out what they can do and cannot do; it's going to add cost, and we're going to end up with the families today paying the bill at the grocery store because of onerous regulations exactly like this.

Mr. SIMPSON. Reclaiming my time, I will point out once again, this is the Appropriations Committee. The authorizing committee specifically exempts all animal agricultural source from greenhouse gas emission reporting. We got 100 percent of the legislation under the requirement the EPA can't oversee the emissions from the ships on the Great Lakes. We need to stand up strong, and we need to stand up for what the House voted for, not once but twice, what the committee voted for. We need to stand up in the conference committee with the Senate.

I encourage the chairman to do just that. I encourage my colleagues to vote for this motion to instruct.

I yield back the balance of my time.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Mr. SIMPSON. 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.

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The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair