

Reichert	Sensenbrenner	Thompson (PA)
Reyes	Serrano	Thornberry
Richardson	Sessions	Tiberti
Rodriguez	Sestak	Tierney
Roe (TN)	Shadegg	Titus
Rogers (AL)	Shea-Porter	Tonko
Rogers (KY)	Sherman	Towns
Rogers (MI)	Shimkus	Tsongas
Rohrabacher	Shuler	Turner
Rooney	Shuster	Upton
Ros-Lehtinen	Simpson	Van Hollen
Roskam	Sires	Velázquez
Ross	Skelton	Visclosky
Rothman (NJ)	Slaughter	Walden
Roybal-Allard	Smith (NE)	Walz
Royce	Smith (NJ)	Wamp
Ruppersberger	Smith (TX)	Wasserman
Rush	Smith (WA)	Schultz
Ryan (OH)	Snyder	Waters
Ryan (WI)	Space	Watson
Salazar	Speler	Watt
Sánchez, Linda T.	Spratt	Waxman
Sanchez, Loretta	Stark	Weiner
Sarbanes	Stearns	Welch
Scalise	Stupak	Westmoreland
Schakowsky	Stutzman	Whitfield
Schauer	Sullivan	Wilson (OH)
Schiff	Sutton	Wilson (SC)
Schmidt	Tanner	Wittman
Schock	Taylor	Wolf
Schrader	Teague	Woolsey
Schwartz	Terry	Wu
Scott (VA)	Thompson (CA)	Yarmuth
	Thompson (MS)	Young (AK)

## NOT VOTING—27

Arcuri	Gordon (TN)	Markey (CO)
Berry	Granger	McMorris
Billbray	Griffith	Rodgers
Blunt	Hall (NY)	Meek (FL)
Childers	Hoekstra	Radanovich
Cohen	Jones	Scott (GA)
Davis (AL)	Kennedy	Tiahrt
Delahunt	Kilpatrick (MI)	Young (FL)
Ellsworth	Kirkpatrick (AZ)	
Fallin	Marchant	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes to record their vote.

□ 1231

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES**

Mr. POLIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1752 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 1752

*Resolved*, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 18, 2010.

SEC. 2. It shall be in order at any time through the legislative day of December 18, 2010, for the Speaker to entertain motions that the House suspend the rules. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore (Mr. DRIEHAUS). The gentleman from Colorado is recognized for 1 hour.

Mr. POLIS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. DIAZ-BALART). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

## GENERAL LEAVE

Mr. POLIS. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 1752.

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

There was no objection.

Mr. POLIS. Mr. Speaker, House Resolution 1752 waives the requirement of clause 6 of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. This would allow for the same day consideration of any resolution reported through the legislative day of December 18, 2010. Finally, the rule allows the Speaker to entertain motions to suspend the rules through the legislative day of December 18, 2010. The Speaker or her designee shall consult with the minority leader or his designee on the designation of any matter for consideration pursuant to this resolution.

Today, Mr. Speaker, as we near the end of the historic 111th Congress, key legislation remains to be completed. This rule will provide flexibility to allow bipartisan negotiations to continue and put the finishing touches on important initiatives before our 111th Congress. This rule will allow the House to act as fast as it can when receiving legislation from the Senate which, as we all know, can arrive on a very unpredictable time frame. The unpredictability of the Senate thus far this Congress, the lengthy negotiations process, and the partisanship affects the prospects and drastically reduces our ability to take on so many important bills.

This rule today is critical so that we can move forward to consider middle class tax cuts, the DREAM Act, food safety, defense authorization, regardless of where Members of this body stand on particular issues, and I think we owe it to our country to bring them forward in a timely manner for full consideration by this body.

I am very proud to be a Member of the 111th Congress. This Congress has been one of the most productive bodies in half a century and our work is not complete. We've passed several historic bills that will improve the lives of every American and help dig us out of an economic disaster leading to our recovery. We've also passed legislation to make college loans more affordable, to protect consumers from usurious credit card interest rates, to make it easier for women to challenge pay discrimination, to finally regulate tobacco products under the FDA, to crack down on

waste in the Pentagon; from giving business tax incentives to hire unemployed workers and giving tax credits to first-time homebuyers which realtors in my district have told me really helped get the market going again.

But despite these historic accomplishments, there remains much work to be done in our final weeks. I could stand here as many Members of this body could for hours talking about the many bills we would like to take up and the programs we need to reauthorize, bills that would create jobs in America, strengthen our national security, fixing our broken immigration system, feeding our children, and repairing our highways. By extending same day and suspension authority until December 18, the day when government funding runs out, we're making a commitment to the country that will uphold our constitutional responsibility and stay on task and keep the government running. We're also keeping the promises that we made to our communities and our nation.

If it comes down to the wire, Mr. Speaker, this rule would give us the flexibility to act in a timely fashion. We know that to consider a bill under a rule, there needs to be a one-day lay-over and that suspensions are only considered Monday through Wednesday. Without this rule, if the Senate sends us a government funding measure on Saturday, December 18, we would have to literally let the government shut down. This rule is a matter of efficiency. We're all aware of the time constraints before us and the limited time remaining in this session as well as the work that needs to be done. It will do the American people no service if their elected representatives are here debating multiple procedural rules, wasting our taxpayer dollars when government shuts down. That's why we've extended the authority through the end of the current CR. Let us save the remaining time of the 111th Congress to debate the important initiatives that are still pending and pass this rule today.

Mr. Speaker, these are not unusual procedures. I want to point out that in the 109th Congress, the Republican majority reported at least 21 rules that allowed for same day consideration. In fact, five of those rules waived this requirement against any rule reported from the committee.

Mr. Speaker, this will also be the last rule that I have the honor of co-managing with my good friend and colleague from Florida (Mr. DIAZ-BALART), and I just want to say a few words on his behalf. It has been a great pleasure serving with the gentleman from Florida on the Rules Committee, having managed a number of rules together on the floor. I have always appreciated his thoughtful and incisive remarks on the Rules Committee and on the floor. His championing of developing American capital, developing the economy in Florida, in Miami; his dedication to foreign relations and affairs,

to help restore democracy to a country from which he derives his heritage. LINCOLN DIAZ-BALART is truly a great American. I look forward to staying in touch with him in his future journeys, because I know that his career in Congress is not the end of his professional career or his life journey but it is merely a stage and a beginning and we will hear many great things in the future from one of the most respected, talented, insightful Members of this Chamber. It has truly been an honor to have been his colleague on the Rules Committee.

With that, I reserve the balance of my time.

□ 1240

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume. I thank my friend from Colorado (Mr. POLIS) for the time.

I also thank him for his gracious words. He, in the short period of time that he has been here, has already left a mark with his thoughtfulness and his hard work, and really his conscience and compassion. He has left a mark on this Congress. And I know his constituents must be, and will continue to be, very proud to have sent him here because they have already seen the kind of Member of Congress that JARED POLIS is. So I thank him for those kind words.

And I share with him the view that we have been able to work on some projects together, and my hope that we will be able to work in the future. And really my almost certainty that we will be able to work together in the future on important projects as well.

Mr. Speaker, as this, the 111th Congress, proceeds, it's in its final days evidently. The rule before us provides for expedited same day consideration for all legislation brought forward until December 18, and extends suspension authority for that period. It's really martial law rule because it closes down the process, does not allow Members of Congress to review legislation, to really know what legislation that will be considered is about. And in an historically unprecedented manner, it sets 11 days for this expedited consideration of legislation without necessarily showing legislation to colleagues before consideration.

The congressional majority and the Speaker have not fulfilled their 2006 campaign pledge to have, and I quote, "The most honest, the most open, and the most ethical Congress in history." It was indeed needed reform at that time. But as we now know, it failed to materialize.

This majority admits, Mr. Speaker, with the rule before us today, it admits that it doesn't even pretend to care about fair process and transparency and the rights of the minority any more. The congressional majority feels no need to allow the public and all of our colleagues to read legislation before the House votes. The language be-

fore us allows bills to be considered the same day that they are ushered through the Rules Committee. The majority cares little for the ability of Members to have input in the form of amendments to vital, must-pass legislation that we will consider in the next days and weeks.

I think it's important to note, though I think it's unfortunate, that the House of Representatives has not considered even one open rule this Congress. And that would have been certainly something that I would not have expected. In my 18 years here, I have never seen this before, and did not expect it. This House has not considered even one open rule this Congress.

Now, we've come to expect that from the current majority. And so it's to be expected that the majority will have more martial law rules like the one before us in the days ahead. I think it's appropriate, I think it's good news that the Republicans, that we have made a pledge that I am confident will be kept. I am happy to report that very soon there will be significant and impactful course correction in the House of Representatives. The Members will be able to read legislation before they cast votes. Open rules will make a triumphant return to the House floor. All Representatives in this House will be able to contribute to the legislative process, bringing forth a chorus of ideas that have been suppressed during the last two Congresses. So that's good news. And that is one of the good things about renewal in politics and the democratic process.

Again I thank Mr. POLIS for his courtesy, for his friendship, and all of my colleagues. As I said a few weeks ago, these have been an extraordinary 18 years, Mr. Speaker, the honor of my life. This is the Congress of the greatest Nation in the world. And it's a miracle. The United States of America is a miracle of freedom. And so as I leave this House, again I thank all of my colleagues for the honor of being able to have been able to serve with them, for the honor of having been able to serve with them, both those who have helped me, who have agreed with me and the causes that I have fought, and those who have opposed me. It's been an honor to serve with all of them.

At this point we have no further speakers, and so, Mr. Speaker, I urge my colleagues to vote "no" on this rule, and to let this House return to openness a few weeks ahead of schedule.

I yield back the balance of my time.

Mr. POLIS. Mr. Speaker, this is a simple and important vote. The 111th Congress has done a great deal, and it has been one of the most accomplished Congresses in decades. However, there are critical needs that must be met before this body adjourns and gives way to the next United States Congress.

Mr. Speaker, it's been said that as a Member of the House one's true opponent is not the opposing party, but rather the Senate. This has never been

more true, as the most deliberative body has unfortunately pushed some very complicated and yet critical decisions to the last minute, down to the wire, forcing the House and the American people in the position we find ourselves in today.

Mr. Speaker, Congress is riddled with ways to obstruct and delay progress on bills. Just a few weeks ago, the House barely scraped together the votes to pass a child nutrition bill. In the Senate, a minority of Members continue to stall the defense authorization act, the DREAM Act, as well as their work, necessary work on making sure that middle class Americans don't face an increase in taxes come January.

Gridlock is typical of Congress. And of course discussion is an important part of the political process. But never before have so many within government set out to stop progress for political gain at a great cost to our Nation. This rule will simply allow the necessary work of this House to continue, both proactively and reactively with regards to the United States Senate.

The American people want Congress to create jobs and grow the economy by working together. It's not a small task. But it certainly can't be accomplished if we yield to those who would stand in the way of progress. That's why we must pass this rule today, Mr. Speaker, to allow this body to pass critical provisions to allow government to continue to operate essential services for our citizens, defending our borders and our Nation from threats here and abroad, to make sure that middle class Americans don't face the largest tax increase in history come January. Not only do we need to make hard, well-informed decisions about what to do with regard to our tax code, but we need to make tough decisions about many other tax provisions that are scheduled to expire at the end of this calendar year.

It is that calendar, that 10-year clock that necessitates the 111th Congress getting this work done prior to the end of the year. I strongly encourage my colleagues to vote "yes" on the previous question and the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

□ 1250

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Recorded votes on postponed questions will be taken later today.

## WEEKENDS WITHOUT HUNGER ACT

Mr. SABLAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5012) to amend the Richard B. Russell National School Lunch to establish a weekend and holiday feeding program to provide nutritious food to at-risk school children on weekends and during extended school holidays during the school year, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5012

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Weekends Without Hunger Act”.

## SEC. 2. WEEKENDS AND HOLIDAYS WITHOUT HUNGER.

Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by adding at the end the following:

“(j) WEEKENDS AND HOLIDAYS WITHOUT HUNGER.—

“(1) DEFINITIONS.—In this subsection:

“(A) AT-RISK SCHOOL CHILD.—The term ‘at-risk school child’ has the meaning given the term in section 17(r)(1).

“(B) ELIGIBLE INSTITUTION.—

“(i) IN GENERAL.—The term ‘eligible institution’ means a public or private nonprofit institution that is determined by the Secretary to be able to meet safe food storage, handling, and delivery standards established by the Secretary.

“(ii) INCLUSIONS.—The term ‘eligible institution’ includes—

“(I) an elementary or secondary school or school food service authority;

“(II) a food bank or food pantry;

“(III) a homeless shelter; and

“(IV) such other type of emergency feeding agency as is approved by the Secretary.

“(2) ESTABLISHMENT.—Subject to the availability of appropriations provided in advance in an appropriations Act specifically for the purpose of carrying out this subsection, the Secretary shall establish a program under which the Secretary shall provide commodities, on a competitive basis, to eligible institutions to provide nutritious food to at-risk children on weekends and during extended school holidays during the school year.

“(3) ELIGIBILITY.—

“(A) IN GENERAL.—To be eligible to receive commodities under this subsection, an eligible institution shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may determine.

“(B) PLAN.—An application under subparagraph (A) shall include the plan of the eligible institution for the distribution of nutritious foods to at-risk school children, including—

“(i) methods of food service delivery to at-risk school children;

“(ii) assurances that children receiving foods under the project will not be publicly separated or overtly identified;

“(iii) lists of the types of food to be provided under the project and provisions to ensure food quality and safety;

“(iv) information on the number of at-risk school children to be served and the per-child cost of providing the children with food; and

“(v) such other information as the Secretary determines to be necessary to assist the Secretary in evaluating projects that receive commodities under this subsection.

“(4) PRIORITY.—In selecting applications under this subsection, the Secretary shall give priority to eligible institutions that—

“(A) have on-going programs and experience serving populations with significant proportions of at-risk school children;

“(B) have a good record of experience in food delivery and food safety systems;

“(C) maintain high quality control, accountability, and recordkeeping standards;

“(D) provide children with readily consumable food of high nutrient content and quality;

“(E) demonstrate cost efficiencies and the potential for obtaining supplemental funding from non-Federal sources to carry out projects; and

“(F) demonstrate the ability to continue projects for the full approved term of the pilot project period.

“(5) GUIDELINES.—

“(A) IN GENERAL.—The Secretary shall issue guidelines containing the criteria for projects to receive commodities under this section.

“(B) INCLUSIONS.—The guidelines shall, to the maximum extent practicable within the funds available and applications submitted, take into account—

“(i) geographical variations in project locations to include qualifying projects in rural, urban, and suburban areas with high proportions of families with at-risk school children;

“(ii) different types of projects that offer nutritious foods on weekends and during school holidays to at-risk school children; and

“(iii) institutional capacity to collect, maintain, and provide statistically valid information necessary for the Secretary—

“(I) to analyze and evaluate the results of the pilot project; and

“(II) to make recommendations to Congress.

“(6) EVALUATION.—

“(A) INTERIM EVALUATION.—Not later than November 30, 2013, the Secretary shall complete an interim evaluation of the pilot program carried out under this subsection.

“(B) FINAL REPORT.—Not later than December 31, 2015, the Secretary shall submit to Congress a final report that contains—

“(i) an evaluation of the pilot program carried out under this subsection; and

“(ii) any recommendations of the Secretary for legislative action.

“(7) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as are necessary, to remain available until expended.

“(B) AVAILABILITY OF FUNDS.—Not more than 3 percent of the funds made available under subparagraph (A) may be used by the Secretary for expenses associated with review of the operations and evaluation of the projects carried out under this subsection.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the Northern Mariana Islands (Mr. SABLAN)

and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentleman from the Northern Mariana Islands.

## GENERAL LEAVE

Mr. SABLAN. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 5012 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Northern Mariana Islands?

There was no objection.

Mr. SABLAN. I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5012, the Weekends Without Hunger Act, legislation to help us prevent school-aged children from having to go hungry during weekends and breaks when they are not in school.

The Weekends Without Hunger Act helps prevent children from going hungry when they are not in school. The bill responds to the growing challenge of children coming to school hungry on Mondays and after extended holidays. It establishes a 5-year pilot program to provide commodities to schools and food banks in low-income areas, to provide nutritious food to at-risk school children to take home on weekends and during school holidays.

Nearly one in four of our Nation's children are at risk of going hungry every day. No child should go hungry, yet millions of families struggle to make ends meet and put healthy food on the table at home.

More than 19 million school-age children eat a free or reduced-price meal at school every day and many of them depend on the school meals as their main source of food throughout the week. During days that school is in session, school breakfasts and lunches help keep children healthy and prepared to learn in the classroom. Children who experience hunger get sick more often and exhibit decreased attention and test scores.

Even with the child nutrition safety net already in place, there is still a significant gap in children's access to nutrition during weekends and breaks from school. For many children, this gap means going without nutritious meals—or any meals at all over the weekend and when school is out.

The organization Feeding America has been at the forefront of public-private partnerships to ensure children and families have access to healthy meals. Their BackPack Program is one in a number of innovative programs they operate to meet the needs of families who experience hunger.

This program provides backpacks filled with nutritious food that is child friendly, nonperishable and easily consumed. These backpacks are discreetly distributed to children on the last day before the weekend or holiday vacation. Currently, more than 3,800 Backpack Programs serve nearly 190,000 children in 46 States and the District of Columbia.