

AGRICULTURAL RESEARCH BILL

(Mr. DOOLEY of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLEY of California. Mr. Speaker, I rise to make sure all my colleagues fully understand that we are soon to be considering a rule on the agricultural research bill, and I think everyone should understand exactly what is about to happen.

Through the Committee on Agriculture, we were able to fashion an agriculture research, a crop insurance bill, as well as a food stamp reform bill that had broad bipartisan support. It was a bill that went to conference. It was signed by all the Republican and Democrat conferees. It was a bill that passed the Senate by a vote of 92-8.

Last night, the Committee on Rules has reported a bill that is basically going to unravel this carefully crafted conference report. Anyone who chooses to vote for this rule has to understand what they are doing. They are taking a slap at every farmer in this country, farmers who are struggling to maintain their viability, because this rule will gut the crop insurance fix which is so vital.

They will also be having a slap in the face to our universities who are performing the agricultural research, which is so important to our international competitiveness of the agriculture sector. And they are also slapping in the face all the legal immigrants who have the opportunity to get vital food stamps.

Vote no on this rule.

AGRICULTURAL RESEARCH BILL

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

Mr. BECERRA. Mr. Speaker, S.1150 will come up, the rule will come up in just a few moments. I would like to echo the remarks of my friends and colleagues, the gentleman from Texas (Mr. STENHOLM) and the gentleman from California (Mr. DOOLEY).

We had a very delicately balanced package that addressed the needs of our farmers in America and addressed the needs of those in America who are hungry. It was a very difficult compromise to make because there is such a need out there in these various communities. Yet, we were able to strike that accord, bipartisan accord, rural and urban American accord.

On the Senate side, 92 votes came out in support of this bill. In conference, it was a unanimously supported conference report. All of a sudden, now we have a rule on this bill here in the House that would destroy that delicate compromise, the balance that was achieved.

Unfortunately, what it does is it guts the funding for the crop insurance aspect of this, for the agricultural research aspect of this, and for the dol-

lars necessary to try to help those who are in need of food. We cannot let this happen.

I would urge a no vote on the rule.

MOTION TO ADJOURN

Mr. STENHOLM. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion to adjourn offered by the gentleman from Texas (Mr. Stenholm).

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

Mr. STENHOLM. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 59, nays 304, not voting 70, as follows:

[Roll No. 187]

YEAS—59

Abercrombie	Dooley	Obey
Allen	Edwards	Oliver
Becerra	Farr	Ortiz
Berman	Fattah	Pallone
Berry	Fazio	Payne
Bishop	Ford	Pickett
Bonior	Gejdenson	Pomeroy
Boucher	Gephardt	Roybal-Allard
Boyd	Hall (OH)	Sabo
Brown (CA)	Hastings (FL)	Sawyer
Brown (OH)	Kennelly	Scott
Castle	Kingston	Sisisky
Clay	Lewis (GA)	Slaughter
Clayton	Manton	Stenholm
Condit	Martinez	Tanner
Coyne	McGovern	Tauscher
Cramer	McIntyre	Thurman
DeGette	Millender-	Waters
DeLauro	McDonald	Watt (NC)
	Mink	Whitfield

NAYS—304

Aderholt	Canady	Engel
Andrews	Cannon	English
Archer	Capps	Ensign
Armey	Cardin	Eshoo
Bachus	Carson	Etheridge
Baesler	Chabot	Evans
Baker	Chambliss	Everett
Baldacci	Chenoweth	Ewing
Ballenger	Christensen	Forbes
Barcia	Clyburn	Fossella
Barr	Coble	Fowler
Barrett (NE)	Coburn	Fox
Barrett (WI)	Collins	Frank (MA)
Bartlett	Combest	Franks (NJ)
Barton	Cook	Frelinghuysen
Bass	Cooksey	Frost
Bentsen	Costello	Gallegly
Bereuter	Cox	Ganske
Bilbray	Crane	Gekas
Blagojevich	Crapo	Gibbons
Bliley	Cummings	Gilchrest
Blumenauer	Cunningham	Gillmor
Blunt	Danner	Gilman
Boehlert	Davis (FL)	Goode
Boehner	Davis (VA)	Goodlatte
Bonilla	Deal	Goodling
Borski	Diaz-Balart	Gordon
Boswell	Dicks	Goss
Brady (TX)	Dingell	Granger
Brown (FL)	Doggett	Greenwood
Bryant	Doolittle	Gutierrez
Bunning	Doyle	Hall (TX)
Burr	Dreier	Hamilton
Burton	Duncan	Hansen
Buyer	Dunn	Hastert
Calvert	Ehlers	Hastings (WA)
Camp	Ehrlich	Hayworth
Campbell	Emerson	Hefley

Hill	Mascara	Salmon
Hilleary	Matsui	Sanchez
Hilliard	McCarthy (NY)	Sandlin
Hinojosa	McCollum	Sanford
Hobson	McHale	Saxton
Hoekstra	McHugh	Scarborough
Holden	McInnis	Schaefer, Dan
Hooley	McIntosh	Schaffer, Bob
Horn	McKeon	Schumer
Hostettler	McKinney	Sensenbrenner
Houghton	McNulty	Shadegg
Hoyer	Meehan	Shaw
Hulshof	Meek (FL)	Shays
Hutchinson	Menendez	Sherman
Hyde	Metcalfe	Shimkus
Istook	Mica	Shuster
Jackson (IL)	Miller (FL)	Skeen
Jackson-Lee	Minge	Skelton
(TX)	Moakley	Smith (MI)
Jenkins	Moran (KS)	Smith (NJ)
John	Moran (VA)	Smith (OR)
Johnson (CT)	Murtha	Smith (TX)
Johnson (WI)	Myrick	Smith, Adam
Johnson, E.B.	Neal	Smith, Linda
Jones	Nethercutt	Snowbarger
Kanjorski	Neumann	Snyder
Kasich	Ney	Solomon
Kelly	Northup	Spatt
Kennedy (MA)	Norwood	Stabenow
Kennedy (RI)	Nussle	Stearns
Kildee	Oberstar	Stokes
Kilpatrick	Packard	Stump
Kim	Pappas	Stupak
Kind (WI)	Pastor	Sununu
King (NY)	Paul	Talent
Klecza	Paxon	Tauzin
Klink	Pease	Taylor (MS)
Klug	Peterson (MN)	Thomas
Knollenberg	Peterson (PA)	Thompson
Kolbe	Petri	Thornberry
Kucinich	Pickering	Thune
LaFalce	Pitts	Tiahrt
LaHood	Pombo	Tierney
Lampson	Portman	Trafigant
Lantos	Poshard	Turner
Largent	Price (NC)	Upton
Latham	Pryce (OH)	Velazquez
LaTourette	Radanovich	Vento
Lazio	Rahall	Visclosky
Leach	Ramstad	Walsh
Lee	Redmond	Wamp
Levin	Regula	Watkins
Lewis (CA)	Riley	Watts (OK)
Lewis (KY)	Rivers	Weldon (FL)
Linder	Rodriguez	Weldon (PA)
Lipinski	Roemer	Wexler
Livingston	Rogers	White
LoBiondo	Rohrabacher	Wise
Lofgren	Ros-Lehtinen	Wolf
Lowey	Rothman	Woolsey
Lucas	Roukema	Wynn
Luther	Royce	Yates
Maloney (CT)	Rush	Young (FL)
Maloney (NY)	Ryun	

NOT VOTING—70

Ackerman	Hefner	Porter
Bateman	Herger	Quinn
Billirakis	Hinchey	Rangel
Bono	Hunter	Reyes
Brady (PA)	Inglis	Riggs
Callahan	Jefferson	Rogan
Clement	Johnson, Sam	Sanders
Conyers	Kaptur	Serrano
Cubin	Manzullo	Sessions
Davis (IL)	Markey	Skaggs
DeFazio	McCarthy (MO)	Souder
DeLay	McCrery	Spence
Deutscher	McDade	Stark
Dickey	McDermott	Strickland
Dixon	Meeks (NY)	Taylor (NC)
Fawell	Miller (CA)	Torres
Filner	Mollohan	Towns
Foley	Morella	Waxman
Furse	Nadler	Weller
Gonzalez	Owens	Weygand
Graham	Oxley	Wicker
Green	Parker	Young (AK)
Gutknecht	Pascrell	
Harman	Pelosi	

□ 0957

Messrs. RILEY, CUNNINGHAM, THOMPSON, KLECZKA and RODRIGUEZ, Ms. KILPATRICK, Ms. JACKSON-LEE of Texas and Ms. WOOLSEY changed their vote from "yea" to "nay."

Mr. HASTINGS of Florida changed his vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. MCCARTHY of MISSOURI. Mr. SPEAKER, ON ROLL CALL NO. 187, I WAS UNAVOIDABLY DETAINED. HAD I BEEN PRESENT, I WOULD HAVE VOTED "NO."

AMENDMENT TO RULE ON S. 1150, AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998 CONFERENCE REPORT

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

Mr. SOLOMON. Mr. Speaker, there is some concern over understanding the rule that we are about to take up. I just want to put the House on notice that at the end of my remarks, or during the debate on the rule, that I will be putting back into the bill an unfunded mandate that was removed. I personally oppose unfunded mandates and I will argue against it, but the House will have an opportunity to vote on it.

So at some point I would be offering a manager's amendment, that at the appropriate time I would offer an amendment to the rule ensuring that the offset for crop insurance and for food stamps for legal aliens is going to be in the bill. There would be a vote on whether or not to take that out.

DISPOSING OF CONFERENCE REPORT ON S. 1150, AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 446

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1150) to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs, and for other purposes. All points of order against the conference report (except those arising under clause 3 of rule XXVIII and predicated on provisions in subtitle A of title V) and against its consideration (except those arising under section 425 of the Congressional Budget Act of 1974) are waived. If a point of order against the conference report for failure to comply with clause 3 of rule XXVIII is sustained, the conference report shall be considered as rejected and the pending question shall be, without intervention of any point of order, whether the House shall recede from its amendment and agree to an amendment to the Senate bill consisting of the text of the conference

report, modified by striking subtitle A of title V. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore (Mr. CALVERT). The gentleman from New York (Mr. SOLOMON) is recognized for one hour.

□ 1000

Mr. SOLOMON. Mr. Speaker, for the purposes of the of debate only, I yield 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I might consume. All time yielded is for purposes of debate only.

This rule waives all points of order against the conference report, except for two. First, the rule will allow points of order for violations of the Unfunded Mandate Reform Act. The Congressional Budget Office has already determined that the conference report contains unfunded mandates to the tune of hundreds of millions of dollars; in my own State of New York, in this letter from Governor George Pataki, several hundred million dollars alone which will have to be passed on to local property taxpayers in the State of New York.

Now, before consideration of the conference report, any Member may make a point of order that it contains an unfunded mandate, and at some point in a few minutes I will move to put back in the unfunded mandate that was inadvertently removed from the bill, even though I oppose it and I will raise a point of order to strike out the unfunded mandate that we have just put back in. However, that would require a 20 minute debate and a vote, so that everybody understands they will have that opportunity to vote on whether to proceed with an unfunded mandate. That will be the pay-for for crop insurance and food stamps for legal aliens and other categories.

The second point of order against the conference report permitted by this rule is for the violation of scope of conference rule. This rule prohibits the conferees from adding material in the conference which was not considered in either the House or the Senate, and here we are talking about an \$800 million expenditure for food stamps for legal aliens, for refugees, for a group of Indians, for a group of people coming out of Laos and Cambodia, and a number of other people. In this case, the conference report contains several provisions which are beyond the scope of the conference.

Under the rule, the point of order is specifically allowed against the part of the conference report, again, which provides \$800 million for food stamps for certain noncitizens, in subtitle A of Title V.

Mr. Speaker, the conference report is available on both sides of the aisle, and if my colleagues want to know what they are voting on as far as the food stamps are concerned, they need to

look up subtitle A of Title V, and it is a very brief description of who is qualified in this bill.

If this point of order is sustained by the Chair, technically the conference report falls, and the rule then provides that the pending question will be whether to agree to an amendment consisting of everything that was in the conference report except the money for food stamps for certain noncitizens.

Mr. Speaker, this conference report contains numerous violations of House rules, and these are major issues that were put into this bill after it left both the House and the Senate. There are multiple points of order which would be available to the Members of the House if this agreement were to be brought up under the privileged status which conference reports theoretically enjoy in the House.

Now, Mr. Speaker, this conference report was filed on April 27 and it has languished on this calendar since. It was presented to the Committee on Rules yesterday, and the managers on the part of the House requested a rule waiving all points of order against the conference report and against its consideration.

Among the many points of order which could be made against this conference report are as follows:

Clause 3 of rule 28, prohibiting matters which extend beyond the scope of the conference.

Clause 4 of rule 28, prohibiting non-germane Senate material, an example of which is section 226(f), the redistribution of funds under the matching funds requirement for research and extension activities at 1890 institutions.

Clause 2 of rule 20, so we can see how complicated this is, which prohibits consideration of Senate amendments which would violate clause 2 of Rule XXI, which in turn prohibits appropriations on an authorizing measure, which includes many, many, many, many, many provisions. So we are breaking the rules of our House by going ahead today with this.

Now, some of these are: Section 252, which is the Fund for Rural America; Title IV, miscellaneous fees; various nutrition programs in the bill; and the National Organic Certification Fees, and it goes on and on and on. I am just trying to point out to my colleagues, all of these things were added to this bill after it left both houses, so none of us have any idea of what is in this bill, including me.

Section 303 of the Congressional Budget Act, which prohibits consideration of legislation creating new budgetary authority in a fiscal year before passage of the budget resolution. That is in here. This new budget authority is largely contained in the food stamps title.

The conference report also contains legislative provisions in the jurisdiction of other House committees, including the Committee on Resources and the Committee on Appropriations, and the Committee on Appropriations