

eration of the bill 2679, to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees, I would have voted "aye."

Rollcall vote No. 475, on agreeing to the resolution H. Res. 1039—Providing for consideration of the bill S. 403, to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, I would have voted "aye."

Rollcall vote No. 476, on Motion to suspend the rules and pass H.R. 5092—The Bureau of Alcohol, Tobacco, firearms, and Explosives (BATFE) Modernization and Reform Act of 2006, I would have voted "aye."

Rollcall vote No. 477, on Motion to suspend the rules and pass H.R. 4772—The Private Property Rights Implementation Act of 2006, I would have voted "aye."

PRIVILEGED MOTION TO RESOLVE THE HOUSE INTO SECRET SESSION

Ms. PELOSI. Madam Speaker, pursuant to clause 9 of rule XVII, I offer a privileged motion calling for a secret session on the reported intelligence assessment that the war in Iraq is hindering our global efforts against terrorism.

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

The Clerk read as follows:

Pursuant to clause 9 of rule XVII of the rules of the House of Representatives, Ms. PELOSI moves that the House be cleared of all persons except the Members, Delegates, Resident Commissioner, and officers of the House to consider communications which she believes should be kept secret for the present.

The SPEAKER pro tempore. The question is on the nondebatable motion offered by the gentlewoman from California (Ms. PELOSI).

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

Ms. PELOSI. Madam 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 171, nays 217, not voting 44, as follows:

[Roll No. 478]

YEAS—171

Ackerman	Boswell	Clyburn
Allen	Boucher	Conyers
Andrews	Boyd	Cooper
Baca	Brady (PA)	Costello
Baird	Brown, Corrine	Cramer
Baldwin	Butterfield	Cuellar
Bean	Capps	Cummings
Becerra	Capuano	Davis (AL)
Berkley	Cardin	Davis (CA)
Berry	Cardoza	Davis (TN)
Bishop (GA)	Carnahan	DeFazio
Bishop (NY)	Carson	Delahunt
Blumenauer	Chandler	DeLauro
Boren	Clay	Dicks

Dingell	Levin	Ryan (OH)
Doggett	Lipinski	Sabo
Doyle	Loftgren, Zoe	Salazar
Edwards	Lowey	Sánchez, Linda
Emanuel	Lynch	T.
Engel	Maloney	Sanchez, Loretta
Eshoo	Markey	Sanders
Etheridge	Matheson	Schakowsky
Farr	Matsui	Schiff
Filner	McCarthy	Schwartz (PA)
Frank (MA)	McDermott	Scott (GA)
Gordon	McGovern	Scott (VA)
Green, Al	McIntyre	Serrano
Green, Gene	McNulty	Shays
Grijalva	Meek (FL)	Sherman
Gutierrez	Meeke (NY)	Skelton
Harman	Michaud	Slaughter
Hastings (FL)	Miller (NC)	Smith (WA)
Herseeth	Miller, George	Snyder
Higgins	Mollohan	Solis
Hinchey	Moore (WI)	Spratt
Holden	Murtha	Stupak
Holt	Nadler	Tanner
Honda	Napolitano	Tauscher
Hoyer	Oberstar	Taylor (MS)
Inslee	Obey	Thompson (CA)
Israel	Oliver	Thompson (MS)
Jackson (IL)	Ortiz	Tierney
Jackson-Lee	Owens	Towns
(TX)	Pallone	Udall (CO)
Johnson, E. B.	Pascrell	Udall (NM)
Jones (OH)	Pastor	Van Hollen
Kanjorski	Payne	Velázquez
Kaptur	Pelosi	Viscosky
Kennedy (RI)	Peterson (MN)	Wasserman
Kildee	Pomeroy	Schultz
Kilpatrick (MI)	Price (NC)	Waters
Kind	Rahall	Watson
Kucinich	Reyes	Watt
Langevin	Ross	Waxman
Lantos	Rothman	Weiner
Larsen (WA)	Roybal-Allard	Wexler
Larson (CT)	Ruppersberger	Woolsey
Lee	Rush	Wynn

NAYS—217

Akin	Dreier	Kennedy (MN)
Alexander	Duncan	King (IA)
Bachus	Ehlers	King (NY)
Baker	Emerson	Kingston
Barrett (SC)	English (PA)	Kirk
Barrow	Everett	Kline
Bartlett (MD)	Feeney	Knollenberg
Barton (TX)	Ferguson	Kolbe
Bass	Fitzpatrick (PA)	Kuhl (NY)
Biggert	Flake	LaHood
Bilbray	Foley	Latham
Bilirakis	Forbes	LaTourette
Bishop (UT)	Possella	Leach
Blackburn	Fox	Lewis (CA)
Blunt	Franks (AZ)	Lewis (KY)
Boehert	Frelinghuysen	LoBiondo
Boehner	Gallely	Lucas
Bonilla	Garrett (NJ)	Lungren, Daniel
Bonner	Gerlach	E.
Bono	Gibbons	Mack
Boozman	Gilchrest	Manzullo
Boustany	Gillmor	Marchant
Bradley (NH)	Gingrey	Marshall
Brown (SC)	Gohmert	McCaul (TX)
Brown-Waite,	Goode	McCotter
Ginny	Goodlatte	McCrery
Burgess	Granger	McHenry
Burton (IN)	Graves	McHugh
Buyer	Gutknecht	McKeon
Calvert	Hall	McMorris
Camp (MI)	Hart	Rodgers
Campbell (CA)	Hastings (WA)	Mica
Cannon	Hayes	Miller (FL)
Cantor	Hayworth	Miller (MI)
Capito	Hefley	Miller, Gary
Carter	Hensarling	Moran (KS)
Chabot	Herger	Murphy
Chocola	Hobson	Musgrave
Coble	Hoekstra	Myrick
Cole (OK)	Hostettler	Neugebauer
Conaway	Hulshof	Northup
Crenshaw	Hunter	Norwood
Cubin	Hyde	Nunes
Culberson	Inglis (SC)	Nussle
Davis (KY)	Issa	Osborne
Davis, Jo Ann	Jenkins	Otter
Davis, Tom	Jindal	Paul
Deal (GA)	Johnson (CT)	Pearce
Dent	Johnson (IL)	Pence
Diaz-Balart, L.	Johnson, Sam	Peterson (PA)
Diaz-Balart, M.	Jones (NC)	Petri
Doolittle	Keller	Pickering
Drake	Kelly	Pitts

Platts	Ryun (KS)	Taylor (NC)
Poe	Saxton	Terry
Pombo	Schmidt	Thornberry
Porter	Schwarz (MI)	Tiahrt
Price (GA)	Sensenbrenner	Tiberi
Pryce (OH)	Sessions	Turner
Putnam	Shadegg	Upton
Radanovich	Shaw	Walden (OR)
Ramstad	Sherwood	Walsh
Regula	Shimkus	Wamp
Rehberg	Shuster	Weldon (FL)
Reichert	Simmons	Weller
Renzi	Simpson	Westmoreland
Reynolds	Smith (NJ)	Whitfield
Rogers (AL)	Smith (TX)	Wicker
Rogers (KY)	Sodrel	Wilson (NM)
Rogers (MI)	Souder	Wilson (SC)
Rohrabacher	Stearns	Wolf
Ros-Lehtinen	Sullivan	Young (FL)
Royce	Sweeney	
Ryan (WI)	Tancredo	

NOT VOTING—44

Abercrombie	Fattah	Melancon
Aderholt	Ford	Millender-McDonald
Beauprez	Fortenberry	Moore (KS)
Berman	Gonzalez	Moran (VA)
Brady (TX)	Green (WI)	Neal (MA)
Brown (OH)	Harris	Ney
Case	Hinojosa	Oxley
Castle	Hooley	Rangel
Cleaver	Istook	Stark
Costa	Jefferson	Strickland
Crowley	Lewis (GA)	Thomas
Davis (FL)	Linder	Weldon (PA)
Davis (IL)	McCollum (MN)	Wu
DeGette	McKinney	Young (AK)
Evans	Meehan	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1335

Mrs. JOHNSON of Connecticut, Messrs. PEARCE, McHENRY, PETRI, FRELINGHUYSEN, and MARSHALL changed their vote from "yea" to "nay."

Mr. DICKS changed his vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FORTENBERRY. Madam Speaker, on Tuesday, September 26, 2006, I was unavoidably detained and thus I missed rollcall vote No. 478. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. WELDON of Pennsylvania. Madam Speaker, I was unable to record my votes during the last series of votes.

On rollcall vote No. 474, had I been present, I would have voted "yea."

On rollcall vote No. 475, had I been present, I would have voted "yea."

On rollcall vote No. 476, had I been present, I would have voted "yea."

On rollcall vote No. 477, had I been present, I would have voted "nay."

On rollcall vote No. 478, had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. GREEN of Wisconsin. Madam Speaker, I was absent from Washington on Tuesday, September 26, 2006. As a result, I was not recorded for rollcall vote Nos. 474, 475, 476, 477 and 478. Had I been present, I would

have voted "aye" on rollcall Nos. 474, 475, 476, and 477. I would have voted "no" on rollcall No. 478.

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 is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

OPEN SPACE AND FARMLAND
PRESERVATION ACT

Mr. GOODLATTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5313) to reserve a small percentage of the amounts made available to the Secretary of Agriculture for the farmland protection program to fund challenge grants to encourage the purchase of conservation easements and other interests in land to be held by a State agency, county, or other eligible entity, and for other purposes.

The Clerk read as follows:

H.R. 5313

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 "Open Space and Farmland Preservation Act".

SEC. 2. ADDITIONAL TITLE-HOLDING OPTION UNDER FARMLAND PROTECTION PROGRAM.

(a) **ADDITIONAL TITLE-HOLDING OPTION; RESERVATION OF FUNDS.**—Section 1238I of the Farm Security Act of 1985 (16 U.S.C. 3838i) is amended by adding at the end the following new subsection:

“(d) **OPTION FOR TITLE TO BE HELD BY ELIGIBLE ENTITY.**—

“(1) **RESERVATION OF FUNDS; PURPOSE.**—Of the funds made available under section 1241(a)(4) for a fiscal year to carry out this section, the Secretary shall reserve not less than 15 percent to make grants to support cooperative efforts by an eligible State agency, a county, and one or more other eligible entities to purchase conservation easements and other interests in eligible land under subsection (a), the title to which will be held by an eligible entity rather than the United States.

“(2) **COST SHARING.**—Notwithstanding subsection (c)(1), the share of the cost of purchasing a conservation easement or other interest in eligible land borne by the United States under this subsection shall not exceed 25 percent. The State agency involved in the purchase shall contribute 25 percent of the purchase price, the county involved in the purchase shall contribute 25 percent of the purchase price, and the other eligible entities involved in the purchase shall contribute 25 percent of the purchase price.

“(3) **PROHIBITION ON USE OF GRANT FUNDS.**—Federal funds made available under this subsection may not be used by grant recipients for administrative purposes.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on October 1, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Virginia (Mr. GOODLATTE) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

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

Madam Speaker, urban sprawl continues to threaten the Nation's farmland. Social and economic changes over the past three decades have influenced the rate at which land is converted to nonagricultural uses. Population growth, demographic changes, preferences for larger lots, expansion of transportation systems, and economic prosperity have contributed to increases in agricultural land conversion rates.

The amount of farmland lost to development is not the only significant concern. Another cause for concern is the quality and pattern of farmland being converted. In most States, prime farmland is being converted at two to four times the rate of other, less-productive agricultural land.

There continues to be an important national interest in the protection of farmland. Land use devoted to agriculture provides an important contribution to meeting the Nation's food and fiber needs, environmental quality, protection of the Nation's historical and archeological resources and scenic beauty.

The farmland protection program is administered by NRCS and provides funds to State, tribal, and local governments and nongovernmental organizations to help them purchase conservation easements from willing sellers to limit conversion of farmland to non-agricultural uses.

The farmland protection program has received funding applications for 300 percent more dollars than the program was appropriated. The result in fiscal year 2005 was \$262 million in unfunded projects. There simply weren't enough Federal dollars to match the number of applications to preserve farmland.

H.R. 5313, the Open Space and Farmland Preservation Challenge Grant Act, was introduced to aid in reducing the number of unfunded projects. Currently, the farmland protection program provides up to a 50 percent Federal match on these easement projects. By lowering the Federal match on a small portion of farmland protection program funding, we believe that less Federal funds can be used to protect more land.

The bill before us today, H.R. 5313, amends the Farm Security Act of 1985 to set aside 15 percent of farmland protection funds for cost-share grants, 25 percent maximum Federal share, to support eligible State agencies, county, and one or more eligible entities, local government or private entities, to purchase conservation easements.

This bill allows Federal dollars to go further by lowering the Federal match fund to a maximum of 25 percent and allowing other entities to make up the

other 75 percent. States where the State, county, and local grassroots effort is strong can make better use of increasingly limited dollars. For example, Pennsylvania, which has great grassroots efforts to protect farmland, had the most unfunded easement applications, 65 for fiscal year 2005, which accounted for 6,200 acres not being able to be put into this program. By being able to use these reserved funds, more acres, with help from more groups, can be protected.

There is no new spending authorized in this bill. It simply creates a set-aside out of existing Federal farmland protection dollars. Any funds not used will go back into the general disbursement of farmland protection funds.

Madam Speaker, obviously, it is in this country's best interests to protect some of its great farmland. This program is immensely popular in many States, proven by the numbers of applications for the program each year. States like Connecticut, with \$14 million in projects that could not be funded; Maryland had \$17 million; Michigan, \$22 million; New Hampshire, \$15 million; Ohio, \$12 million; and Pennsylvania, \$20 million. This bill gives States that have tremendous grassroots organizations the ability to protect more farmland with less Federal money.

I would like to thank the ranking member of the committee, Congressman PETERSON, for working with us on this matter, as well as Congressman GERLACH, who introduced the measure, and Congressman TIM HOLDEN, a member of the committee, from Pennsylvania, who has legislation addressing this issue.

Madam Speaker, I reserve the balance of my time.

Mr. PETERSON of Minnesota. Madam Speaker, the farmland protection program is an important program that helps farmers preserve their land for the future and to combat urban sprawl.

The program works with State and local groups to purchase conservation easements to ensure farmland is kept continually in agricultural use for future generations.

I want to thank the chairman for recognizing the importance of preserving open space and hope that we can continue to work together to strengthen the Federal program in the next farm bill.

Madam Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I am pleased to yield to the gentleman from Pennsylvania (Mr. GERLACH) 3 minutes.

Mr. GERLACH. Madam Speaker, I rise in support of H.R. 5313, the Open Space and Farmland Preservation Act, a bill I introduced to strengthen the Federal Farm and Ranch Lands Protection Program.

Under the bill, 15 percent of the funds made available for the program would be reserved in order to make challenge