Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Forbes
Ford
Fossella
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOES—60

Barrett (WI)
Becerra
Bonior
Brown (CA)
Brown (OH)
Campbell
Conyers
Cramer
Davis (IL)
DeFazio
DeGette
Delahunt
Doggett
Ehlers
Engel
Eshoo
Filner
Frank (MA)
Franks (NJ)
Furse
Gutierrez
Hinchey
Hoekstra
Hooley
Jackson (IL)
Kind (WI)
Kucinich
Lee
Lofgren
Lowey
Luther
Markey
McCarthy (MO)
McDermott
McGovern
McKinney
Miller (CA)
Minge
Morella
Nadler
Oberstar
Obey
Owens
Paul
Payne
Petri
Rahall
Rivers
Roybal-Allard
Royce
Rush
Sanders
Sensenbrenner
Serrano
Shays
Slaughter
Stark
Velazquez
Vento
Woolsey

NOT VOTING—16

Bateman
Foley
Gonzalez
Goodling
Harman
Johnson, Sam
McDade
Meeks (NY)
Parker
Quinn
Skaggs
Spratt
Taylor (NC)
Torres
Wicker
Yates

☐ 2021

The Clerk announced the following pair:

On this vote:

Mr. Quinn for, with Mr. Yates against.

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

''A bill to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.''.

A motion to reconsider was laid on the table.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3616, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3616, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

## GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3616, the bill just passed.

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

There was no objection.

## MOTION TO INSTRUCT ON H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998 OFFERED BY MR. MINGE

Mr. MINGE. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. MINGE moves the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R 2400, be instructed to ensure that spending for highways and transit programs authorized in the conference agreement on H.R. 2400 is fully paid for using estimates of the Congressional Budget Office, to reject the use of estimates from any other source, to reject any method of budgeting that departs from the budget enforcement principles currently in effect, or the use of the budget surplus to pay for spending on highways or transit programs.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Minnesota (Mr. MINGE) will be recognized for 30 minutes, and a Member in opposition will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. MINGE).

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

Mr. Speaker, the transportation bill that is pending before the conference committee exceeds what was in the balanced budget agreement of 1997. It exceeds what is in the Senate budget resolution. It exceeds what is in the pending House budget resolution. It is clear that we have a budget busting bill that is coming out of the conference committee.

Mr. Speaker, it is clear that the conferees have a very heavy burden of identifying offsets that would make this particular transportation bill fit within any type of reasonable budget process. In this context, it is becoming clear that the conferees are sorely tempted to use a process called directed scoring.

This body has established a tradition of referring to the Congressional Budget Office to determine the cost of programs that are proposed, to determine the cost of offsets that are proposed, to provide guidance to this body. The Congressional Budget Office, over the years, has earned the reputation of being bipartisan, actually of being nonpartisan. The Congressional Budget Office, if it had been listened to, 10, 15 years ago, would have provided us with the guidance that would have avoided the tremendous deficits that we incurred in the 1980s and the early 1990s. Tragically, we did not listen to the Congressional Budget Office.

The question that we now face is, should we depart from this honored principle, should we disregard the rules and the traditions of this body and simply pick and choose?

Mr. Speaker, the tradition that is so well established and the rules that are so well established are ones that we should continue to observe. If we are to allow the conferees to simply determine what particular scoring agency or

entity provides the most favorable figure and then use that figure in a conference report, we will essentially have gutted the responsibility that we have to the American people to make sure that we comply with the budget principles that are so important in this country. We have come close to balancing the budget in 1998. All we are doing is using the Social Security Trust Fund that appears to keep us in the black.

□ 2030

At this point I almost feel like I need to start again. But the point that I am trying to make is that cherrypicking in scoring is an abhorrent practice and it is one that we should not allow to be established, and it is one that we should instruct the conferees to not use in connection with the transportation bill.

The precise way in which this appears to be unfolding here in mid-May is that the Veterans Administration, the Department of Veterans Affairs, has, by a ruling of an administrative law judge, an obligation to cover the cost of health care for veterans that have illnesses related to smoking or tobacco use. The Office of Management and Budget has apparently estimated that it will cost $17 billion to provide that health care. The Congressional Budget Office has estimated it will cost $10 billion.

The question is should we allow the conferees to pick and choose what agency's scoring will be used in connection with the conference report. Seven billion dollars, in a sense, is hanging in the balance here. Seven billion dollars that may well be added to the deficit; or $7 billion that would be added to this Nation's debt; or $7 billion that we would not have available for Social Security reform; or, ultimately, $7 billion that might have to be sequestered from other programs.

It is not responsible, Mr. Speaker, for us, as a body, to engage in any picking and choosing of who is to be doing the scoring in connection with our offsets. We have an agency that we have established. Let us use that agency. That agency is the Congressional Budget Office.

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

The SPEAKER pro tempore. Does the gentleman from Texas (Mr. DELAY) seek the time in opposition for the majority party?

Mr. DELAY. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DELAY) is recognized for 30 minutes.

Mr. DELAY. Mr. Speaker, I rise in opposition to this motion to instruct, and I am instructed that the conferees, who would like to be out here to debate against this motion to instruct, but they are hard at work in the conference in order to turn out an excellent highway bill, but I am instructed to tell the House that the Committee on Transportation and Infrastructure is against this motion to instruct.

Mr. Speaker, I yield back the balance of my time.

Mr. MINGE. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Speaker, 2 years ago this Chamber was filled with people, people fighting over whether we should be using Congressional Budget Office numbers or GAO numbers. And the people on the majority side of the aisle said we cannot trust those numbers. We cannot trust those numbers. We have to go with the Congressional Budget Office numbers. And that was the agreement that was reached. The administration agreed to that, the parties on this side agreed to that, because we felt that it continued the fiscal integrity that had been established by the Congressional Budget Office.

Today, the concern is cherrypicking. The concern today is whether the conferees are going to pick and choose which budget estimates they like the most. And this is a real world concern, as the gentleman from Minnesota indicated, because $7 billion hangs in the balance. If we use the GAO numbers, we are looking at $17 billion. If we use the Congressional Budget Office numbers, we are looking at $10 billion.

If we are going to be truthful with the American people, and if we are going to keep this process as pure as it should be, we have to use consistent numbers. It is wrong for us to shop around to try to find the best price and stick it in at that point.

So I am proud to stand with the gentleman from Minnesota, because I think he is basically trying to come forward with some truth in budgeting. And I think it is important for us to retain the integrity of the process. So I would urge all my colleagues to support the gentleman's motion.

Mr. MINGE. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I am somewhat surprised that the Republican leadership would want to take credit for cutting $17 billion out of veterans' health care programs rather than just cutting $10 billion. But I presume if they want to take credit for cutting those veterans' benefits, despite the opposition of every major national veterans organization, then they can have that credit.

Mr. Speaker, the principle behind the Minge motion is very simple. It says, first, if Congress is going to increase spending for new programs, it should pay for it with cuts in other programs. Second, the Minge motion says Congress should use honest numbers, honest numbers in budgeting.

I would hope that every Member of Congress who has claimed to be a fiscal conservative will vote for this motion. I would like to see bipartisan support for it.

The first point, paying for new spending with other budget cuts, is certainly not a new idea. Every Member who voted, Republican and Democrat alike, who voted for the 5-year Balanced Budget Act just 9 months ago in this body, in this Chamber, has already gone on record saying new spending should be paid for, not passed on to our children and grandchildren as an increase in the national debt.

The second point to the Minge motion, using honest budget numbers, is something my Republican colleagues have strongly embraced in the past. Specifically, Republican House Members up to now have argued that the Congressional Budget Office numbers should be used to ensure, in their terms, honest budgeting.

In light of numerous Republican floor speeches in 1995, when many House Republicans were even willing to shut down the Federal Government over the principle of using CBO numbers, it would be surprising today if that principle should now be abandoned in the name of cutting veterans' programs, health care programs, more deeply, or in the name of increasing Federal spending by $7 billion.

It seems to me, Mr. Speaker, if a principle is good enough to justify shutting down the Federal Government, with all the harm that caused just 3 years ago, then surely that same principle should be worth voting for today in the Minge motion.

Let me use not my words but the words of Republicans on the floor of this House just a few years ago about the important principle that the gentleman from Minnesota (Mr. MINGE) is showing today.

Speaker Gingrich said, ''All the President has to do,'' and then went on to finish by saying, ''is to commit to a 7-year balanced budget with honest numbers and an honest scoring system,'' referring to the CBO numbers.

The gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, said, on November 20, 1995, in this House:

> There is no wiggle room there, ladies and gentlemen. We will do it with 7 years, as estimated by the Congressional Budget Office. There is no wiggle room there. No smoke and mirrors. We will do it with realistic figures.

Seems to me if smoke and mirrors were a bad habit in 1995 they are a bad habit in 1998.

Let us go on to see what other Republican Members of the House said about using CBO numbers.

The gentleman from Oklahoma (Mr. LARGENT), my friend and colleague, a strong fiscal conservative, said:

> I also rise in favor of the concurrent resolution that says we will balance the budget in 7 years, that we will use honest numbers.

The Congressional Budget Office numbers are what he was referring to.

And finally, let me just mention another Republican statement from December 20 of 1995 made in the well of this House. The gentleman from Michigan (Mr. UPTON) said:

> I believe a lot of Members on that side want a balanced budget, too. They want it honestly scored, and that means by the Congressional Budget Office. We are tired of smoke and mirrors and phony numbers.

Yet phony numbers are what this House will endorse if it votes against the Minge motion.

Mr. Speaker, quite frankly, from my political perspective as a Democrat, it would probably help me more if most Republicans vote against the Minge motion. Such a vote would show the increasingly restless core Republican voters that the Republican leadership in this House has turned its back on principles such as fiscal responsibility and using honest budget numbers that seemed so terribly important just 36 months ago. If these core principles were the Republican justification for shutting down the Federal Government in 1995, then surely those principles should be worth supporting in the few minutes ahead.

Because, though, I believe that the policy of fiscal responsibility in this highway bill is more important than its politics, frankly, I hope that Republicans will stick with their past principles and join Democrats in supporting the Minge motion.

Mr. Speaker, this highway bill is the first major test of the 5-year, 5-year, balanced budget agreement signed just 9 months ago. If we fail to be fiscally responsible in this, our first major test of the budget agreement, then the so-called 5-year Balanced Budget Act should be renamed the 9–Month Budget Act, or perhaps even the ''We Really Didn't Mean It Budget Act''.

Any Member who supported the Balanced Budget Act or has spoken of ''honest budgeting'' can show their constituents this evening they mean what they say by voting for the Minge motion.

Mr. MINGE. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Minnesota (Mr. MINGE) has 17 minutes remaining.

Mr. MINGE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from Minnesota for yielding me this time. I wish there was a little more attention being paid to this motion to instruct.

As one that spent a good part of my congressional career striving for a balanced budget, I am rather happy to see that for the first time in years we have a surplus. Too many people, though, are ignoring that we have a surplus because of the Social Security trust fund surplus for this year.

Any dollars that we spend over and above the balanced budget agreement of last year are going to eventually come from Social Security. Let no one be deceived or deceive anyone with their vote on any bill that exceeds that which we agreed to in the balanced budget agreement.

We have spent a lot of time fussing over the last several years about whose scoring is going to be used. It is, well, I do not want to use the word amazing, it is rather alarming and disturbing that all of a sudden it seems that the majority that have spent a good part of their time criticizing OMB suddenly are willing to cherrypick a number that suits the current needs that will borrow an additional $7 billion from the Social Security trust fund to pass a highway construction bill. And I am not opposed to the highway construction bill, except that portion which busts the budget.

I think we are soon going to find, even though I hear that the budget that is going to be submitted after we come back after Memorial Day, 2 months late, is not going to talk about specifics. Once again, Members of this body are going to get to vote for principles, numbers.

If we are really truly wanting to keep our country on a fiscally sound direction, this motion to instruct should not just pass here on the floor but our conferees, who are working, as the majority whip said, as we speak, they ought to be listening to this and they ought to be already doing that which we are asking them to do: Use CBO scoring.

If it was reason enough to shut the government down in a dispute with the President a couple of years ago, how can it be tonight that we suddenly say it does not matter anymore? If it was so much of a principle for us to stand on, and I disagreed with the tactic of shutting the government down, but I agreed with the principle that we should use CBO scoring. And now all of a sudden are we just going to wink and nod and convince the people that we are doing budget responsible things? I hope not.

We have a surplus this year. We are going to have a surplus next year. It is because the economy is performing. It is because somebody out there in the marketplace believes that something of what we have been doing over the last 5 years is working. We have 5 consecutive years of a deficit coming down. Five consecutive years. We are in the black this year.

But how long will we be in the black, particularly if we start going against the very principles that we have agreed unanimously, unanimously, last year, that when it comes to scoring various bills we are going to use CBO scoring?

□ 2045

If we cherry-pick $7 billion, and I have got my concerns about the utilization of veterans' funding for purposes of paying for this bill, very big concerns. And a lot of other Members are going to have their concerns. Because if we have $10 billion in the veterans area, we should spend that on improving veterans' health care, not on some other purpose. Because we have tremendous need, as we almost had a unanimous vote this afternoon on the defense authorization bill.

But I conclude by saying this: This motion will hold the conference committee to the standard that this Congress and the President unanimously agreed to as part of the budget agreement. If we could unanimously agree to this last year, how can we change our mind? For what convenient purpose can we do it tonight?

I urge an aye vote for the motion to instruct. But, more importantly than that, I encourage our conferees, who are meeting to do it without us instructing them to do it, to do it. Because that is what every one of my colleagues conferring on this bill agreed last year that they were going to do. Do it for that purpose, if for no other reason.

Mr. MINGE. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, the issue that the gentleman from Minnesota (Mr. MINGE) raises tonight is a very simple one. It is one with which many Members on both sides of the aisle are familiar. It is an issue that dominated American politics for most of the last decade. The issue is phoney numbers.

David Stockman, when he directed President Reagan's Office of Management and Budget, called it the ''magic asterisk.'' It involves the ability of budget analysts to show that virtually any spending proposal is budget neutral if they are willing to make the right assumptions.

Now, the Congressional Budget Office is supposed to decide what proposals that are offered by various Members and various committees will actually cost or save. The game that is presently being played on the highway bill is to simply say that the Congressional Budget Office just does not understand that the savings that the Congress will get from disallowing certain veterans from receiving health benefits that they are now entitled to will be much greater than their analysts estimate. The committee is, in essence, saying that CBO has it all wrong and that we have to use another estimate.

At the same time, the conferees are trying to argue CBO just does not understand that the outlays that will occur from the highway bill are much lower than the CBO estimate, so they have got it all wrong; and, so, we are supposed to use another estimate.

Well, Mr. Speaker, I do not have any particular hang-up about whether CBO or OMB numbers are used. I think that the goal ought to be to determine who is the most accurate and what is the most real. It is clear that that is not what is happening in this case.

What is happening in this case is that the conferees, apparently, are looking for ways to spend almost an extra $10 billion without admitting that they are spending it. So they are simply rejiggering the estimates of the spending regs in order to make that happen.

Well, I would say that there is little question that these numerical manipulations have been cleared by the majority party leadership on both sides of the Capitol and that virtually any number that will help sell the highway bill is going to be deemed acceptable.

This is the same leadership, as I understand it, that repeatedly shut down the Federal Government over the sanctity of CBO scoring just 2½ years ago.

On November 15, 1995, the gentleman from Georgia (Mr. GINGRICH) took the floor and said, ''We do not ask you to agree to anything but two principles, that the budget will be balanced in 7 years and that the scoring will be honest numbers based on the Congressional Budget Office.''

The gentleman from Pennsylvania (Mr. SHUSTER) himself told the Congress in 1971, ''So we should support our Congressional Budget Office, a bipartisan office. We should not rely on OMB's figures. Because certainly in the past they have been very, very unreliable.''

But that was before the Republican leadership had the opportunity to hand out $9 billion in special projects. So I guess, with that kind of opportunity, we may decide not to be quite so picky about their facts. And so, we have a new set of principles that apparently are going to be applied. We will always use the CBO unless using estimates from another source helps us to pass bills which we want to push through.

Well, Mr. Speaker, this is not a budget process. This is not discipline. There is no limit to how far that approach can take us in balancing revenues that outlays on paper even if they will not do it in the real world. We can buy anything we want as long as we can find a friendly estimator, and that is what is happening here tonight.

So if we are going to throw the budget process overboard, it seems to me we should not do so selectively and maintain the false pretense that we are still maintaining discipline. If we are going to do that, then perhaps we should plan to eliminate the $26 million we are planning to spend on the Congressional Budget Office, period. At least that would be a real offset to the billions of deficit spending contained in the present version of the highway bill.

So I would simply urge, Mr. Speaker, we adopt the Minge amendment in the interest of honesty and budgeting.

Mr. MINGE. Mr. Speaker, I yield myself the time remaining to summarize the position in the debate.

As has just been pointed out, Members of this body on both sides of the aisle have held the Congressional Budget Office in high esteem. It is particularly important to note that the Republicans in this body have said that it is virtually worth dying for as a political principle.

We have shut the Government down over the question of whether we would use the CBO scoring or use estimates from some other source. And now to say that that principle is no longer worth even participating in a debate is amazing.

The Honorable Chairman of the Committee on Transportation and Infrastructure himself has noted on a prior occasion in 1991 that, at that time, it was a fight between OMB downtown and the Congressional Budget Office, and I am quoting: ''Now we must remember that OMB downtown is that same wonderful organization that gave us a $100 billion mistake, as I recall it, on their estimates of revenue with regard to the budget estimate. CBO estimates are based on actual, obligational experience. And if indeed they are wrong, this bill has in it a fail-safe provision.''

Continuing on to say, ''So we should support our Congressional Budget Office, a bipartisan office. We should not rely on OMB figures. Because certainly in the past they have been very, very unreliable and we should support the committee position.''

Mr. Speaker, I submit that we should listen to the chairman of the Committee on Transportation and Infrastructure in this very important respect.

Mr. Speaker, I think that it is also very important to note that by taking the risk of using designated scoring that takes a much more expansive cost estimate of the values, so to speak, of this offset, that is assuming we are saving $17 billion and that we can therefore spend $17 billion places us in the very awkward position of going after Social Security.

We have to remember, Mr. Speaker, that the only reason we can talk about any type of a surplus these days is that we are borrowing $100 billion in 1998 from the Social Security Trust Fund. If it were not for this borrowing, we would be running a deficit of close to $50 billion. We do not have a surplus. We cannot afford to invade the Social Security Trust Fund year after year.

It is time for budget candor. It is time for those of us here in the House of Representatives to continue to observe the commitment that we have made to the American people that we are going to use solid budget scoring numbers; we are going to use the Congressional Budget Office.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CONDIT).

Mr. CONDIT. Mr. Speaker, I rise to support the amendment. I know that it has been said, but I wanted to say it again. We had this debate a couple years ago where we talked about who we should use in terms of doing a financial analysis, and I think all of us had a pretty lengthy debate and had an opinion about this. But, in the final analysis, we thought CBO was the appropriate agency to use.

All I am saying is that I think we ought to stick to that. That is what we agreed to. And we have gone through this. I think this is a good amendment, and I would call on Members on both sides of the aisle to do what we said we were going to do when we agreed to do this a few years ago. Use the CBO. That is the numbers that we all agreed upon. And let us not confuse the matter by using one set of numbers one time and another set of numbers another time. Let us keep some continuity to this and use CBO.

I would just ask all those people to come over here and support the amendment. It is a good amendment, and I congratulate the gentleman from Minnesota (Mr. MINGE) for offering it.

Mr. MINGE. Mr. Speaker, may I inquire of the time remaining?

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Minnesota (Mr. MINGE) has 2½ minutes remaining.

Mr. MINGE. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I am somewhat disappointed that so many Republican Members, colleagues who are willing to shut down the Federal Government, harming veterans, harming seniors on Social Security, putting many of our Federal employees at risk of losing their homes, not being able to pay their bills, did not think it was important enough to come back to the floor tonight to be here with less than half a dozen of our colleagues on the other side of the aisle.

But what I do hope is that hundreds of thousands, if not millions, of American that were directly harmed by the Government shutdown, such as our veterans in my district that did not receive compensation and pension checks, did not have their cases handled, I hope the hundreds of thousands of Federal employees that were put out of work because the Republicans said the principle of using the Congressional Budget Office numbers were so important we had to shut down the Government over that principle, I hope all those millions of people will notice this debate tonight and realize that the distinguished Majority Whip has now said this principle is no longer worth defending. Not only is it not worth defending, he said he is going to oppose the motion.

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

I certainly appreciate those observations by the gentleman from Texas (Mr. EDWARDS). It clearly is a sad day when we can blatantly run over this principle and proceed to pass legislation in disregard of what I think on a bipartisan basis we have over the years established as a very sound budgeting principle.

Mr. Speaker, I would simply like to close by saying that it is easy for us, in the euphoria of passing a highway bill or a transportation bill, to sort of give a wink and a nod at what we have thought was important on another day.

There is something in this highway bill for all Americans. It is important that we continue to invest in our infrastructure. I do not think there is any question about that. All of the speakers this evening agree with that principle. I would like to make sure that I am among those individuals.

But the real question that we face is our responsibility, the American people, as we proceed to pass this very important legislation. Let us make sure that we do not use this opportunity to

invest in our infrastructure as an opportunity to slide back on our commitment to balancing the budget and giving the American people the fiscal responsibility that they deserve.

□ 2100

The SPEAKER pro tempore (Mr. HANSEN). 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 conferees offered by the gentleman from Minnesota (Mr. MINGE).

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

Mr. MINGE. 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. Pursuant to clause 5 of rule I, further proceedings on the question of adoption of this motion to instruct conferees are postponed until after consideration of the motion to instruct to be offered by the gentleman from Wisconsin (Mr. OBEY).

The point of no quorum is considered withdrawn.

## MOTION TO INSTRUCT CONFEREES ON H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998, OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct House conferees on the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

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

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2400, be instructed to limit the aggregate number of earmarked highway demonstration projects included in the conference report on H.R. 2400 to a number that does not exceed the aggregate number of such highway demonstration projects earmarked during the 42 years since the enactment of the Highway Trust Fund in 1956.

The SPEAKER pro tempore. Under rule XXVIII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

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

Mr. Speaker, this motion to instruct the conferees on the highway bill now pending somewhere in this Capitol is an attempt to put some limits on the pork barrel spending in BESTEA by placing a ceiling on the total number of highway demonstration projects that can be included in the conference report.

It instructs the House conferees to make a great sacrifice and to limit the number of highway demonstration projects to the total number of highway demonstration projects that have been approved in all of the previous four years combined since the establishment of the Highway Trust Fund.

Mr. Speaker, the last time I checked, there were over 1,500 highway demonstration projects earmarked in the House version of BESTEA at a cost of about $9 billion, and the number is growing.

Apparently, the conferees intend to keep all of the House demonstration projects and add an undetermined number of Senate projects into the total pot of $9 billion for highway demonstration projects.

At 1,500 projects, that is nearly three times the number of projects included in the last surface transportation bill, and 10 times the number of projects in the 1987 reauthorization bill that President Reagan vetoed for going too far.

Mr. Speaker, in all of the years going back to the establishment of the Highway Trust Fund in 1956, Congress has earmarked some 1,022 highway demonstration projects, costing about $10 billion according to information supplied by the Federal Highway Administration.

If this highway bill passes, which the conferees are intending to wrap up tonight, they will have earmarked in one year 50 percent more pork projects than the Congress passed in the previous 42 years combined.

Let me make it clear. I do not object to all highway demonstration projects. Some are perfectly reasonable. I think that some of the projects in this bill will be reasonable, but it is a question of balance. This bill sets a new record of excess.

I would simply note that, when our good friends on the Republican side of the aisle were trying to win control of this House 3 years ago, they spoke repeatedly about 40 years of excess and mismanagement by the Democratic majority. Often that phrase was used to deride Democrats for using the legislative process to earmark individual projects that may have helped a small number of people or a particular region of the country but could not be justified in the broader context of what was good for the entire country.

But now, the Republican leadership is evidently proposing in a single piece of legislation to earmark more projects than were earmarked by Democratic Congresses during that entire 40-year period. That is enough to give excess a bad name.

Mr. Speaker, the bottom line is that my motion will merely trim about one-third of the demonstration projects included in BESTEA. I would observe that we know from previous experience with highway demonstration projects that, frequently, they languish in the pipeline and may never get built.

Just looking at the 538 demonstration projects approved in the 1991 ISTEA bill, we know that nearly 200 have not even begun construction; and that has tied up nearly $800 million in resources that cannot be reallocated to more pressing road and bridge projects. In all, over $1½ billion in ISTEA funds earmarked for highway demonstration projects remain unobligated today.

In my view, the pork barrel spending spree in this bill is going to make Congress the laughing stock of America. This is one of those bills that will probably pass tomorrow, and it will not receive very much attention. But I would predict to you that, over the next 5 or 6 months, the press is going to dig into this bill, and they are going to find incredible laughing items. You will see on network news on a weekly basis this outrage or that joke funded by the bill. A lot of Members who vote against this motion tonight or who vote for the bill tomorrow will wish that they had not.

This is the time when you have a chance to correct the problem. Frankly, the motion that I am offering is so modest that I am almost embarrassed by it. I want to repeat once more. All this says is that you should not appropriate in this one year, or you should not authorize in this one year more projects than were previously funded in the entire 42-year history of the highway program. I really think that that is the minimum that we should ask the conferees to consider cutting. I would urge Members to adopt the motion.

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

Mr. MINGE. Mr. Speaker, will the gentleman from Wisconsin yield?

Mr. OBEY. I am happy to yield to the gentleman from Minnesota.

Mr. MINGE. Mr. Speaker, I would like to ask a question of the gentleman. I have heard that occasionally when bills are introduced, presented on the floor, and they contain a large number of projects for individual Members around the country, that this can affect the acceptability of the legislation and perhaps lead to the passage of legislation that otherwise would be very difficult to pass. Has this problem come to your attention, and could you comment on that?

Mr. OBEY. Mr. Speaker, reclaiming my time, I would certainly say that is true. Let me stipulate, I am not a ''Percy Pureheart'' on this issue. I think that there are times when it is just as legitimate for the Congress to specify that $5 million will go for a specific highway project as it is for the administration to determine that that is where the money ought to go.

But I do believe that, when you have this number of projects, there is only one reason you have this many projects in the bill; and that is to pass a budget busting monster.

I did not vote for the budget that passed last year, because, as the ranking Democrat on the Committee on Appropriations, I warned that this Congress would never live up to the cuts that they were promising in that proposal. I need go no further than this bill in order to demonstrate that that was the case.