National Air and Space Museum, Federal agencies, which could have a role in the celebration, including the National Park Service, the Library of Congress, the Federal Aviation Administration, NASA, the Air Force, and the Navy.

Madam Speaker, the Commission will work with international organizations and foreign governments celebrating the centennial of flight. Finally, the legislation will provide the highest stature possible for the celebration through the symbolic backing of the President, the Congress, and the Federal Government.

Senate bill 1397 is the Senate version of H.R. 2305, a bill that I introduced with my colleague, the gentleman from North Carolina (Mr. JONES) and the gentleman from Ohio (Mr. HOBSON). It is sponsored or cosponsored by 33 Members, including most of the Ohio and North Carolina delegations.

Earlier this year, the House passed the Centennial of Flight Act as part of H.R. 4057. However, because final passage of that bill is uncertain, I ask my colleagues again to approve this measure.

Madam Speaker, I certainly want to thank my principal cosponsor, the chief sponsor of the bill, the gentleman from North Carolina (Mr. JONES), and certainly my other Ohio colleague, the gentleman from Ohio (Mr. DAVE HOBSON), for their great support and pushing and great work behind the scenes in making this happen.

The measure, which was cosponsored by Senator JOHN GLENN, will probably be his last bill enacted into law. JOHN GLENN could have retired into history after becoming the first American to orbit the Earth in 1962. However, he chose to continue to serve his country as a United States Senator for 24 years. Now he has chosen to make one last flight as the oldest man in space.

Passage of this bill to celebrate the first 100 years of aviation is a fitting tribute to a man who has been so much a part of that history. JOHN GLENN continues in the tradition of the Wright Brothers as one of the great pioneers of air and space. God speed, JOHN GLENN.

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

Madam Speaker, it is interesting that the Wright Brothers are two brothers that I talk about often in speeches to young people when I talk about the misfits of life. Misfits. I tell a little story that there was once a gentleman who had come home from war, and he was marching down Pennsylvania Avenue with the troops, and his mother came out with a friend. The mother said, look at my son. Look how great he is. And so the friend says, he does not look too great to me. He is out of step. And the mother said, that is why he is so great.

The Wright Brothers are misfits. They are wonderful misfits. I can imagine that when they went around and said one day that man would be able to fly around in a piece of metal, folk looked at them as if they were crazy. But the fact is that they were misfits. They believed in what could be done. They could not see it, but they knew it. So today this legislation is very significant to commemorate two great misfits, folks who believed what others could not see.

Madam Speaker, I would urge all of my colleagues to vote in favor of this very important legislation, and I yield back the balance of my time.

Mr. PAPPAS. Madam Speaker, I urge all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New Jersey (Mr. PAPPAS) that the House suspend the rules and pass the Senate bill, S. 1397.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

Mr. LIVINGSTON. Madam Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 135) making further continuing appropriations for the fiscal year 1999, and for other purposes; and that it be in order at any time to consider the joint resolution in the House; and that the joint resolution be considered as having been read for amendment; that the joint resolution be debatable for not to exceed 1 hour, to be equally divided and controlled between myself and the gentleman from Wisconsin (Mr. OBEY); that all points of order against the joint resolution and against its consideration be waived; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion, except one motion to recommit, with or without instructions.

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

There was no objection.

Mr. LIVINGSTON. Madam Speaker, pursuant to the previous order of the House, I call up the joint resolution (H.J. Res. 135) making further continued appropriations for the fiscal year 1999, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the joint resolution, as follows:

H.J. RES. 135

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106(c) of Public Law 105–240 is further amended by striking ''October 14, 1998'' and inserting in lieu thereof ''October 16, 1998''.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. LIVINGSTON).

GENERAL LEAVE

Mr. LIVINGSTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 135, and that I may include tabular and extraneous material.

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

There was no objection.

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

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Madam Speaker, the current continuing resolution for fiscal year 1999 expires tonight. We have been here before saying this same thing, but the White House negotiators and congressional negotiators have been working day and night on some very important decisions. We are doing the people's work.

Not only are these issues important, but they are very complicated. We are dealing with wrapping up the eight regular bills plus emergency supplemental appropriations, and various authorizing pieces of legislation which we believe must pass before we adjourn Congress for the 105th Congress.

□ 1230

All parties are working in good faith, but we have just not yet completed our negotiations. We will need another day or two to complete our work and get it to the floor. An extension of a further continuing resolution is, therefore, needed. Adoption of H.J. Res. 135, which runs through Friday, October 16, will give us time to complete our remaining work, I hope.

Again, I wish I did not have to bring this joint resolution to the floor, but more time is needed. Unfortunately, we have not completed our work, and we need that time to do it. I do not think we need to debate this issue extensively or take a lot of time today. We all know that we need to take this action to keep the government open. It is our intention to keep the government open, and it is our intention to stay as long as it takes to get our business done so that the government remains open and that the final bill be passed.

Adoption of this continuing resolution will give us the time needed to complete our work and keep the government running, and so I urge its adoption.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself 12 minutes.

Madam Speaker, well, I guess I would say that this debate, as did the debate

2 days ago, also reminds me of Yogi Berra's statement, ''This is deja vu all over again,'' and again and again and again.

We are in a situation in which we are now 14 days past the beginning of the fiscal year. This is certainly not the first time this has ever happened in the Congress. We have often seen the Congress not complete its budget work on time. But I think we are in a unique position in terms of why and a unique position in terms of what it is that still divides us.

Madam Speaker, in my discussions this morning with the White House and with leadership, as I understand the situation, we are essentially down to a number of issues. The gentleman from Louisiana (Mr. LIVINGSTON) and I have been able, along with our Senate counterparts, to wade through many, many dollar issues. But at this point, we are still divided because the President and the Democratic membership of this House still wants to see movement on the President's proposal for school construction so that we can help some of the poorest districts in the country who simply do not have the bonding resources to modernize their school buildings with Federal help. There are literally some schools, as the President said the other day, that are in such falling-down shape that if they were a prison, they would be condemned by a Federal judge. We cannot allow that disgrace to continue in our view.

We also have the division between us on the issue whether or not we are going to provide Federal assistance to lower class size in the first three grades, when early intervention is crucial in getting kids off to the right start in life. And we are at this point still divided on that issue and whether or not funding that would be provided would, indeed, be targeted to reducing class size or would, in fact, be dissipated on other items.

In addition to that, we still have some environmental issues which divide us. In my view, especially important are the administration's efforts to begin to deal with the problem of global warming, which could be the most catastrophic problem that any of us have faced in our lifetimes. It could be as catastrophic as war itself if the natural environment which protects us all begins to change significantly. And the scientific evidence certainly seems to suggest that it is.

We need more resources in that area. Not to enforce the Kyoto Treaty, about which I have strong objections, but simply to support research and education efforts which are going to be necessary in order for us to deal with that problem of global warming. We also have some other environment issues there.

Then we have the issue of what I call Viagra versus the pill. The budget so far has provided millions and millions of dollars to provide for coverage of Viagra at the Pentagon, and yet women who work for the Federal Government are being told that their insurance policies may not be required to cover basic contraceptive services for women. To me, that is a ludicrous position. And the President and those of us on this side of the aisle are working very hard to see to it that that changes before we go home.

Next, we have a huge problem on the census where we have really a three-cornered debate going on about how that issue is going to be resolved. And I respect the views of people of both sides. On this one I am in a peculiar position. I do not happen to agree fully with the position of my party or the Republican party. But this institution must find a way to deal with that problem.

Then we have the problem of the United Nations. We owe the United Nations some $900 million or so in back funding. If we are going to entertain going to war in places like Kosovo and other places, we need to arm ourselves so that we have all of the possible tools available in order to shape the United Nations response to that and other problems, and we do not have those tools so long as that money is being withheld because of the Mexico City impasse. The Mexico City impasse, in plain language, involves questions of policy with respect to family planning issues abroad.

Then lastly, we have the very legitimate issue of what we are going to do to respond to the fact that the market has collapsed for many farmers in this country, and also with respect to the kind of farmers that I represent, the fact that dairy farmers have an income which in real terms is about 50 percent of what it was in 1980, over a year's time.

So those are the real issues that still divide us and we are going to have to come to a resolution on them, but we are not there yet and that is why we need this additional time.

Now, I would like to also explain why it is that I believe why we are here. And as I said 2 days ago, this is not the responsibility of the gentleman from Louisiana (Mr. LIVINGSTON). He is a first-rate chairman of the Committee on Appropriations, and the committee itself has not created this problem. But the committee has not been allowed to do its work because of external realities. Let me cite the main reality. There are two, as far as I see.

First of all, if we take a look at the schedule which the leadership of this House put together, in January, we were in session 2 days. In February, the month that we got the budget from the President, Congress was in session 8 days. In March, when we normally have a very heavy hearing schedule, Congress was in session 15 days and there was very little floor action at the same time.

In April, Congress was in session for 8 days. And then in April, we had a 19-day Easter district work period, one of the longest in history.

On the day that the budget resolution was due, supposed to be finished in this House, this Congress was in recess. Then in May, this Congress was in session a total of 13 days, and then we recessed. We recessed for an 11-day Memorial Day district work period.

In June, Congress was in session 15 days. We did, on June 16 pass the committee allocation to each of the subcommittees so the committee could begin its work. But that was 2 months late, because of the delay on the part of the Committee on the Budget and the House leadership in not bringing that budget debate to a full completion. And when the committee did make its allocation, it did so at the direction of the leadership, absent a budget for the government.

We then went on recess for 18 days over the July 4th district work period. That was one of the longest July 4th recesses in history. Congress was in session a total of 14 days in July and 5 days in August. We had a 31-day August district work period. In September, Congress was in session 15 days.

So the timetable created by the leadership's schedule made it impossible for the Committee on Appropriations to get its work done on time. And that is why, as of this date, the Congress has still not completed action on 9 of the 13 appropriation bills which we are supposed to finish.

That has been complicated by the fact that the majority party leadership has apparently come to the conclusion that not only do we have to reach agreements which can get majority support in the House, but that in many cases those agreements also have to satisfy the most conservative and the most confrontational elements in their own caucus.

The example of that that I would use is the issue of contraception, where this House on a bipartisan basis passed the Lowey amendment. I think we had some 50 Republican votes for that, along with most Democrats. We then had an even larger margin in favor of that in the Senate, so that women would have the full availability of contraceptive services.

But because a good many Members in the caucus of the Republican Majority have very strong feelings against the pill and the IUD, we are now told that we have to overturn the judgment of both houses in order to reach a compromise on this budget.

Madam Speaker, I think that the way that contraceptive issue has blown up the budget is an example of what has happened across the budget on many of these other items. And then we also have the problem compounded by the fact that on the Labor-HHS bill, the majority party brought a bill to the floor which was so extreme, it cut $2 billion out of the President's education budget. It was so extreme that the Senate Republicans would not even accept it. And our friends, our Republican friends in the House could not even pass it on this floor because of opposition in their own caucus by moderate Members.

So, if my colleagues want to know why we are here, I do not want to hear any more of this baloney about the fact that the President has been out of town, because as I pointed out the last time, the last time I looked, William Clinton is not a Member of the House. He is not a Member of the Senate. He does not get to vote, and he only gets to sign or veto bills after we send them to him, and so far we have not sent him 9 out of 13 bills.

So, if the Congress wants to know why we are at this impasse, all we have to do as an institution is look in the mirror. So that is why we are here. I did not want to take that much time, but I think it is important for us to understand why we are at this impasse as we try to get out of it.

Madam Speaker, I reserve the balance of my time.

□ 1245

Mr. LIVINGSTON. Madam Speaker, I yield myself 12 minutes.

I had not really intended to get into a prolonged debate, but I see the cast of thousands over there on the other side ready to pounce on me so I thought I might make some preemptive remarks and responsive remarks to the gentleman that just preceded me.

My friend from Wisconsin has criticized the schedule. Let me take a second to note that in all but 5 of the last 15 years, we are actually ahead of schedule. We actually have done better in some 10 years out of the last 15 years in terms of getting our work done and closing out the legislative year.

Just taking, for example, the year 1990 and comparing it with this year on the matter on which the gentleman criticized the number of working days. The fact is in 1990, there were only 134 legislative days for the entire legislative session which is actually less than what we have done this year. And in that same year, I am counting, one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve appropriations bills, all passed on November 5 of 1990. That is three or four weeks after we will be through here in this session of the 105th Congress.

The point is, one can criticize the number of days we have been in session or not. The fact is, we are doing much better than we have done in other years, doing better than we have done in all but 5 of the last 15 years.

What about the record of achievement for this legislative term? I think that a balanced budget, the first balanced budget in 30 years is worth crowing about. I think the first tax cut in 16 years is worth crowing about. We have gotten both of those. My friends in the minority, when they were in the majority, projected that we would have $200 to $300 billion in deficits every year as far as the eye could see. Under our leadership, that has ceased to become the case. In fact we have reversed it. We have restored some fiscal integrity to this massive Federal Government of ours so that we do not mortgage the future of our children and our grandchildren.

In the process, we have passed a Higher Education Act, a Reading Excellence Act, a Dollars to the Classroom Block Grant Act. We passed scholarships for youngsters so that they are not forced and compelled to go to drug-ridden schools or crime-ridden schools or inferior schools for the District of Columbia, but unfortunately that was vetoed by the President.

We did pass prepaid college tuition plans and job training reform and emergency student loans and quality Head Start funding. We provided bills to provide for school nutrition and charter schools and drug education initiatives. We also passed an opportunity for people to save for their children's education called the A-plus savings accounts, but again President Clinton did not think that was worth allowing people to save for the future of their children and save for their children's education so he vetoed that one.

But we also passed and enacted into law $500 million more for special education, loan forgiveness for new teachers, teachers testing provisions, Individuals with Disabilities Education Act, the high tech job skills vocational education. We have implemented bilingual education reform. Prohibition on new Federal school tests, equitable child care resolution and juvenile justice programs all have been done this year just in the field of education.

You hear the President standing up for education these last few days. I am glad to see that he has awaken to a critical need for this country. But one thing we should note when we start talking about the application of Federal dollars, remember, Federal dollars are nothing more than taxpayers' dollars.

We should understand that we are spending taxpayers' dollars every time we talk about creating a new program, with Federal strings attached. In effect, we are employing Federal bureaucrats to tell people back home how they should better their lives.

The President says he wants more money for school construction, but he wants Federal bureaucrats to dictate how that money should be spent. The President says he wants more money for teachers, but he wants Federal bureaucrats to dictate which teachers get funded. That is not our approach. It is a source of controversy. It is not a matter of money. We have provided, throughout the discussions that are going on between our leadership and the representatives of the White House. We have fundamentally agreed on the amount of money. We are just trying to get the money back to the localities without interference from the Federal bureaucracies.

Remember, States and localities already pay for 95 percent of all dollars on education. The other 5 percent is spent by the Federal Government with taxpayers' dollars. It has only been in the last 30 to 35 years that the Federal Government has been involved in education at all.

The gentleman says that we have differences on global warming. The fact is that there is some very real credible science to say that actually the climate in the last 40 years has cooled rather than warmed. Did we have a hot summer this last summer? Yes. We had some severely cold winters a couple years ago though. The idea advanced primarily by the Vice President and a lot of people who believe as he does that we should run out and spend billions upon billions upon billions of taxpayers' dollars crying that the sky is falling and call Chicken Little just in anticipation of the possibility that the world is warming up by an iota of a degree is insanity. Let us get the facts. Let us find out what the facts are. Scientific information says that probably in the last 2- or 300 years maybe the world has warmed a little bit in some stages, but that it has cooled in others. In the last 40 years it may actually have cooled.

Why should we spend billions upon billions of dollars from the taxpayers' pockets in anticipation of a theory that may be totally flawed and totally inaccurate? Why should we tell our American citizens who are working so hard for their children to keep their families and their communities together that we should take their money and at the same time promote programs which put them out of work to the advantage of the emerging countries, which is exactly what the Kyoto Treaty is all about? It says to America, you have consumed too much energy so close your businesses down, send all the jobs overseas. I do not think that that is what we should be doing, Madam Speaker. So we have some legitimate debate on issues of that sort.

The gentleman also raises funding for the census. My goodness, the Constitution of the United States says that every citizen should be counted. That means counted. But, no, they want to use their thumb and estimate whole communities. They want to sample. They want to sample how many people are out there in this neighborhood and that neighborhood and develop the representation of the United States Congress on these estimates.

My goodness, there must be some sort of hidden social agenda, Madam Speaker. What are they trying to do when they do not want to count everybody? When we say that we will spend every dollar that is necessary to count everybody, they say, no, we want to be scientific in this age of science. We want to estimate how many people are in America rather than count them.

Madam Speaker, we have heard them. They estimated the number of immigrants into the United States just before the last election and let about 100,000 illegal aliens in, and a bunch of them were criminals and murderers. So they want us to take them at their

word that they are going to estimate them correctly.

I am concerned about this estimation. The Constitution calls for no sampling, for counting every individual. I think that we ought to take the Constitution at face value. We ought to enumerate. But they disagree with us. Two courts of appeal have ruled with us in our favor saying that you have to count every citizen and still they want to ignore the wishes of the courts that have ruled in our favor and still estimate the number of people in America.

Well, the gentleman from Wisconsin has indicated that there are other issues about how much to bail out the farmer because of the recent disasters. If the money is well spent, if it is going to people that truly need it because of real disasters, we agree, the money should be spent. But let us just not throw money at a problem simply because it is the right political season. I am afraid that issue is becoming very much involved in whether or not we properly spend taxpayers funds, and we are the stewards of the taxpayer. We should understand that the money should be well spent.

The gentleman has questioned why we are here at this late date. I would simply agree with him when he says that we should have gotten our business done earlier. We should have. But we are not inconsistent with the vast majority of Congress in the last 15 years when they were mostly in control, and we were in the minority. This happens. Sometimes we push our business off until we have to handle it in one lump sum at the very end.

That is not an efficient way to do business. We have spent too much time on the budget. We have spent too much time on things when we should have been spending more time on the appropriations bills. But we are where we are. We are not going to close the government. We are going to stay here as long as we absolutely have to to get our business done. It is my hope, my genuine and sincere hope that we will conclude our business in the next few hours and that we will be able to submit a very large bill comprising the untended business to the Members of Congress, to our colleagues so that they can vote finally and completely and go home to election time.

Madam Speaker, I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself 2 minutes.

It is simply false to say that the difference between the President and the Republican majority on the issue of class size is that the administration wants to run this program through Federal bureaucracy and the Republicans want to make sure that it is run through State and local bureaucracy. That is not what is at stake.

What we want to do is assure that if we are going to spend over $1 billion that that money is used for the purpose for which it is appropriated, which is to reduce class size. It has nothing to do with which bureaucracy it runs through.

We do not want that money to be used for noninstructional purposes. If you run that money through title VI, as the Republicans want, that means there will be at least 1 percent available for Federal administration. It means there will be up to 15 percent available for State administration. And there is no limit whatsoever on administrative cost at the local level. That is why we are insisting on this principle. It is not a question of which bureaucracy it goes through. It is a question of whether this is going to be used for a national priority to reduce class size or whether it is going to be frittered away on a dozen other things. We want to follow the same process that we followed on Cops on the Beat, where the Republicans also opposed having 100,000 cops on the beat.

□ 1300

The fact is that, today, that is one of the most popular programs at the local level; and certainly in my hometown it has been a very effective program.

We do not want to do in education what was done in the 1970s when money was simply thrown out in a block grant, and it was used to make Motorola rich and used to make a lot of other contractors rich in selling a lot of equipment to local communities without having any appreciable improvement on law enforcement, under the Law Enforcement Assistance Act.

What we are trying to do is very simply to make certain that money appropriated for reducing class size is used for that purpose, and that is the issue that divides us.

Madam Speaker, I reserve the balance of my time.

Mr. LIVINGSTON. Madam Speaker, how much time do both sides have remaining?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Wisconsin (Mr. OBEY) each have 16 minutes remaining.

Mr. LIVINGSTON. Madam Speaker, I am pleased to yield 2 minutes to the very distinguished gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. CALLAHAN. Madam Speaker, I rise in support of this very responsible resolution, which is simply a resolution to keep the government moving and not shut down, in order that we can resolve the several remaining issues.

But in listening to the gentleman from Wisconsin's explanation of why we are where we are, I just thought I might come and explain to my colleagues and to the Speaker what really happened with respect to that area of jurisdiction that I have; and that is passing a bill that has to do with the foreign operations, monies for foreign countries.

To put it simply, last spring, the President requested that this Congress give him $13.5 billion, plus $18 billion for the International Monetary Fund. As responsible appropriators, we did exactly what we were supposed to do. We passed a bill, but we did not give the President everything he wanted. We cut his request by $1 billion, because we thought we ought to use the money in other areas of government.

Even back in the spring, Mrs. Albright told me that if I did not give her the entire $13.5 billion, she was going to recommend a veto.

It was not left to SONNY CALLAHAN to make that determination, but, rather, it was left to this body. We brought a bill through subcommittee. We brought a bill through full committee. We brought a bill to the floor of the House, and the House rejected the President's request.

Now in the waning moments of this session, the President is coming back and saying, ''Look, I have you now in a position that I want you in, and I am going to insist that, regardless of what a majority of the Members of the House, Republicans and Democrats alike, regardless of what you think, you are going to give me my extra billion dollars.''

So that is where we are. It is not a question, as the gentleman from Wisconsin fully understands, of whether we acted responsibly, because we did. We passed the bill through the House. We passed the bill through the Senate. It was not what the President wanted.

Mr. OBEY. Madam Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Madam Speaker, today, we are considering our fourth continuing resolution to keep the government open, because the Republican majority failed to get a budget done in time, as is exhibited by this chart, failed to give us a strong HMO Patient Protection Act for our families, failed to ensure that the budget surplus would be used to protect Social Security before all else, and failed to protect our kids from tobacco.

We Democrats simply do not want my colleagues to go back home and fail our children. That is why we are still here fighting to reduce class size and modernize our aging schools.

With our 100,000 teachers initiatives, Democrats are trying to ensure that local taxpayers supporting public school systems across the country get a break by guaranteeing that the new Federal dollars are used to help local school districts reach a specific goal that everyone supports, reducing class size in early grades.

Under the Republican proposal, the dollars could be used for all sorts of other purposes that have nothing to do with helping our children. In essence, we Democrats want to accomplish what we did with 100,000 Cops on the Beat, local control with Federal support to hire 100,000 new teachers.

This is a battle about whether we want more money for educators or

more investigators, whether we want to spend more time investigating the past or more time investing in our future. Our schools, our teachers, and our children, that is what we Democrats are fighting about.

Mr. LIVINGSTON. Madam Speaker, I am pleased to yield 4 minutes to my good friend, the gentleman from Kentucky (Mr. ROGERS), the distinguished chairman of the Subcommittee on Commerce, Justice, State and Judiciary of the Committee on Appropriations.

Mr. ROGERS. Madam Speaker, I thank the chairman for yielding to me.

Madam Speaker, we passed the Commerce, Justice appropriations for the State Department, the Commerce Department, the Judiciary, and Related Agencies through this body, through the Senate, for the full year.

We fenced in the last half of the year's funding for the decennial census until the Federal courts could decide whether or not it is legal to do sampling.

I will tell my colleagues what is going on in that room right back there where they are negotiating this budget deal. The President is insisting that we not fund all of these agencies in the bill for the last half of the year. In March, all of these agencies would shutdown if the President prevails.

What does that mean? It means that the Bureau of Prisons will shut down. Do we turn the prisoners loose? It means the National Weather Service will go out of business. Do we want to know what our weather will be tomorrow? Do not watch television. National Weather Service is shut down.

It means the Justice Department would be shut down. The FBI would be closed. The laboratories that test bullets from all over the country for local police departments shut down, closed by the President's decree. It means the State Department and all of the embassies worldwide keeping the peace in the world would be shut down by the President's decree on March 15 if he prevails back there in that room. That is what is going on.

Why are they insisting upon this? So they can have their way on the frivolous idea of sampling the census for the decennial census.

Yesterday, I received a letter from the Federal Judicial Conference, over which the Chief Justice presides. In the letter, it says that this has a dangerous incursion into perhaps intimidation of the Judicial Branch of government, of the very Court that will eventually decide sampling and its constitutionality.

The Supreme Court itself would be shut down in March if the President has his way. All of the Federal courts would be shut down. The U.S. Marshals would be shut down. The drug war would be shut down if the President had his way back there in that room this very minute.

I say that is outrageous. It is unconscionable. It is unconstitutional, in my judgment, and it is an attempt to intimidate the United States Supreme Court on the very makeup of this body. I say that is outrageous. It is unacceptable and should be whisked away like the dirt on the floor.

Mr. LIVINGSTON. Madam Speaker, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Madam Speaker, the gentleman had an alternative to this terrible policy. Would the gentleman please explain that alternative?

Mr. ROGERS. What we should do is fund the entire year of this bill for all of these agencies, keep them going, not hold them hostage to this fight over the census; fund the decennial census only for the half year, until the courts have time to decide the constitutionality of sampling, until the test projects that are going on around the country right now on sampling can take place and we will see the results by March; until the advisory committee this Congress set up to supervise the census has time to report to us in February.

By March, the courts will have decided, the advisory committee will have reported and the pilot projects will be completed and we will know whether or not sampling is a good idea, constitutional and so forth.

Mr. LIVINGSTON. Madam Speaker, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. I take it that that plan was in the House bill when it left here?

Mr. ROGERS. That was the plan, the gentleman is correct, that this House passed, and now we hit this brick wall of the White House saying, no, siree, we are going to shut the government down until we get our way on the census.

Mr. OBEY. Madam Speaker, I yield myself 30 seconds.

Madam Speaker, what I have just heard is absolute total nonsense. The administration does not want to shut down the government. The administration is asking for one thing, full funding of the census. You are holding those programs hostage. They are not. Let us keep the facts straight.

Secondly, what is outrageous is not the administration conduct but the expression of opinion of the Republican representative on this issue last night, who told Democratic representatives that regardless of whether we won or lost the Supreme Court case they did not have any intention of following the court case if we won. That is what is outrageous.

Madam Speaker, I yield 5 minutes to the distinguished Democratic whip, the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Madam Speaker, if I could amplify upon the remarks of the gentleman from Wisconsin (Mr. OBEY) on this census issue, I think my colleague, the gentleman from Texas, said it very well in our caucus this morning. He said, for 100 years in this country, we did not treat them as human beings and now we do not even want to recognize that they exist.

That is what is going on here. They do not want to recognize literally millions of people who are out there and who have a right to be counted so that they and their communities can reap the benefits therein from the governments that represent them.

As we approach the end of this session, I think it is important to once again review, as my colleague, the gentleman from Wisconsin (Mr. OBEY) just did, about really what is going on here. The scorecard for the Republican Congress is pretty meager. Bills to improve public education, zero; managed care reform, killed in the Senate, zero; campaign finance reform, after they tried to talk it to death week after week, month after month in this body, killed again, zero; bills to reduce teenage smoking, zero; bills to protect the environment, zero; minimum wage increase so people can have some sense of dignity, so they can earn a wage that will get them above the poverty level, and that is where they are now with the minimum wage, below the poverty level, zero.

On the things that count for people who are talking amongst themselves around the kitchen table, we have not done the work of the people in this country.

If we look at the budget, I would think we would at least get our budget done. For first time in 24 years since the Budget Act was established in 1974, we do not have a Federal budget; two bills signed into law, one bill vetoed, a couple of bills on the President's desk. So we have got 4 out of the 13 essential bills, that are necessary to do the budget, completed; 9 of the 13 are hung up and cannot get done.

Why is that? The reason is, we spent the whole 2 years investigating. We investigated anybody we could find around here and we did not do the work on health and we did not do our education stuff and we did not do a decent minimum wage for people and we did not do campaign finance reform and we did not do teen smoking but, boy, did we investigate.

Now we are at the end of the session and there is nothing to show for it. My colleagues are going to go home and they are going to tout their accomplishments. That makes about as much sense as an American league pitcher bragging about his batting average. There is nothing there to brag about.

Let us look at education for just a second. Nearly a year ago, the President stood right there, during his State of the Union address, and he called on us to hire 100,000 new teachers, to reduce class size so we can improve discipline and help our children get the most out of their education. They would not do a thing on that until we got to the end of the session where we actually had some leverage with the President and now we are in this battle.

What do they want to do with the $1.1 billion so we can hire the teachers? They want to move it under Title VI, and as the gentleman from Wisconsin (Mr. OBEY) correctly states, it will go to bureaucracy. One percent of that money under Title VI can go to the Federal bureaucracy; 15 percent can go to the State bureaucracy, and the rest, if they want, can be spent at the local level.

We want to take the money and hire teachers so they get into the school, kids get more discipline, kids get more attention and we get a better product on education.

The other issue on education that is out there, of course, is the modernization effort so that American children can go to school in a safe, well-equipped environment, so they can prepare themselves for the next century. We are talking about leveraging roughly $3.6 billion for 5,000 school districts to help them subsidize their bonds so that they can raise the money locally to get their things done on education.

In conclusion, I urge my colleagues to vote for this resolution because we need it to pass, but to understand that we really have not done the work of the people in this Congress.

Mr. LIVINGSTON. Madam Speaker, I have but one speaker, and I reserve the right to close.

Mr. OBEY. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

□ 1315

Ms. DELAURO. Madam Speaker, I thank the gentleman for yielding me this time. Here we go again. We are here for the fourth time to pass a continuing resolution. Why are we here? Because this Republican-controlled House has still not completed the work that the American people sent us here to do. The fact of the matter is that they are in the majority. They are in charge.

Let us take this opportunity to look at the many accomplishments Republicans take such pleasure in touting. Have we put more teachers in the classroom to make sure children get the attention that they need to learn? No. Have we modernized schools and hooked classrooms up to the Internet so that children will have access to the technology they need for a successful future? No. Have we invested in teacher training to make sure that students have talented, enthusiastic and creative teachers to learn from? No. Have we reformed the managed care system? No. Have we reformed the campaign finance system? No. Have we reformed the Social Security system? No. Let us work together. Let us work together to try to improve our schools.

I am distressed to hear my colleagues on the other side of the aisle raise the bureaucratic bogeyman. Teachers are not bureaucrats. Teachers are our best hope for the future. The Democratic plan would add 100,000 teachers to our classrooms. It is modeled after the successful COPS program. Democrats passed a bill to add 100,000 new police officers to our streets. That program has helped to make our streets safer. One hundred thousand new teachers in our classrooms will help to make our schools better. The COPS program works. Do not listen to me, it is what chiefs of police are saying around this country, because it is about Federal dollars and the local, local control. Just ask your local police. The police chief of Miami has said that he has seen a 30 percent drop in crime since the bill was passed. He said that the drop was made possible because of the crime bill. Police chiefs all over the country thank us for adding 100,000 new cops to our streets. Our parents and our youngsters will thank us for 100,000 new teachers.

Mr. OBEY. Madam Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Madam Speaker, it is unfortunate that once again we yet have to again extend the time for the budget to be completed for this country. It is unfortunate because we come down to an item that is so terribly important to America's families and to America's children, and, that is, the issue of school construction, whether or not we are going to try to end the process by which children are being educated in storage rooms, in split-up gymnasiums, on the stage of the school auditorium, in the janitor's change rooms as they try to reduce class sizes and as they try to avoid those parts of schools in many cases that are unsafe for children to go. We think that the Federal Government ought to help these school districts. They can do it by providing no-interest loans or low-interest loans to help those school districts that are struggling to provide for safe and healthy schools for our children. The other one is class size reduction. Here we have an opportunity to take a program modeled after Cops on the Beat, a program that has been incredibly successful. If you go around your congressional district and you talk to the police officers, if you talk to the chiefs of police, they will tell you this has made a remarkable difference in their police department's ability to talk to the business community, to talk to young kids on the street, to interact with the schools and has made the police department much more accessible, much more effective on the streets of our communities, and we have watched as the crime rate has continued to come down in most American communities. So now we want to take and have the Federal Government provide help to school districts that want to add additional teachers to reduce class size, recognizing that teachers are far more effective with 18 students than they are with 30 students. Again, do not trust us; trust the parents, trust the teachers, trust the students who if you go to your schools and you talk where this has been done, parents are excited about the chance that teachers are spending more time with their students, helping them with reading, helping them with mathematics. The teachers feel better that they are able to spend better time with these students in helping those students who may be having a little bit of extra problem. But we are right back to where we were before Cops on the Beat. Just before we voted for Cops on the Beat, the Republicans came up with a plan to spread that money all over the community, to spread it all over the community. They said they were going to call it Cops on the Beat but it could be spent anywhere. But the chiefs of police, the law enforcement agencies came here and said, ''Don't do that. Put it into police officers that can be out in the community.''

Now the education establishment is saying the same thing: ''Don't spread this all over. Don't spread this across the bureaucratic cost of State Departments of Education. Put it in the classroom where it can make a difference, where it can make a difference to the ability of our children to read, to compute, to critically think. These teachers can make a difference in our children's lives.''

But we are back here. The State Department of Education in California funds almost 70 percent of its bureaucracy off of Federal dollars. Why are those Federal dollars not going into the classroom? This legislation that the President is proposing for classroom reduction, school construction is about sending the money to where it belongs, not spreading it across the community like the Republicans want us to do.

Mr. OBEY. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding me this time and for his extraordinary leadership in explaining the differences between the Democrats and the Republicans in the priorities that we set for our great country.

Madam Speaker, this is a Congress of missed opportunities, missed opportunities to modernize education for our children, missed opportunities to reform HMOs for the health care for all Americans, missed opportunities to save Social Security as a top priority, and a missed opportunity to protect the environment after we look at some of the proposals that have been put before us.

We send this very mixed message from this Congress to the children of America. We tell them that education is important, it is for their self-enrichment, for their economic security and for the competitiveness of our country. Yet we send them to schools that are below par, that are leaking, that are asbestos-laden, are lead-filled, that are not wired for the future. How can we

tell children that education is important and yet not value it by having small classes, adequate facilities and have them be in places where children can learn and teachers can teach and parents can participate?

We tell children that their health is important, they should not smoke because it is harmful to their health. Yet we do not provide them with access to quality education. Children are smart. They get the mixed message. Reforming HMOs would have been one clear message to the people of America that health is important to us. Then as far as work, the work ethic, how important that is, we tell that to young people and yet we do not value work adequately. That is one of the missed opportunities of this Congress, to have us have a living wage in this country. Also, we threaten the pension security of America's children. Their health, their education, the economic security of their families are very, very important to our children and to the future of our country. How sad for us that this Congress has missed the opportunity to send a clear message and take the action necessary to make their future brighter.

Mr. OBEY. Madam Speaker, I yield 1½ minutes to the distinguished gentleman from Connecticut (Mr. GEJDENSON).

Mr. GEJDENSON. Madam Speaker, one of the key differences between the United States is that we have made education universally available. As we compete in this modern economy, it is clear that we cannot compete at the bottom of the economic ladder. Countries will always hopefully have lower hourly wages for their employees than we do in this country. In China right now it is 2 cents on the dollar. In Mexico it is about 15 cents on the dollar. The only way we are able to stay competitive internationally is by investing in education to make sure the next generation is ready for an even more economic battlefront that is internationally based. If we underfund education as a country, we will end up being a second-rate power economically and we will be a second-rate power militarily as well. The future of this country is dependent on the investment in education, so that we have the brightest workers, the most patents as we have today, the Nobel prize winners in arts and sciences. That is what moves this country forward.

There is a debate. The Republicans generally do not feel there is a Federal role for education. I think whether you live in Bozrah, Connecticut or Baltimore or Selma, Alabama you ought to expect the very best education that we can provide because every American benefits from this investment in education.

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

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

Madam Speaker, we are here as the gentleman from Wisconsin indicated living up to the words of Yogi Berra when he said he felt like deja vu all over again. This is the third or fourth time that we have had this confrontation involving an extension of funding authorization for another couple of days to complete our business. Unfortunately the negotiators on all sides, between the House and the Senate, Republicans and Democrats, and the Congress versus the administration have not put a final ribbon on their package of these eight bills plus a supplemental package, and so as a result we are forced to take a little bit more time.

But let us be very sure why we are here engaged in this debate. This is not a momentous, historical debate on issues of great moment other than to espouse our respective political philosophies with 3 weeks left in the election cycle. The fact is this is nothing more than a C–SPAN moment. It should be interpreted as nothing more than that. We are having an opportunity to make great speeches on our respective positions. Should they be dismissed as being too casual or too light and nonconsequential? No, of course not. The fact is that the Republican majority of Congress believes that we should be frugal with the tax dollar, that we should be proud that we have finally brought about conditions that reap us a surplus this year, the first balanced budget or first surplus in 30 years; and we should be proud of that accomplishment. We should likewise be proud that we have in the last year provided the first tax cut in 16 years. We believe that we are stewards for the American taxpayer and that we should not waste their money. We should not spend it unwisely. We should not create unneeded bureaucracies to tell people what is good for them.

The other side says, no. They have got good programs, well-intentioned, that are going to do great things for the American people. All the American people have to do is keep sending money, and they will keep coming up with programs. That is understandable. We had that for some 40 years, from the New Deal, through the Great Society, through the War on Poverty, through Vietnam and up through the point where finally the American people had had enough and put Republicans in charge of the Congress. The other side of the aisle does not like that. They do not like being disenfranchised and not being able to jam through all their new programs.

They have a President in the White House who even though about a year and a half ago said the era of big government is now over is attempting to spend billions upon billions of dollars more than he agreed to in the balanced budget agreement of last year.

□ 1330

But, we are not really here today debating how much money to spend on education. We pretty well agreed to that. The amount of money is in agreement. They say it is never enough. We say $32 billion; that is what we will spend on education from the Federal Government; we say that is a pretty good number. It is still only 5 percent of what America spends on education because States and localities spend 95 percent of the cost of education. But the Federal taxpayer puts in $32 billion, and it will never be enough according to my friends on the other side of the aisle.

But, we are not really debating whether or not what we are spending in this last fiscal year is sufficient. What we are really debating is how it should be spent. They believe creating new narrow programs, narrowly-focused programs run by bureaucrats in Washington, not teachers. The Department of Education is not comprised of teachers, it is comprised of bureaucrats. They think that by giving those bureaucrats more money to dole out, the money for their little favorite programs, that they are going to do great things for America, and certainly some good will be done; we have to admit that. We think that by giving the greatest amount of flexibility to the teachers, and to the school faculties and the school boards around America, the school districts, that they can decide for themselves where they want to best apply those Federal dollars. We think that the flexibility inherent in block grants is a much better idea.

So that is what is going on here. We are not debating amounts of dollars, we are debating philosophies, we are debating ideas on how best to get the job done. Either we give the money to the States and localities, like we want to, or we give it to the bureaucracies like the President wants to. That is essentially the debate.

On foreign aid, they want to throw more money, another billion dollars here and there. We happen to believe that a few extra dollars in foreign aid is not going to make any difference. We think that basically what the President needs to put forth for the American people and the world is a coherent, cogent, understandable foreign policy, which unfortunately has been sorely lacking.

The fact is a few more extra dollars will not give us a better Russian policy. A few more extra dollars will not stop the slaughter in Kosovo. A few more extra dollars will not restart, regenerate the moribund peace talks in the Mideast or manage the problems presented by Saddam Hussein, who is pointing weapons of mass destruction at the civilized world. A few more dollars will not invigorate our policy with respect to North Korea or stop India or Pakistan from proliferating weapons of mass destruction. No, a few more dollars or even a few billion dollars will not give us a coherent foreign policy if this President and this administration do not work together towards trying to bring some common sense to their foreign policy, more than they have done in recent months.

Madam Speaker, we could send everyone home today if only we in the majority, we Republicans, would bow down and accept every plan, every program every hair brain scheme to spend tax dollars that the Democrats have thrown at us. That is easy. We could finish our business if we would just simply mindlessly say, ''Okay, you have got lots of new ideas on how to spend taxpayers' dollars, we'll accept those, all in their entirety, and then we'll go home.'' But we are not going home without some debate.

The President proposes, the Congress disposes. Right now the Democrats are in the minority in the House and in the minority in the Senate. But, as long as we are in the majority, we have to use our best judgment to deal with the President as we see fit, as we firmly believe our constituents and the American people that sent us here really want us to do. They did not send us here to cave in to the President. They did send us here to ignore the problems that he has encouraged in the last several months. They did not send us here simply to worry that we will be accused of being mean and heartless and thereby fold our cards and go home. They sent us here to use our good judgment and to be those stewards of the Federal Treasury to make sure that the person who is working so hard to feed his family, go to work, be good citizens throughout the community all around America, does not send his or her money to Washington just simply to see it wasted on another well-intentioned program or another run-wild bureaucracy. That is not exactly why the people put us in the position of the majority.

We are against his profligate ways, we are against the wasteful ways of the former majority and now the minority who have said, ''We've got another great new program for you, another great new bureaucracy, another great way to spend your money; just give us all your cash and we'll tell you what to do with it.'' We think that is not the way to approach government. We are standing up for what we believe.

It is taking longer than we wanted it to take, but sooner or later we will end this soap opera. Sooner or later we will tell the American people we are tired of debating philosophy and programs, and we will put a ribbon on this package. It may not be the prettiest or the neatest package, but it will in fact still, after all the dust is settled, result in the first surplus in 30 years, and we will go home with a proud record of accomplishment.

I urge all Members to vote for this continuing resolution.

Mrs. CLAYTON. Mr. Speaker, this is the fourth Continuing Resolution that has come before us—four times we have delayed the important business of keeping the government running.

Perhaps when we conclude this business, we can get on with the business of the American people.

This Congress has done nothing to help working families, but, while it is too late for some issues, it is not too late for others.

It is too late to pass health reform.

It is too late to reduce teen smoking and reform our campaign finance system.

And, it is too late to enact laws to protect the environment and to truly safeguard the surplus for social security.

But, it is not too late to make responsible budget decisions.

It is not too late to enact laws to hire new teachers, reduce class sizes and modernize schools.

It is not too late to help our small farmers by giving them reasonable access to credit.

And, it is not too late, Mr. Speaker, for voters to note what Congress has done and what it has not done.

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

The SPEAKER pro tempore (Mrs. EMERSON). All time for debate has expired.

The joint resolution is considered read for amendment.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

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

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

Mr. LAHOOD. 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. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on H.J. Res. 135 will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4566. An act to make technical corrections to the National Capital Revitalization and Self-Government Improvement Act of 1997 with respect to the courts and court system of the District of Columbia.

The message also announced that the Senate had passed a bill of the following title in which concurrence of the House is requested:

S. 1733. An act to amend the Food Stamp Act of 1977 to require food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued for deceased individuals, to require the Secretary of Agriculture to conduct a study of options for the design, development, implementation, and operation of a national database to track participation in Federal means-tested public assistance programs, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 391) ''An Act to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes.''

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 459) ''An Act to amend the Native American Programs Act of 1974 to extend certain authorizations, and for other purposes.''

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 2 p.m.

Accordingly (at 1 o'clock and 39 minutes p.m.), the House stood in recess until approximately 2 p.m.

□ 1414

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GIBBONS) at 2 o'clock and 14 minutes p.m.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to clause 5, rule I, the Chair will now put the question on H.J.Res. 135, and then on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.J. Res. 135, de novo;
H.R. 3963, de novo;
H.R. 4501, de novo;
H.R. 559, by the yeas and nays; and
S. 759, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

The SPEAKER pro tempore. The pending business is the question of the passage of the joint resolution, H.J.Res. 135.

The Clerk read the title of the joint resolution.

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

The joint resolution was passed.

A motion to reconsider was laid on the table.

CANYON FERRY RESERVOIR LEASEHOLD CONVEYANCE

The SPEAKER pro tempore. The pending business is the question de