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No. 128

House of Representatives

The House met at 10 a.m.

The Reverend Robert G. Hobson, Sun City, Arizona, offered the following prayer:

Our Father, as we pause in Your presence, we acknowledge You as our God. We are grateful for every Member of this United States House of Representatives.

We pray for every Representative as they seek to determine Your will and direction for this great Nation. Our Father, we commit each one to You in anticipation that You will be pleased to demonstrate Your will in and through each person and in every decision reached.

To this end, our Father, we entrust to You every person in this great body in anticipation of Your blessing and wisdom. May each be keenly aware that with regard to Your wisdom, it is not a matter of one's ability or inability but, rather, their availability to You and to this great Nation that righteousness and justice will be achieved. We thank You, our Father, in advance for all that You are going to accomplish in and through each Representative during their deliberations today.

In Jesus' name we pray, Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. McNULTY. 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. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Colorado (Mr. HEFLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. HEFLEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3214. An act to amend the charter of the AMVETS organization.

H.R. 3838. An act to amend the charter of the Veterans of Foreign Wars of the United States organization to make members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger eligible for membership in the organization, and for other purposes.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1226. An act to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

S. 1972. An act to amend the charter of the AMVETS organization.

S. 2980. An act to revise and extend the Birth Defects Prevention Act of 1998.

S. Con. Res. 143. Concurrent resolution designating October 6, 2002, through October 12,

2002, as "National 4-H Youth Development Program Week".

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will take one 1-minute at this time. Other 1-minutes will be postponed until the end of business today.

WELCOMING THE REVEREND ROBERT G. HOBSON

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

Mr. HAYWORTH. Mr. Speaker, it is my great and good fortune on behalf of the dean of our Arizona delegation, BOB STUMP, chairman of the House Committee on Armed Services and the Member from the Third Congressional District of Arizona, to welcome his constituent and our guest chaplain, Robert G. Hobson, to the floor of the United States House of Representatives today.

Reverend Hobson has served in the capacity of pastor, Bible teacher and evangelist; and he has spoken throughout our great Nation, Canada, the United Kingdom, Europe, Australia, Japan, and the Philippines, ministering in countless churches, Bible colleges, youth conventions, and seminars.

Mr. Speaker, for the past 40 years, Reverend Hobson has been the international field representative for the Capernwray Missionary Fellowship of Torchbearers, whose headquarters are located near Lancaster, England. We are pleased that he brings his unique perspective on the good news to the floor of the House of Representatives today.

Mr. Speaker, I know that you and our colleagues join us in thanking our guest chaplain, Robert G. Hobson, his lovely wife, family and friends who join us on this great occasion. Thanks

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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again to our guest chaplain, Reverend Robert Hobson, of Sun City, Arizona.

THE JOURNAL

The SPEAKER. Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 327, nays 53, not voting 51, as follows:

[Roll No. 437]

YEAS—327

Abercrombie	Cramer	Harman
Ackerman	Crenshaw	Hart
Akin	Crowley	Hastings (WA)
Allen	Cubin	Hayes
Andrews	Culberson	Hayworth
Arney	Cummings	Hill
Baca	Cunningham	Hinchev
Bachus	Davis (CA)	Hinojosa
Ballenger	Davis (FL)	Hobson
Barcia	Davis (IL)	Hoeffel
Barrett	Davis, Jo Ann	Hoekstra
Bartlett	Davis, Tom	Holden
Barton	DeGette	Holt
Bass	DeLauro	Honda
Becerra	DeMint	Hooley
Bentsen	Deutsch	Horn
Bereuter	Dicks	Hostettler
Berkley	Dingell	Hoyer
Berman	Doggett	Hunter
Berry	Dooley	Inslee
Biggert	Doolittle	Isakson
Bilirakis	Doyle	Israel
Bishop	Dreier	Issa
Blagojevich	Duncan	Istook
Blunt	Dunn	Jackson (IL)
Boehlert	Edwards	Jackson-Lee
Boehner	Ehlers	(TX)
Bonior	Emerson	Jefferson
Bono	Engel	Jenkins
Boozman	Eshoo	John
Boswell	Evans	Johnson (CT)
Boyd	Everett	Johnson (IL)
Brady (TX)	Farr	Johnson, Sam
Brown (FL)	Ferguson	Jones (NC)
Brown (OH)	Flake	Jones (OH)
Brown (SC)	Fletcher	Kanjorski
Bryant	Foley	Kaptur
Burr	Forbes	Keller
Burton	Fossella	Kelly
Buyer	Frank	Kennedy (RI)
Calvert	Frelinghuysen	Kerns
Camp	Frost	Kildee
Cannon	Galleghy	Kilpatrick
Cantor	Ganske	Kind (WI)
Capito	Gephardt	King (NY)
Capps	Gibbons	Kingston
Cardin	Gilchrest	Klecza
Carson (IN)	Gilman	Knollenberg
Carson (OK)	Gonzalez	Kolbe
Castle	Goode	LaFalce
Chabot	Goodlatte	LaHood
Chambliss	Gordon	Langevin
Clement	Graham	Larson (CT)
Clyburn	Granger	Latham
Coble	Graves	LaTourette
Collins	Green (WI)	Leach
Combest	Greenwood	Lee
Condit	Grucci	Levin
Conyers	Gutierrez	Lewis (CA)
Cox	Hall (TX)	Lewis (GA)
Coyne	Hansen	Lewis (KY)

Linder	Pelosi
Lipinski	Pence
Lofgren	Peterson (PA)
Lowe	Petri
Lucas (KY)	Phelps
Lucas (OK)	Pickering
Luther	Pombo
Lynch	Pomeroy
Maloney (CT)	Portman
Maloney (NY)	Price (NC)
Manzullo	Pryce (OH)
Matheson	Putnam
Matsui	Quinn
McCarthy (MO)	Radanovich
McCarthy (NY)	Rahall
McCollum	Rangel
McCrery	Regula
McHugh	Rehberg
McInnis	Reynolds
McIntyre	Riley
McKeon	Rivers
Meehan	Rodriguez
Meeks (NY)	Roemer
Menendez	Rogers (KY)
Mica	Rogers (MI)
Millender-McDonald	Rohrabacher
Miller, Dan	Ross
Miller, Gary	Rothman
Miller, Jeff	Roybal-Allard
Mollohan	Royce
Moran (KS)	Rush
Moran (VA)	Ryan (WI)
Morella	Ryan (KS)
Murtha	Sanchez
Nadler	Sanders
Napolitano	Sandlin
Neal	Sawyer
Nethercutt	Saxton
Ney	Schiff
Norwood	Sensenbrenner
Ortiz	Serrano
Osborne	Sessions
Ose	Shadegg
Owens	Shaw
Oxley	Shays
Pascrell	Sherwood
Paul	Shimkus
Payne	Shows
	Shuster

NAYS—53

Baird	Kennedy (MN)
Baldwin	Kucinich
Borski	Larsen (WA)
Brady (PA)	LoBiondo
Capuano	Markey
Castello	McDermott
Crane	McGovern
DeFazio	McNulty
English	Miller, George
Etheridge	Moore
Finler	Nussle
Ford	Oberstar
Gillmor	Obey
Gutknecht	Olver
Hefley	Otter
Hilliard	Pallone
Hulshof	Pastor
Johnson, E. B.	Peterson (MN)

NOT VOTING—51

Aderholt	Gekas	Platts
Baker	Goss	Reyes
Baldacci	Green (TX)	Ros-Lehtinen
Barr	Hastings (FL)	Roukema
Blumenauer	Herger	Schrock
Bonilla	Hilleary	Scott
Boucher	Houghton	Sherman
Callahan	Hyde	Smith (WA)
Clay	Kirk	Souder
Clayton	Lampson	Stump
Cooksey	Lantos	Tancredo
Deal	Mascara	Tanner
Delahunt	McKinney	Thomas
DeLay	Meeck (FL)	Weldon (FL)
Diaz-Balart	Myrick	Whitfield
Ehrlich	Northup	Wilson (SC)
Fattah	Pitts	Young (AK)

□ 1029

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.J. RES 112, MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2003

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 568, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 568

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 112) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommend.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 568 is a closed rule providing for the consideration of H.J. Res. 112, making continuing appropriations for the fiscal year 2003. The rule provides 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution and provides one motion to recommend.

Mr. Speaker, H.J. Res. 112 makes further continuing appropriations for the fiscal year 2003 and provides funding at current levels through October 11, 2002. This measure is necessary in order that all necessary and vital functions of government may continue uninterrupted while Congress continues its work on the spending measures for the next fiscal year. Accordingly, Mr. Speaker, I urge my colleagues to pass both the rule and the underlying resolution, H.J. Res. 112.

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

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

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

Mr. FROST. Well, Mr. Speaker, Republicans' shameful refusal to lead the

House continues today. We are into the new fiscal year, and this House has still only passed 5 of the 13 appropriation bills.

Now, Republicans have been turning back flips to try to shift the blame for their own shameful failures. They like to say it is the fault of the other body that the House has not done its work, but we all know how an appropriations bill becomes a law. The Constitution requires the House to pass it before the other body can.

Mr. Speaker, there is nothing to stop House Republicans but themselves. And what is stopping them? Simply put, some Republicans are afraid to vote for the cuts in education, health care, and other priorities that most members of the Republican Conference seem to support. So Republican leaders have quit even trying to do the work Americans elected them to do.

While House Republicans refuse to do their work, Mr. Speaker, millions of Americans would be happy just to find a job. After all, America is suffering through the weakest economy in 50 years, and a recent Gallup Poll found that 52 percent of Americans believe the economy is getting worse. Frankly, it is hard to argue with them.

Long-term unemployment is at an 8-year high, and some 2 million Americans have lost their jobs. The Census Bureau reports the number of people living in poverty has increased, and the median household income has dropped. Corporate scandals, the massive criminality at Enron, WorldCom, and the like, have rocked the economy and devastated the retirement plans of millions of Americans. After the worst quarter for the S&P 500 since 1987, millions of Americans are dreading the arrival of 401(k) statements, statements that may now look more like 201(k) statements.

Overall, the stock market has lost \$4.5 trillion in value since Republicans took control in Washington a year ago January. And the Dow has hit a 4-year low.

What has been the response of the Republican House during this troubled time? They refuse to stop corporate expatriates who flee overseas to avoid paying their fair share in taxes and who leave other Americans stuck with the bill, and they refuse to extend unemployment insurance for all Americans suffering in this economy.

Mr. Speaker, this is a shameful failure of leadership. I do not think it is going to end as long as Republicans control the House of Representatives.

But there is one important step we can take today. We can finally allow the House to vote on the education funding necessary to implement the bipartisan No Child Left Behind Act.

At the appropriate time, I will oppose the previous question. If it is defeated, we will amend the rule to provide for a fair vote on the appropriations bill for the Department of Labor, Health and Human Services, and Education.

Since Republican leaders cannot decide how to bring up this critical bill,

we would offer Members several options. The Committee on Appropriations chairman could bring his bill to the floor. Conservatives and their Republican Conference who have seemed so interested in slashing education spending so far could bring up their version, and the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, could bring up his bill.

In addition, my amendment to the rule would require the House to immediately consider legislation extending unemployment benefits to the millions of American workers who have exhausted those benefits and have no immediate prospects of finding employment. And to help spur the creation of jobs in the country, we will call on the House to consider economic stimulus legislation before we adjourn for the elections. This body has wasted enough valuable time. We have only a few days left to do the people's business; and by defeating the previous question, perhaps we can start taking care of the business we were sent here to do.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members that it is inappropriate to use cell phones on the floor of the House.

Mr. HASTINGS of Washington. Mr. Speaker, I have no requests for time at this point, so I reserve my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume, and then I will yield to the gentleman from Wisconsin (Mr. OBEY) for 8 minutes.

Is this not extraordinary? We have no appropriation bills coming out of the Congress; we have a continuing resolution for another week, and the Republicans cannot even produce a single speaker to defend their position. They want this to slip on through. They just want us to vote on this and leave town and the American people not notice that they are unwilling to do the people's business. Extraordinary commentary on the lack of leadership on the Republican side.

Mr. Speaker, I yield 8 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, ever since Labor Day this Congress and the President have been focused almost exclusively on Iraq, and there is absolutely no question that we will soon be at war. Meanwhile, the economy is showing serious signs of stress, and this body is doing virtually nothing about it.

Only 10 percent of our domestic appropriation bills are in place for the coming year. We are looking down a deep economic shaft with very little light at the end of the tunnel. We are in danger of leaving for the election with almost nothing being done to help provide that light, and there is a lot of talk in this institution about simply passing a series of continuing resolutions and then finally kicking all of these problems over until after the election, conveniently.

Mr. Speaker, the rules of this House are designed to help the House leadership address problems. Instead, on this occasion as they have been used on so many other occasions, they are being used to avoid problems. And then, even though we have only passed five of the 13 appropriation bills required in this House, we have some Members of this House who sound like the great Alibi Ike of the Cosmos, because they look for somebody else to blame for the fact that we have not been able to do our own job. I think that that has to stop.

I think people need to understand just how bad it would be if this government were to function on a continuing resolution for any significant period of time. That action would put the economy at high risk, in my view. It will virtually guarantee that almost nothing will be done about our economic problems. Political positions of both parties on a variety of issues will harden, and we will come back after the election, and we will be faced with a large supplemental request for Iraq, and the need to pass all of next year's fiscal 2004 appropriation bills. That will create a huge incentive to simply extend last year's spending patterns through the coming year, and that will have very bad effects on the economy. It will also lead to a lot of nasty and unintended consequences.

Example: it will leave a number of agencies funded at levels significantly below where they need to be, and many of those agencies will be at the center of our efforts to protect our people against terrorist threats. But we will also have other programs for which spending will be at higher levels than Congress expected or intended.

Example: the highway spending that is in the continuing resolution right now is \$4 billion higher than the level it was intended to be under the Republican budget resolution. And also, we have an anomaly, which means that the National Institutes of Health, which both parties have promised to increase by 15 percent this year, we will have the National Institutes of Health funded at \$3.8 billion less than the President's budget. That does not make any sense. But that is what is going to happen if this House continues to avoid its responsibility to bring up the Labor-Health bill and other appropriation bills.

The problem we have is there is an impasse within the Republican caucus between conservatives and moderates over what spending levels ought to be on education and on the Labor, Health and Education bill in general. And because of that impasse, the leadership is refusing to bring that bill up, and they are also acquiescing to the demand of a few hard-liners in their caucus that because they do not bring up the Labor-HHS bill, they should not bring up any other appropriation bill either.

Well, I sent a letter to the Speaker trying to propose a way out of this box, and I suggested that the Speaker allow the President's education budget to

come to the floor; in fact, bring the whole Labor-HHS bill to the floor, bring the President's budget to the floor, if you want, allow the Republican caucus to offer a substitute to that, and allow the minority to offer our substitute, and let the chips fall where they may. It does not guarantee an outcome, but it does move the process forward.

In the past, many times, past Speakers have allowed controversial bills to go forward, even when they could not guarantee a result, because they understood the gravity of continuing on a long-term continuing resolution and all of the programmatic harm that would do to the country and the economy. So the very least that the majority should do, instead of just passing another CR, is to bring to the floor the Labor, Health and Education bill so we can meet our primary domestic responsibilities.

Mr. Speaker, I think we ought to do something else. We have a very shaky economy, and in the midst of that, we are going to be dislodging Saddam Hussein. He is a bad actor, we will all welcome his departure, and no doubt that departure would be good for the people of Iraq. Sanctions would be lifted, they would have a renewed opportunity for a better life. But our economic problems here at home will still remain, and the economic problems of people who live along the Mississippi will not be taken care of by whatever we do on the Tigris and Euphrates rivers.

We also need to have an economic stabilization package that recognizes that things are dangerously different here at home than they were when the majority passed its budget resolution and its tax provisions a year ago.

In addition to putting the Labor, Health and Education bill on the floor so we can face up to our choices rather than avoid them on that issue, we also ought to see an economic stabilization package on this floor that would include, for example, extension of unemployment insurance, a strengthening of the safety net for programs for families hit by economic weakness, help to small business and farmers who are losing their ability to pay for health insurance, protections for investors, and protection for workers' pensions, additional infrastructure funding to provide for immediate job growths and, if I may be so bold, I know we are not supposed to say that nasty word around here, but we also do need a restructuring of the tax cuts to focus more of those cuts on low- and middle-income taxpayers struggling to get by and less on the economic elite which is doing quite well in comparison to their less well-off neighbors.

□ 1045

That is what we ought to do if we were in the business of solving problems, but it appears to me that, with the exception of dealing with Iraq, this House is going to be essentially a bystander.

As a practical matter, we have a government shutdown as far as the House of Representatives is concerned, so the gentleman from Florida (Mr. YOUNG) is stuck with the responsibility under these circumstances of bringing another CR to the floor when we all know that he would prefer to meet his responsibilities, as we would prefer to meet ours.

But we are not being given that opportunity because of an internal war within the Republican caucus. In my view, the Republican leadership needs to bring that bill to the floor. Their refusal to do so is nothing, in my view, but a confession of either incompetence or irresponsibility, I am not sure which.

So I would urge, Mr. Speaker, that we vote down this rule, that we vote down the previous question on the rule, so that we can bring something back to the floor which represents a real and broad-based attack on the economic problems facing this country.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I thank the gentleman from Texas for yielding time to me. I appreciate his leadership, and the leadership of the gentleman from Wisconsin (Mr. OBEY).

Mr. Speaker, the success or failure of any nation or any endeavor is determined by the leadership it has and the decisions they make. This Congress was sent here by the people of this country to make decisions and to do the people's business, and to represent the people of this country in a responsible way and make decisions for the common good, and not serve special interests.

It is amazing to me that we continue to not have appropriations bills on the floor of this House to deal with the people's business and to accomplish the tasks for which we were sent.

I am reminded of the old joke that they tell in my part of the country: Do not worry about the mule going blind, just load the wagon. We act like we do not know what we need to do.

This is not complicated. We know how to deal with this. Blaming somebody else; let us just find somebody, it does not matter who, but let us blame it on somebody else; let us blame it on the other body, on somebody down the street. Let us just blame somebody. It is always somebody else's fault.

We cannot stand as a Nation to continue to ignore the business of the people. We must be responsible.

The economy, to say the economy is not doing well is a gross understatement. We have a war at our doorstep. We have a war on terrorism that we have been fighting for over a year, and we have not dealt with issues pertaining to those two great concerns.

The cost of health care is skyrocketing, and taking money out of the economy at such a rate that none of us know how we are going to deal with it; yet, we cannot get to the floor of this House the business of the people.

We have been up here playing games since Labor Day trying to make it look like somebody is doing something, when the fact is we have not accomplished a frazzling thing since we got back after Labor Day. At the very least, bring it to the floor and let us vote on it.

We have asked, and the Blue Dog Coalition that I am a member of repeatedly has asked, the other side of the aisle, we have asked the leadership in the Republican Party, just work with us; just talk to us. We can figure this out. Let us do the job. Let us do the job that we were sent here to do.

We are not asking them to agree with us, we are just asking them to talk with us about it. Bring it to the floor and let us vote on it. When we work together, there is nothing we cannot do. But when everything has to be done in accordance with the Republican leadership, and when they are making bad decisions like they are right now, it makes it very difficult to get the job done.

It is the American way. This is what this Congress was established for. Let us bring it to the floor and take care of it.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I guess the chickens have come home to roost. A long time ago, the first thing we did practically in this Congress was pass a big tax bill. Some of us stood down here and said, hey, we ought to figure out what we need to spend before we decide we are going to give a lot of stuff away; but the leadership on the other side of the aisle said, do not worry, there is plenty of money. There is no problem. Just trust us.

Well, there are a lot of hospitals and a lot of schools and a lot of people out there trusting them, and what they see is that they have given it all away, and they will not even admit it. If they would just get up and say, we have made a mistake, we should not have done that, we should maybe go back and rethink what we did.

But I understand their theory. Their theory is when they make a mistake, just keep saying it and pushing it, even if it does not make any sense. They were out here yesterday on the marriage tax penalty. They have been out here every week with something.

What really ought to aggravate the American people in the way they have handled this budget, when I come in here, I fly in here from Seattle. I get here at 4 o'clock on a Tuesday for a vote on a couple of post offices being renamed on Tuesday night. Then we have a little something on Wednesday, and on Thursday we are out, and I am on that plane at 5 o'clock.

I am on the ground less than 48 hours in this town. If Members call that a good week's work for a good week's pay, I have to tell the Members something: Most of the people in the world have to at least work 40 hours. They

cannot even keep their people here to work on the problem, but they would rather say, let us just have a continuing resolution. It is going so well, let us let it go on.

Why do we not just pass a continuing resolution until the first of March and give up this charade. What they are going to do is 1 week at a time, and then they are going to take the next one, which will be up to October 18. Then they will say, well, we ought to do it after the election, so we will do the 17th of November; and then, of course, well, we will do December 15; and then we will come in on January 10; and then come in again, and we will finally get to work in February.

They ought to be ashamed of themselves that they do not bring the bills out here. Bring them out here, and we will see. They should bring out whatever they can agree on. Since they do not want to talk to us about what they are bringing out, they should bring out their best shot and put it on the floor here. But no, they want to talk about Iraq, and they want to talk about a lot of other things, but they do not do the business of the House.

We ought to vote this rule down and bring out the bills.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Mr. Speaker, I appreciate the gentleman's yielding time to me, and I regret we are here maintaining the status quo for another 7 days.

The status quo for 6,700 people in the First Congressional District of Indiana is unemployment. The status quo for many of those 6,700 people who have probably permanently lost their job in the domestic steel industry and in other industrial facilities is that they have now also permanently lost their health care. Their status quo for the next 7 days is to pray that they, their spouses, and their children do not have an injury and that they do not get sick.

Many of those 6,700 people in the First Congressional District of Indiana who have lost their job have been forced into early retirement. They were promised a pension. The status quo for a good number of those people who were promised a pension is that they will get less than they were promised because the companies they worked for are some of the 37 that have entered into bankruptcy over the last several years.

We have had programs over the last several years under the Clinton administration to help reduce class sizes so that the children in the First Congressional District could receive the best education possible, so hopefully, if jobs ever return to the First District, they would be eligible for them; but we are talking about the status quo and not reducing class sizes over the next 7 days.

We are the status quo Congress, and given the market's collapse, given the recession that we are in, given the def-

icit that has been created, I think we have much better things to be doing today than maintaining the status quo.

I hope that the rule is defeated.
Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER), chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule.

I have just heard my friend, the gentleman from Indiana, talk about the status quo. The status quo is that we want to keep the government going; we do not want it to shut down. That is really the alternative we are faced with right now.

What we are dealing with is a continuing resolution that will go from October 4 to October 11. Now, people have been talking about the fact that we have this unprecedented situation, and we have never been in these dire straits before when it comes to the process of appropriations.

It is true, we may be moving into new territory, but we have done some of our work here. It is clear that we have passed 5 of the 13 appropriations bills. As the gentleman from Florida (Chairman YOUNG) pointed out in his testimony before the Committee on Rules yesterday, we basically have six other bills in the bullpen ready to go that we would like to consider.

I do not want to spend a lot of time talking about history here, but, Mr. Speaker, Members should realize that we have, in the past, to my knowledge, never had a time when the minority did not fail to offer a budget. This year we know there was no alternative, so our friends can talk and say, shame on you, and we should be embarrassed and all; but our friends on the other side of the aisle, Mr. Speaker, have not come up with a proposed budget. We know that the only entity to pass out a budget was the House of Representatives. We did it with Republican support, and it was the Republican budget that moved ahead.

If we look at the past, Mr. Speaker, we also have had times where we have dealt with continuing resolutions going back to 1990, when we saw a continuing resolution that was vetoed by the President. We saw one of the subcommittees have a continuing resolution that lasted an entire year.

So yes, this is a challenging time for us. We are trying to get a continuing resolution passed for October 4 to October 11 so we can get our work done dealing with the very challenging situation. We have been able to deal with the very, very tough times since September 11 of last year, providing basically about \$100 billion, and we have stepped up to the plate and done that.

So we are at a time of war. This is a war on terrorism that we are dealing with. That has created many of the challenges that we have.

However, I hope we will be able to come together and work on this process. I want to congratulate the gentleman from Florida (Chairman YOUNG) for the fine work he is doing in trying to move this process along.

Let us pass this rule, let us pass this continuing resolution, and let us continue working as hard as we possibly can to get our work done.

□ 1100

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I have great respect for the gentleman from California (Mr. DREIER), who just stated that we Democrats had no budget. If the gentleman who is the chairman would listen for a moment, I believe he will agree that when I appeared before the Committee on Rules asking that the Blue Dog budget be made in order, we were denied an opportunity to bring it to the floor of the House because it did not meet the preconceived notion of what a budget ought to look like. I keep hearing this and we will hear it again today time and time again, but it does not speak the truth because some of us do want to bring a budget to the floor of the House.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I am sorry that I did not hear exactly what the gentleman said earlier, but let me say that you recall in the past that what we have done and what we have tried to do this year was to have a complete budget package that was put forward and not an amendment process, and we went through this debate earlier when we went through it. And the gentleman and I disagree on that, but I think it is very clear to state for the record that from our interpretation we did not have a complete budget substitute that was put forward.

Mr. STENHOLM. Mr. Speaker, the gentleman is exactly correct in the way he states it, but that is not the way this body should work. We should not have preconceived notions of what the budget ought to look like and deny the minority an opportunity to even have an amendment. And that is what has caused us to be in the position we are in today, in which we, the House, have not passed but five appropriations bills and yet my friends on this side stand up and blame the other body because we have not done our work.

And I would ask that the gentleman on the Committee on Rules in this rule today, do we have a continuation of the pay-go rules and the discretionary caps, or have we allowed them to expire?

Mr. HASTINGS of Washington. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, there is no pay-go on this. This is just appropriations only.

Mr. STENHOLM. Mr. Speaker, so we do not have pay-go and discretionary pay caps in this amendment. I understand that this is a CR that continues all programs at last year's levels; and, therefore, a pay cap is not necessary. I understand that. But I take this to the floor today to notice that the Blue Dog Democrats and I believe a large number of my other colleagues on this side are going to insist that when we get into a CR that takes us into a lame duck session or a CR that takes us into next year or a CR that takes us into the next century, based on the way this House is being run, we think there ought to be some meaningful pay-go rules, and they ought not be allowed to expire.

And I would appreciate in the discussion if the finger pointing would stop and most of us, and when I point the finger at my friends over here, I always acknowledge three are coming back at me. But it is an interesting dilemma where it has gotten us to the point in which we are not doing our work on education, on any of the much-needed Medicare/Medicaid rules; and yet all we can do here is point the finger at the other body.

Let us do our work, and you will be surprised what kind of help you get if you allow us to debate these issues instead of stonewalling as you did on the budget.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have to agree with the gentleman and the points that were made by several Members that have spoken today, it does not do us any good to point fingers; but there are some things that have happened that we cannot ignore that we are dealing with. And one of the things that we are dealing with is that we have not passed a budget in the Congress. That makes it very, very difficult for both Houses to deal with their appropriations process with the same numbers. That is the difficulty. And, again, it does not do any good to point fingers at that, but that is the fact.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in opposition to this rule. In the summer of 2001 the majority came to this floor with its tax cut proposal and told us the following: for the new budget year that we are heading into, for every \$100 that we were going to spend, we would have about \$115 of income coming in without touching Social Security.

Well, they underestimated the impact of the recession. They understandably could not foresee the impact of September 11, and they irresponsibly went ahead with the tax cut in the face of good economic judgment.

So where we do stand today? For every \$100 we are scheduled to spend, we do not have \$115 coming in. We have \$90, \$90.

The reason that we do not have a budget on the floor is the majority does not want to confront the hard consequences of that problem that it created, because there are only three choices. The first choice is to slash education, health care, environmental protections, veterans benefits, lots of things that lots of people on their side support. So they cannot bring to this floor appropriations bills that do that and pass them.

The second option would violate a seeming religious principle of the majority which would be to renegotiate the size and speed of the tax cut, which is what a rational, sensible approach to this problem would be; but it violates the creed of the Republican Party, so that is off the table.

The third option is to do what we are going to do after the voters have spoken on November 5, and that is to cover the hole in the budget by spending Social Security money. The majority does not want its Members to face the electorate in 33 days and explain they voted to run this government by spending Social Security money. So rather than renegotiate their sacred tax cut, rather than bring to this floor a budget bill that would reflect the conscience of the choice they irresponsibly made in 2001, they are playing rope-a-dope with the American public.

So we will come back next week and pass another extension and the week after that and pass another extension. The problem with this rule and the problem with this continuing resolution is that it misrepresents the choices that confront the American public. The majority is going to run the government by spending Social Security money. We object to that. And we forcefully object to the unanimous consent that they will not talk about the consequences of making that choice. We should defeat this rule. We should sit down as Republicans and Democrats, renegotiate this country's budget, pull us back out of the red, pull our economy back up, and stop the charade that we see on the House floor today.

Mr. FROST. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the important thing for those of us who share the responsibilities of this Nation is, of course, to make sure that the government works for the people. And so we are on the floor today to deal with what we call a continuing

resolution. We do this in the shadow of war and the costliness of \$100 billion that may be spent on a preemptive unilateral strike by this White House. But I think the important thing that should be focused on is the needs and the hurts of the American people.

I may use the 18th Congressional District to suggest that I know that there are good people working here on both sides of the aisle. I know the appropriators are trying to work steadfastly. But here is what is happening to the American people while we are stalemated, if you will, around appropriations. Take the 18th Congressional District in Houston, Texas. We have got agencies that deal with child care that are literally shutting down because working parents who are trying to make ends meet do not have the funding for child care. We do not have the 100,000 teachers promised that was made a couple of years ago, so that there are 16,000 fewer teachers being trained. We find with the new numbers in poverty that there are now 1.3 million families living in poverty. In my own congressional district and State we have got 700,000 homeowners that have no insurance. We have as well those who are losing their benefits of Medicare and Medicaid because our Labor-HHS bill that covers education and Medicare and Medicaid has not yet been funded.

And so what we do on this floor is so vital; it absolutely impacts the matters of life and death for our constituencies. And here we are with a continuing resolution because Republicans refuse to recognize that the multibillion dollars tax cut that was rendered some months ago must be ceased and stopped so that we can focus ourselves on providing the needs of the American people in a bipartisan manner. I hate to go home to my seniors who are making choices between their prescription drugs and paying their rents and their mortgages. I hate to go home to young mothers who want to work who have moved off welfare but cannot function because they have no child care. I hate to go home to my inner city schools because they are overloaded in their classrooms.

Vote against this rule and get back to work on behalf of the American people.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I thank the gentleman from Washington for yielding me time.

Mr. Speaker, I rise today in support of this rule and in support of the continuing resolution. I have listened to some of the debate this morning and have heard a number of my Democratic colleagues harshly critical of this continuing resolution. I do not know whether they intend to vote for the continuing resolution or not; but as we all know, a vote against the continuing resolution is a vote to shut down the

government. And while we are struggling to finish this appropriations process, and it is a struggle, today the Republicans are going to make it very clear that we do not think that we should shut down the government while we work out the differences that we still have.

So we are going to pass this continuing resolution today. I hope we have support from my Democratic colleagues on that. Judging from the discussion so far this morning, I am not terribly optimistic; but I hope we will because, as I said, we should keep the government open while we resolve these differences.

As always for the CR itself, frankly, I would not write it. If it were up to me, I would not write it exactly this way, but it is a short term CR; it does not take us terribly long into the future. Hopefully, it will take us past the time in which the defense appropriations bill will be signed into law. That is about half of the discretionary spending in this process, and that will give us a chance to revisit this issue. And if we have not worked out the rest of the appropriations bills, we can refine and improve and hopefully perfect the continuing resolution that might be required at that point. If we can do that, I will support that CR. If we cannot improve it and correct the flaws, then I will vote against that continuing resolution.

But the point is as we go through this process we Republicans are responsibly trying to struggle through a difficult process to work out our differences and pass the spending bills necessary for this government. And it is a difficult process for a simple reason. We think there ought to be some budgetary restraints. We think there is a point at which we have got to say to the American people what we have said twice on this floor when we have passed the budget resolution, a second time when we have passed the deeming resolution acknowledging that as an operative budget.

What we said is we have got huge new needs for funding this war on terrorism. We have got huge new expenses we have got to incur to protect our homeland. And given those huge new expenses which we all accept, we have got to tighten our belts in some of the other areas of government where we cannot afford to keep growing all of these programs at three, four and five times the rate of inflation, as we have in recent years.

What we are simply saying is we need a little bit of restraint in these other areas of government. Now, there would be an easy solution to this and it is the solution that would draw a tremendous majority of votes on the Democratic side of this aisle, and that would be to forget about the budget and just spend a whole lot more. Maybe we could just agree to whatever number is being floated at the other end of this building or maybe a higher number still because the objection on this side of the aisle is

that we are not spending enough money.

Well, my colleagues, we have been spending too much money for too long. We have got legitimate needs in defense and homeland security. It is time to tighten our belts in the other areas.

Mr. Speaker, I urge my colleagues to support the continuing resolution and continue this struggle for a responsible budget.

Mr. FROST. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. PHELPS).

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

Mr. PHELPS. Mr. Speaker, I rise in opposition to the previous question.

Mr. Speaker, as we debate another continuing resolution, and there is talk of recessing until after the elections, I am concerned we have not addressed all 13 appropriations bills and extending unemployment benefits.

Congress enacted a budget last year based on projections of a \$5.6 trillion surplus. Several Members warned about the danger of making decisions based on projected surpluses that might not materialize, but our warnings were ignored. One year later the projections have turned out to be wrong and we are looking at large deficits and a growing national debt.

Circumstances have changed dramatically since we enacted the Republican budget last year. The projections turned out to be too optimistic, revenues are much lower than expected, we face tremendous new expenses for homeland defense and the war on terrorism and a possible war with Iraq. But the Republicans refuse to consider any changes to their budget policies in response to the changed circumstances.

We understand that circumstances have changed greatly in the past year. We understand the economy is in turmoil and we are facing a war on terrorism but that does not give us an excuse to not come up with a budget. We should not ignore our responsibility to the American people.

The American people have shown a tremendous willingness to make sacrifices to help win the war on terrorism, just as they did in World War II. But instead of asking all Americans to make sacrifices to pay for the war on terrorism, the administration and Republican leadership are paying for the war with borrowed money, leaving the bill to be paid for by someone else in the future.

In my congressional district in central and southern Illinois, there is a high unemployment rate and the economy is suffering. Mr. Speaker, I am concerned because the Republicans refuse to extend unemployment benefits to the millions who have exhausted benefits and need help now. Unemployment is at an all time high and median household income has dropped. The stock market has lost millions and the Dow is at a low.

Mr. Speaker, I am concerned we are going to leave these important issues unaddressed until after the elections.

Oppose previous question and let us get on with doing the people's business.

□ 1115

Mr. FROST. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, the continuing resolution before us is an indictment of the Republican majority. They have failed to help the unemployed, failed to rescue the economy, failed to complete the appropriations process and failed the American people.

If the previous question is defeated, I will introduce a package that contains the CR we are debating today, extends unemployment insurance, brings the Labor-HHS bill to the floor so that we can move the appropriations process forward, and calls for an economic stimulus package to get this country moving again.

Meaningless sense of the House resolutions will not get it done, Mr. Speaker. Passing continuing resolutions to avoid tough choices is not going to get it done either. There is an unfinished agenda of issues that mean something to the middle-class Americans, Mr. Speaker, and Democrats want to help them, even if Republicans do not.

By defeating the previous question, the House can take up this economic package and reverse the economic decline that the Republicans have brought us. Let us get America back to work again.

I urge a no vote on the previous question.

The material previously referred to by Mr. FROST is as follows:

AMENDMENT TO H. RES. 568

OFFERED BY MR. FROST

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 112) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

Sec. 2. (a) Immediately after disposition of H.J. Res. 112, the Speaker shall declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5320) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2003, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provision in the bill are waived. No amendment to the bill shall be in order except those specified in subsection (b). Each such amendment may be offered only in the order specified, may be offered only by the Member specified or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent, and shall not be subject to amendment. All points of order

against such amendments (except those arising under clause 7 of rule XVI) are waived. If more than one of the amendments specified in subsection (b) is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(b) The amendments referred to in subsection (a) are as follows:

(1) An amendment in the nature of a substitute by Representative Shadegg of Arizona.

(2) An amendment in the nature of a substitute by Representative Obey of Wisconsin.

(3) An amendment in the nature of a substitute by Representative Young of Florida.

Sec. 3 Immediately after disposition of H.R. 5320, the House shall without intervention of any point of order consider in the House the bill (H.R. 5491) to provide economic security for America's workers. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) an amendment in the nature of a substitute offered by Representative Thomas of California or his designee, which shall be in order without intervention of any point of order (except those arising under clause 7 of rule XVI), shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

Sec. 4. (a) On the legislative day of Thursday, October 10, 2002, immediately after the third daily order of business under clause 1 of rule XIV, the House shall without intervention of any point of order consider in the House the bill specified in subsection (b). The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) an amendment specified in subsection (c), which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(b) The bill referred to in subsection (a) is a bill that Representative Thomas of California shall introduce on or before the legislative day of October 7, 2002, on the subject of economic stimulus and that Representative Thomas shall designate as introduced pursuant to this resolution.

(c) The amendment referred to in subsection (a) is an amendment in the nature of a substitute consisting of the text of a bill that Representative Rangel of New York shall introduce on or before the legislative day of Wednesday, October 9, 2002, on the subject of economic stimulus and that Representative Rangel shall designate as introduced pursuant to this resolution.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 206, nays 198, not voting 27, as follows:

[Roll No. 438]

YEAS—206

Akin	Goodlatte	Ose
Armey	Goss	Otter
Bachus	Graham	Oxley
Ballenger	Granger	Paul
Barr	Graves	Pence
Bartlett	Green (WI)	Peterson (PA)
Barton	Greenwood	Petri
Bass	Grucci	Pickering
Bereuter	Gutknecht	Pitts
Biggert	Hansen	Pombo
Bilirakis	Hart	Portman
Blunt	Hastings (WA)	Pryce (OH)
Boehler	Hayes	Putnam
Boehner	Hayworth	Quinn
Bonilla	Hefley	Radanovich
Bono	Herger	Ramstad
Boozman	Hobson	Regula
Brady (TX)	Hoekstra	Rehberg
Brown (SC)	Horn	Reynolds
Bryant	Hostettler	Riley
Burr	Houghton	Rogers (KY)
Burton	Hulshof	Rogers (MI)
Buyer	Hunter	Rohrabacher
Calvert	Hyde	Ros-Lehtinen
Camp	Isakson	Royce
Cannon	Issa	Ryan (WI)
Cantor	Istook	Ryun (KS)
Capito	Jenkins	Saxton
Castle	Johnson (CT)	Schaffer
Chabot	Johnson (IL)	Sensenbrenner
Chambliss	Johnson, Sam	Sessions
Coble	Jones (NC)	Shadegg
Collins	Keller	Shaw
Combest	Kelly	Shays
Cox	Kerns	Sherwood
Crane	King (NY)	Shimkus
Crenshaw	Kingston	Shuster
Cubin	Kirk	Simmons
Culberson	Knollenberg	Simpson
Cunningham	Kolbe	Skeen
Davis, Jo Ann	LaHood	Smith (MI)
DeLay	Latham	Smith (NJ)
DeMint	LaTourette	Smith (TX)
Diaz-Balart	Leach	Stearns
Doolittle	Lewis (CA)	Sununu
Dreier	Lewis (KY)	Sweeney
Duncan	Linder	Tancredo
Dunn	LoBiondo	Taylor (NC)
Ehrlich	Lucas (OK)	Terry
Emerson	Manzullo	Thomas
English	McCrery	Thornberry
Everett	McHugh	Thune
Ferguson	McInnis	Tiahrt
Flake	McKeon	Tiberi
Fletcher	Mica	Toomey
Foley	Miller, Dan	Upton
Forbes	Miller, Gary	Vitter
Fossella	Miller, Jeff	Walden
Frelinghuysen	Moran (KS)	Walsh
Gallegly	Morella	Wamp
Ganske	Myrick	Watkins (OK)
Gekas	Nethercutt	Watts (OK)
Gibbons	Ney	Weldon (FL)
Gilchrest	Northup	Weldon (PA)
Gillmor	Norwood	Weller
Gilman	Nussle	Whitfield
Goode	Osborne	

Wicker
Wilson (NM)

Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—198

Abercrombie	Gutierrez	Nadler
Ackerman	Hall (TX)	Neal
Allen	Harman	Oberstar
Andrews	Hill	Obey
Baca	Hilliard	Olver
Baird	Hinchev	Ortiz
Baldacci	Hinojosa	Owens
Baldwin	Hoeffel	Pallone
Barcia	Holden	Pascarell
Barrett	Holt	Pastor
Becerra	Honda	Payne
Bentsen	Hooley	Pelosi
Berkley	Hoyer	Peterson (MN)
Berman	Inslee	Phelps
Berry	Israel	Pomeroy
Bishop	Jackson (IL)	Price (NC)
Blagojevich	Jackson-Lee	Rahall
Blumenauer	(TX)	Rangel
Bonior	Jefferson	Reyes
Borski	John	Rivers
Boswell	Johnson, E. B.	Rodriguez
Boucher	Jones (OH)	Roemer
Boyd	Kanjorski	Ross
Brady (PA)	Kaptur	Rothman
Brown (FL)	Kennedy (RI)	Rush
Brown (OH)	Kildee	Sabo
Capps	Kilpatrick	Sanchez
Capuano	Kind (WI)	Sanders
Cardin	Kleczka	Sandlin
Carson (IN)	Kucinich	Sawyer
Carson (OK)	LaFalce	Schakowsky
Clay	Langevin	Schiff
Clement	Lantos	Scott
Clyburn	Larsen (WA)	Serrano
Condit	Larson (CT)	Sherman
Conyers	Lee	Shows
Costello	Levin	Skelton
Coyne	Lewis (GA)	Slaughter
Cramer	Lipinski	Smith (WA)
Crowley	Lofgren	Snyder
Cummings	Lowey	Solis
Davis (CA)	Lucas (KY)	Spratt
Davis (FL)	Luther	Stark
Davis (IL)	Lynch	Stenholm
DeFazio	Maloney (CT)	Strickland
DeGette	Maloney (NY)	Stupak
Delahunt	Markey	Tauscher
DeLauro	Matheson	Taylor (MS)
Deutsch	Matsui	Thompson (CA)
Dicks	McCarthy (MO)	Thompson (MS)
Dingell	McCarthy (NY)	Thurman
Doggett	McCollum	Tierney
Dooley	McDermott	Towns
Doyle	McGovern	Turner
Edwards	McIntyre	Udall (CO)
Engel	McNulty	Udall (NM)
Eshoo	Meehan	Velazquez
Etheridge	Meek (FL)	Visclosky
Evans	Meeks (NY)	Waters
Farr	Menendez	Watson (CA)
Filner	Millender	Watt (NC)
Ford	McDonald	Weiner
Frank	Miller, George	Wexler
Frost	Mollohan	Woolsey
Gephardt	Moore	Wu
Gonzalez	Moran (VA)	Wynn
Gordon	Murtha	

NOT VOTING—27

Aderholt	Green (TX)	Roukema
Baker	Hastings (FL)	Roybal-Allard
Callahan	Hilleary	Schrock
Clayton	Kennedy (MN)	Souder
Cooksey	Lampson	Stump
Davis, Tom	Mascara	Sullivan
Deal	McKinney	Tanner
Ehlers	Napolitano	Tauzin
Fattah	Platts	Waxman

□ 1141

Mr. HILL and Mr. UDALL of Colorado changed their vote from "yea" to "nay."

Mr. LEACH and Mr. REGULA changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. SULLIVAN. Mr. Speaker, on rollcall No. 438 I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. ADERHOLT. Mr. Speaker, on rollcall No. 438 I was attending a White House briefing on Iraq. Had I been present, I would have voted "yea."

Mr. KENNEDY of Minnesota. Mr. Speaker, on rollcall No. 438 I was at the White House for a briefing on Iraq. Had I been present, I would have voted "yea."

Mr. PLATTS. Mr. Speaker, on rollcall No. 438 I was attending a White House briefing on Iraq. Had I been present, I would have voted "yea."

Mr. EHLERS. Mr. Speaker, on rollcall No. 438 I was detained at a meeting in the White House and could not return to the House floor before the vote concluded. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3781

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3781.

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

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.J. Res. 112, making further continuing appropriations for the fiscal year 2003, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 568, I call up the joint resolution (H.J. Res. 112) making further continuing appropriations for fiscal year 2003, and for other purposes.

The Clerk read the title of the joint resolution.

□ 1145

The text of House Joint Resolution 112 is as follows:

H.J. RES. 112

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107-229 is further amended by striking the date specified in section 107(c) and inserting in lieu thereof "October 11, 2002".

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to House Resolu-

tion 568, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Chairman YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.J. Res. 112 is the second continuing resolution for fiscal year 2003. It will extend the current CR until next Friday at midnight, October 11.

The terms and conditions of the initial CR will remain in effect. All ongoing activities will be continued at current rates under the same terms and conditions as fiscal year 2002.

I will briefly mention them again for Members. It will continue all ongoing activities at current rates, including supplementals, under the same terms and conditions as fiscal year 2002.

The term "rate for operations not exceeding the current rate" continues to be defined as stated in OMB Bulletin No. 01-10.

As in past CRs, it does not allow new starts, and it allows for adjustment for one-time expenditures that occurred in fiscal year 2002.

It continues the eight funding or authorizing anomalies in the original CR.

Mr. Speaker, this CR is non-controversial. I urge the House to move this legislation to the Senate so that the government can continue to operate until we have that glorious day when we conclude all of the appropriations bills.

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

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, let us be thankful that the millions of American children who just started the new school year have better things to do than to watch proceedings on the House floor, because if they were, they would be learning some terrible lessons from the Republican leadership.

Lesson 1: 2 plus 2 equals 3. That is what we call the GOP's "fuzzy" math. And that is what enabled our Republican friends to enact enormous tax cuts for the wealthiest Americans while still pretending that they are committed to a balanced budget, deficit reduction and priorities like education.

Lesson 2: Say one thing, do another. Our Republican friends have voted 7 times over the last 3 years to put our Social Security surpluses in a so-called lockbox, and then they have turned right around and passed a budget that raids those surpluses to the tune of \$2 trillion.

Lesson 3: Do not do homework because, as this Republican leadership has demonstrated, we do not even need to worry about completing the basics.

While our Republican friends act like they are on a permanent summer vacation, the truth is they simply have become congressional truants. On this, the third day of the new fiscal year, this House has failed to complete work on even 1 of the 13 appropriations bills.

Since Members returned from the August district work period, we have not considered one spending bill on the floor of this House. Not one. Rather than bring up the energy and water bill, we are loading up the suspension calendar. Rather than consider the foreign operations bill, we are spending time on sense of House resolutions. Rather than doing the work that the American people expect to be done, we are in session for only 3 days again this week.

While we dither, the American people suffer the consequences, and our economy is tanking. A real Patients' Bill of Rights, stalled by the GOP leadership. A real prescription drug benefit for seniors under Medicare, blocked by the GOP leadership. Pension reform that protects workers and legislation to eliminate offshore corporate tax havens, disregarded by the GOP leadership. An increase in the minimum wage and an extension of the unemployment insurance benefits, a critical step that we ought to be taking, ignored by the GOP leadership.

Mr. Speaker, this leadership would even undo important bipartisan legislation that we have already passed. After all the fanfare about the No Child Left Behind Act, our Republican friends would slash spending on the act's programs by \$90 million, and they call for the smallest increase in education spending in 7 years.

Today, as we pass this second continuing resolution, let us be thankful that America's children are hard at work at school doing what is expected of them, because we are not. Unfortunately, the same cannot be said of us.

Mr. Speaker, I see the gentleman from California on the floor, and with the last remaining seconds I have, the gentleman from Texas (Mr. DELAY) may speak. The gentleman will come up here and say, "Look at what the Democrats did."

Mr. Speaker, I came here in 1981. For the next 6 years with a Republican President and a Republican United States Senate, we ran up the largest deficits in the history of America. From 1993, under Bill Clinton, until the time he left, for 8 straight years we brought the deficit down and came into surplus. We have now squandered that \$5.6 trillion, and we are down to zero, and the economy is hurting. Let us do better.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I seldom try to put words in the mouth of other Members, but I listened carefully to the gentleman from Maryland (Mr. HOYER), and I think he did misspeak on one particular issue. The gentleman emphasized that the House had not considered one appropriations bill. The fact

of the matter is that we have sent to the Senate the Defense bill, the Legislative branch bill, the Military Construction bill, the Interior bill, and the Treasury-Postal Service bill. We have passed those through the House.

In addition, I would add that the Agriculture bill, the District of Columbia bill, the Energy and Water Development bill, the Foreign Operations bill, Transportation bill, and the Labor-HHS-Education bill are all ready to be considered at a moment's notice. We will mark up the VA-HUD bill next week. The committee has been very aggressive in meeting its responsibilities.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, the gentleman is correct. The chairman of our committee, and our committee, in my opinion, has tried to act as responsibly as we possibly can, and I count myself advantaged by having the opportunity to serve on the gentleman's committee, one of the fairest people on the floor of this House.

However, I think I did not misspeak, and what I said was during the month of September, the month before the end of the fiscal year, we have not considered one appropriation bill on the floor of this House. I agree with the gentleman from Florida (Chairman YOUNG). My bill was one that passed. But in September not one bill have we considered on the floor.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3½ minutes to the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Speaker, I thank the gentleman for yielding me this time. I appreciate the gentleman's tireless efforts as chairman of the Committee on Appropriations, never giving up and never stopping trying, even though some Members of this body and the other body would try to present him with an impossible task.

Mr. Speaker, we know it is a challenge, especially since 9/11, with the increased costs of national security, of fighting the war against terrorism, of homeland security, and the domestic needs of this Nation, we know it has been a terribly difficult task to try to come up with budgets. Nevertheless, this House has risen to the occasion and has followed the law requiring us to adopt a budget and then to specify the details of how we are going to allocate the overall spending among the various subcommittees.

As the gentleman from Florida (Mr. YOUNG) has mentioned, we have been responsible in doing that in this House. The bill for which I have responsibility through the Subcommittee on Treasury, Postal Service and General Government cleared this House July 24, 2.5 months ago. The other body has yet to bring its counterpart to the floor. We cannot proceed on that bill because only one House of Congress has acted. We see that pattern, unfortunately, repeated over and over. The law requires

both Houses of Congress to enact a budget so that we know how much we have to spend so we can divvy it up.

This body, the House of Representatives, has done so. The other body, despite the legal requirement that it do so and should have done it back in April, still has not done it. No wonder we have gridlock and deadlock.

I would call upon Members of this House that has a complaint to talk to their Member of the other body, to talk to the people who bear the title of Senator and tell them we need their help. We need them to be constructive. We need them to talk about the overall numbers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the gentleman and all Members that it is not in order to characterize the Senate, or the "other body," for any inaction or all other inappropriate remarks should be avoided.

Mr. ISTOOK. Mr. Speaker, that is why I talk about the law, because it is certainly appropriate for the other body to follow the law, as this House has done and as we hope both bodies would.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend. Out of an abundance of caution for the debate, and to clarify, any inference to the other body as breaking the law would be inappropriate under the same rule of the House.

Mr. ISTOOK. Mr. Speaker, that is why I characterized it as being totally appropriate for the other body to follow the law.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would advise Members that the rules of the House are specific, and oblique references will be recognized when appropriate by the Chair.

Mr. ISTOOK. Mr. Speaker, what we do in our everyday lives as families, we sit around the kitchen table and we say, this is how much we have, and this is what we would like to accomplish. And we make decisions, tough decisions. I would like for every Member of this House to help us in making these difficult decisions.

We did not know we were going to have the attacks of 9/11. We did not know we were going to be looking at another war on the other side of the globe. We did not know that we would have the economic problems that have surfaced, and yet we are trying to do our best. But some Members, their only answer is whatever we are doing is not good enough, because the only answer is to spend more money. That is not always the answer.

□ 1200

Mr. Speaker, we have got to have people who take a constructive look at things rather than being naysayers. We have got to have people who say, look, this is where we will have to cut back if we want to get back to a balanced

budget instead of having deficits return and continue; if we want to make sure we follow the policy that the majority in this House has done for the last several years, balancing the budget without using Social Security receipts to do so. We have increased in recent years education spending some 150 percent since the majority changed in this body. Yet some people accuse us of not being sensitive toward education. That is just not so.

I appreciate the efforts of the leadership of this House and the gentleman from Florida. I suggest that we should adopt this continuing resolution and have every Member of this body stop the naysaying and get constructive.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. UPTON). The Chair would remind all Members that are on the House floor that they need to be dressed in appropriate attire for them to be on the floor.

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

Mr. Speaker, I am going to give the gentleman who just spoke the "Alibi Ike of the Cosmos" award. He is essentially saying, "Gee whiz, folks, the reason that we can't pass these eight appropriation bills is because if we do, the other body won't have passed them, and so therefore it's them there other guys' fault."

I do not think that is a very impressive argument. I know of absolutely no reason whatsoever that the House has not been able to deal with the HUD appropriation bill, with the transportation appropriation bill, with the Labor-H bill, the Commerce-State-Justice bill, the agriculture bill, the foreign ops bill, the energy and water bill, and the District of Columbia bill. Nothing whatsoever is preventing this House from taking up those bills and sending them to the other body except the internal war which is going on in the majority party caucus which has created a situation in which the gentleman from Florida is not being allowed to bring these other bills to the floor.

So I would suggest, folks, nobody is going to be impressed by blaming somebody else for your own inaction. Once you have passed those bills, then you will have a right to squawk at the Senate. Until then, who are you kidding? You are just passing the buck, and you know it as well as I do.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. KNOLLENBERG), chairman of the Appropriations Subcommittee on the District of Columbia.

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise to support, obviously, the continuing resolution, and I want to commend Chairman YOUNG for all the hard work that he has put into this year's appropriations process. I think he has

one of the most difficult jobs of anybody here in the House, but he continues to do an outstanding job. I salute him.

This continuing resolution is an essential bill, and I strongly urge my colleagues to support it. The appropriations process is not an easy one. I do not think it ever has been. All we can do is take the situation we have and do the best we can. The Committee on Appropriations has produced a series of excellent bills that are ready for the floor and that we will bring to the floor when the leadership of this House determines that it is time. We have done our job and they are doing theirs.

I, myself, chair the Subcommittee on the District of Columbia, and we had a bill pass committee this last week. Working closely with the gentleman from Pennsylvania (Mr. FATTAH), I believe we have produced a bill that is bipartisan and one that this House can support. I know it will move through the legislative process in due course.

I am not going to engage in any blame game today, and I do not think it benefits anybody in this House for any of us to do so. We all want to pass the appropriations bills. But even if this House had passed all 13 bills, we would still be here to pass a CR, since many of the bills would undoubtedly still be in conference. That is a fact. It is hard to gain consensus within this House and Congress. We have not stopped trying. We will finish our work; but in the meantime, we will pass this CR to ensure that no Federal program will go without any funding and that no Federal agency will shut down.

I urge all my colleagues to support the continuing resolution.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, first of all I want to congratulate the chairman for all the good work and his patience in dealing with a very, very difficult issue. I just heard the gentleman from Michigan say about blaming. I really think it is inappropriate to kind of start blaming people, and I think it is important that we work together. The good news is we will resolve the issue. I think what is complicating this matter is that we are coming close to an election time and generally that sometimes creates problems here in this body which is in essence a political body. The chairman has been working very hard. All the subcommittees have been working hard. I think the leadership on both sides will come together after we finish the election in November, and I think we will leave here doing the people's business. I am optimistic with regard to that.

This resolution is important because, in our area, we are going to be funding embassy security which everyone wants to do and do well so we do not have another Tanzania or another bombing in Kenya or Karachi, which we had. We also are funding the FBI.

The FBI obviously is a fundamental backbone of the homeland security issue. Within that we have language training. We have the technology for Trilogy so the FBI can share the data, the information. We are also funding the INS. Who would not want to do that particularly at this very, very difficult time? Also, this money will be very helpful in these days of hearing about Enron and WorldCom, the Securities and Exchange Commission is funded through this. This is a good thing to do. It ought not be controversial. This is not new. No one should assume that this is the first time that this has ever happened, that the Congress has passed continuing resolutions. My sense is that we may actually pass fewer continuing resolutions this year than has been done in the past.

Let us do this. Let us find a day that we can recess, come back and finish the people's business before the end of the year so the government can work well. I think we will do that. I again thank the chairman for his patience in a very, very difficult job and all the Members that are working together, knowing that we will resolve this and do the people's business.

Mr. OBEY. Mr. Speaker, I yield myself 3½ minutes.

Mr. Speaker, I think the last speaker has just revealed what the problem is in this place. We are being told that we will eventually get together after the election and get these problems solved. The fact is that when we come back after the election, we will have a huge Iraq war supplemental facing us, we will have the need to pass next year's appropriation bills, and we will never get to these unless we do our work now.

The second point I would make is that much has been made of the fact that the other body has not passed a budget resolution. In fact, in fiscal year 1999, this Congress never agreed to a budget resolution. Despite that fact, by October 1, the House had passed 12 of its 13 appropriation bills. So that demonstrates to me that if there is a will to address issues rather than avoid them, that you can get things done. It happened in 1999.

The only reason we are wrapped around the axle now is because the hard right of the majority Republican caucus does not want to pass any education bill except the President's budget-level bill, and a lot of other Members in the Republican Party recognize that that would be politically disastrous to them because the public does not want to bring to a screeching halt the 5-year progress we have made in expanding education resources all around the country. They do not want to put a freeze on per-pupil education spending after 5 years of strengthening spending for education.

And so we get all these red herrings. People say, "Oh, we have not passed a budget resolution," or "The Senate has not acted." The fact is we are here

stuck for only one reason, because the majority party leadership has lost control of its own caucus, they do not know what to do, and as a consequence they are punting. That may not hurt in a football game, but it eventually will hurt every single school district that needs to know how to plan, it is going to hurt students who need to know what they are going to get on Pell grants, and in addition to that it is going to hurt the country if we do not move on to do our other jobs, such as expanding unemployment insurance, doing something to help small business with the cost of their health care plans. I cannot walk into a small business in my district where someone does not say to me, "My God, I don't know how we can afford to keep our health insurance for our employees because of the cost."

This place has been in a shutdown since Labor Day. We all came back here with the expectation we would be dealing with appropriation bills. The gentleman from Florida has been blocked from doing his job, and I have been blocked from doing my job because of an internal war in the majority party caucus. It would be good for the country if that war would end. Now. Not after the election. The public has a right to know where we stand on education, where we stand on the environment, where we stand on housing before the election, not after the election. We are hell-bent to have a vote on Iraq 2 or 3 months before anybody thinks that we are going to war; but, no, we cannot have a vote on the budgets that are already expired for the year so we can deal with our own problems here at home.

I have one message to the majority party leadership in this House: Shape up. Do your job. Meet your responsibilities instead of running away from them and trying to hide until after the election. You must think you have a pretty lousy case if you are hiding it until after the election.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the Committee on Appropriations.

Mr. CUNNINGHAM. Mr. Speaker, my colleagues on the other side would lead us to believe that Republicans are mean, that they do not care about education, that they do not care about a prescription bill, that they do not care about health care. They say, Oh, well, it's your leadership. You are okay. Like our leadership does not care about those issues. Our leadership and our Republican Members have children and families just like you do. We have grandparents and we have our mothers and our fathers to take a look at. I resent the implications of my colleagues on the other side.

It is an election year. We are weeks away from an election. We watch every speaker on that side of the aisle come up with partisan attacks, either about education or health care or prescription drugs, tax breaks for the rich,

which is a socialist mantra that they have taken on. We did put Social Security in a trust fund. For 40 years they used every dime out of the Social Security trust fund. But we are in a wartime, ladies and gentlemen. We are spending a lot of money. Alan Greenspan and the economists said that the tax relief that Republicans put through actually accounts for 1.5 percent of the 3 percent growth that we are having in our economy. Interest rates are low. Inflation is low. The one area that is lacking is the stock market. The Senate has not passed the security act that will protect those people, and they have not passed that bill. The House has. As for a patients' bill of rights, we passed prescription drugs. The other body has not. At least if they pass it, we could come to a conference on it. It has not happened.

As for pension reform that was badmouthed by the gentleman from Maryland, 118 Democrats voted for it along with Republicans on pension reform. The other body has not acted upon that bill. I would tell my colleagues on the other side, your leadership did not vote for pension reform.

□ 1215

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. I thank the gentleman from yielding me this time.

It is most unfortunate, Mr. Speaker, that we are here again today once again extending the time limit on the passage of the appropriations bills under the guise of a CR. When we passed No Child Left Behind, we told the school districts of this Nation and the States of this Nation that if they would engage in the most dramatic reforms of this program in 30 years, that we would adequately fund those reforms in terms of professionalization of teachers, teacher recruitment, on directing more money to poor children and schools that do not have adequate resources to provide a first-class education.

Last year's funding level does not do the trick. School districts have already started this school year that carry them through our fiscal year. School districts in March will have to make determinations, certainly in California, about laying teachers off. If we have a CR that goes to March, if the Federal money is not forthcoming, then we start the process once again of starting and stopping reforms.

We have laid out a 12-year timetable to have all of our children proficient. We have laid out a timetable for schools to make adequate yearly progress in improving the test scores and proficiency of each and every student in the schools. That is the commitment we make; those are the reforms we imposed. But the other part

was accountability. It was about schools being held accountable, about teachers being held accountable, about students being held accountable. But where is the accountability when the Congress cannot pass the Health and Human Services appropriation which includes the Department of Education? Where is the accountability when we do not have the fund for the next fiscal year in place so the schools can count on that and make the changes that are going to be required?

These reforms are very expensive. We believe they are worth it. We believe on a bipartisan basis they are worth it. We believe as a Congress with the President of the United States that they are worth it.

But we have no education bill. We simply do not have it. It is not a political trick. We do not have the bill. It is not here. It was promised to us, the first bill up when we returned from the August break. It is now October and no bill. It is not that the Senate does not have it; it is that we have not done it.

We have not done it because some on the other side of the aisle are insisting that we go to the President's numbers, which are not sufficient to allow us to carry out not only the school reforms, but many of the other educational projects in this country. Those numbers are not sufficient. The President, I am sure, sent those numbers up here knowing that Congress would add to them.

We think it is more important that we add to them. We have bipartisan agreement that they should be added to, and part of the caucus on the Republican side is arguing that they will not vote for the bill because it does not provide sufficient education funding. Another part says it provides too much. And for that reason we do not have a bill today.

For that reason we are here with a continuing resolution because, if I understand the chairman of the Committee on Appropriations and the ranking member, the rest of the bills we are fairly close on. But this is the logjam, this is the log that is crossways in the stream on the appropriations bill, because until this is resolved, no other bills can be resolved.

So now we have a continuing resolution. What that does is it bites into the planning, it bites into the reforms that we have offered for the Nation's schools' children, and we know as a Nation these reforms are desperately needed. These standards must be met if America's children are going to take place in the American society of the future, of America's future economy. If these children are going to participate to their full potential, these reforms are necessary, but they must be funded.

In fact, the easiest thing for a State superintendent to do is say Congress missed the deadlines on funding; I am off the hook. We should not allow that to happen. We have got to have an education bill, and I would hope that this

contest in the Republican caucus would get resolved and we could get on with the children's business and the children's education in this Nation.

Mr. YOUNG of Florida. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Ohio (Mr. BOEHNER), who is chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, I want to thank the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, and congratulate both him and the gentleman from Wisconsin (Mr. OBEY) for dealing with what is a very difficult year. And I think part of this debate is a bit disjointed because we are looking at the second half of the process, the appropriations process, when, in fact, we know the first half of the process, the budget process, has fallen apart.

The House did its job back in April, passed our budget, made our decisions. Our friends on the other side of the aisle offered no alternative, and there was no vote, but the House did, in fact, pass a budget.

The Senate has yet to pass a budget. There has been no agreement between the two bodies on the numbers, and as we know, the appropriations process without a budget resolution, without some agreement on the overall numbers, cannot go very far.

But I think it is important to remind our colleagues that there was no budget, and I am going to remind my colleagues once again what Dave Broder said over the last several months when he said, "When the House was debating its budget resolution, the Democrats proposed no alternative of their own." "Rather than fake it, Democrats punted."

"The budget resolution," he went on to say, ". . . is designed to be the clearest statement of a party's policy priorities. As long as they are silent, the Democrats cannot be part of serious political debate."

The fact is we still have not seen a budget from the other side of the aisle. We still have no resolution on the budget, and as we look toward the issue of education, I was proud to work with the gentleman from California (Mr. GEORGE MILLER), who just spoke before me, to produce the No Child Left Behind Act. We have had a tremendous increase in education funding over the last 5 or 6 years, some 300 percent increase in special education funding; 113 percent increase in funding for Title I, the largest of the programs designed to help poor schools and poor children to get a better shot at a decent education.

And my colleagues do not have to take my word for it. Let us take the National Journal. The National Journal points out that over the next 5 years, if we look at the increases, education is up 40 percent. The only two programs that are higher over the next 5 years in the President's budget are Medicaid and Federal correctional activities. And, it goes on, the 40 percent increase over the next 5 years is more

than what the President calls for for increases in national defense at 27 percent and increases in Federal law enforcement at 28.6 percent.

Obviously two of the highest priorities that we have in the country today are getting significant increases, and yet education still comes in at a much higher increase, and we have to remember this is on top of what this Congress and this President have done over the last 2 years to meet our commitments to help poor kids.

Now, the gentleman from California (Mr. GEORGE MILLER) knows, and I think the gentleman from Wisconsin (Mr. OBEY) knows, that we are going to meet our commitments to ensure that no child is left behind. We are going to meet our commitments, and we are going to make sure that this law works so that every child in America, regardless of their race, regardless of their income, and regardless of where they live, get a decent education. We know that all kids can learn. We have to ensure that all kids have an opportunity to learn.

So I would urge my colleagues rather than to throw partisan barbs here on the House floor, why do you not bring a budget, why do you not show us how you are going to get there, why do you not help us make the decisions that we need to make in order move this along?

Mr. GEORGE MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. BOEHNER. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Just two points, Mr. Speaker. One is members of the Democratic caucus did offer a budget, or tried to offer a budget, the Blue Dogs. The gentleman may ask what is the gentleman from California doing making the case for the Blue Dogs' budget? I voted for it, I think, the last several years.

And the other point is could the gentleman enlighten us as to when you are going to meet these education numbers? Has the gentleman been informed when this is going to happen?

Mr. BOEHNER. Mr. Speaker, reclaiming my time, the gentleman knows there has been no agreement between the two bodies on an overall spending number, and until there is, how do we move this process along?

I have great regard for the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) in the difficult task they have trying to move these pieces without some overall agreement on a number. One cannot run a household this way; we certainly cannot run a Congress this way.

And I think the gentleman knows full well that there is going to be an agreement. I would rather have the agreement today, but when are my friends across the aisle going to put a number on the table and say, let us begin the negotiations? As Dave Broder said in his column, as long as the Democrats are silent, they cannot be part of a serious political debate.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I would just say to the gentleman from Ohio (Mr. BOEHNER) and the chairman of my committee we have not been silent. We offered a budget alternative. We were not allowed to put that budget alternative in place, and the fact of the matter is you can keep saying that the budget is keeping you from doing your work, but you have already reached agreement on the military construction bill in defense appropriations. We are right there. That is done. Both Houses are working on it. So that was not an impediment there.

Let us get on with the other national priority that the gentleman in the well just spoke about, and that is education. Let us do that. You were able to do tax cuts without a budget. You were able to get rid of all the money. You were able to take care of the wealthiest people in the country without a budget. But now you need a budget to take care of the poorest children in the country. I mean, you are starting to act like Enron executives. You are going to take care of us first, and then if there is anything left over, we will take care of the shareholders and employees, or if there is nothing left over, we will go bankrupt.

That is kind of where we are. We have this huge debt. We have not taken care of the poor children in the country. We have taken care of the richest people, and we cannot get a time certain as to when we will get on with the rest of the business of this country. And you say it is because you do not have a budget, but without a budget you gave away taxes. Without a budget you arrived at defense numbers, you arrived at military construction numbers, but you cannot arrive at education numbers. The argument just does not hold. It just does not hold. And we ought to reject this CR, and you ought to go back to work over the weekend and get your work done.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Ohio is suggesting that somehow because the budget resolution has not been agreed to by both parties, that we cannot proceed on appropriation bills. I would ask him when was the budget resolution approved in fiscal 1999?

I guess the gentleman has left the floor. But the answer is it was never approved, and despite that fact, this House completed action on 12 of its 13 appropriation bills.

The gentleman is desperately looking for a way to blame anybody except ourselves for the fact that this House is not doing its business. We do not need to have a budget resolution passed for the House to pass its appropriation bills. We passed a number of appropriation bills already without an agreement between the Senate and the House on a budget resolution. Why cannot we also pass the Labor-H bill? It is because the majority party leadership does not know which way to turn, and

so they are spinning in circles instead. That is the problem.

Secondly, I would point out that the gentleman is talking about what is being promised in the future by the Republican budget. Let me point out I am more interested in what is being delivered, and if we take a look at the President's budget for Title I, the President's budget falls \$4 billion below the promises in the bill that the gentleman from Ohio brought to the floor. So forget the promises, baby. Where is the delivery?

Then let us take special education, both parties crying all over the floor about the fact we do not provide enough for special education. When we look at the President's budget, the President's budget for education falls far below, at least half a billion dollars below, where it would be if we were to keep the increases for special education that we have had the last 5 years. Then if we take a look at the kids who are having trouble with English and need to learn English, what do you do there? You cut them 10 percent on a per-student basis under the President's budget.

□ 1230

So do not give me this baloney about what future authorization propositions you are making. I am interested in what you are delivering, and right now you are delivering zip; you are delivering nothing.

The President is suggesting we have a hard freeze on the education budget. If you are comfortable with that, bring it out. The gentleman from Texas (Mr. DELAY), the distinguished whip, is standing there grinning. He may think it is funny that he does not have the capacity to bring forth an education budget; he may think it is funny that people are losing their health insurance and the President is cutting back health programs by \$1.4 billion, but we do not think that is funny.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Speaker, in these days of ongoing concern about corporate accountability and the way that we handle money and the way we describe money, one would think that fiscal responsibility would be our general practice. The rhetoric has been particularly shrill, I have noticed from the Democrats, screaming about wanting fiscal responsibility; and yet it does not seem like we are consistent here somehow today.

First of all, the fact is that Federal law requires the Senate to pass a budget resolution. The fact is that the Senate has not passed a resolution for the first time in 20 years. The resolution before us is consistent with fiscal responsibility. If we take a look at where we are, every person in our country owes \$12,000. That is not good fiscal responsibility. The proposal before us is going to cut that \$12,000 down by 2; at least it is going in the right direction.

The Democrat plan from the Senate side says \$5,000 more we are going to spend. That is not fiscal responsibility.

The simple facts are that we have a very simple plan that is being proposed by the Democrats: if you cannot afford it, just charge it. It is simple, but it is not fiscally responsible.

Mr. Speaker, we need to pass this CR and move our country ahead.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, when the Committee on Appropriations met to craft this package, it denied Amtrak's request for \$1.2 billion for the coming fiscal year. The chief executive officer of Amtrak, David Gunn, said they cannot operate a national system of intercity passenger trains for less than \$1.2 billion; maybe \$1.1 billion, but certainly not much less than that. The Inspector General of DOT and other individual observers have said, clearly, Amtrak needs that \$1.2 billion simply to continue existing operations. More is needed to bring the system up to a state of good repair; yet the Committee on Appropriations approved \$762 million, far short of what is needed.

In addition, the committee included language that limits the amount of funding to operate a national network of long-distance trains to \$150 million. Now, that is micromanaging Amtrak; and that is less than half of what is needed and what was available for fiscal year 2002, the just-concluded fiscal year.

That means that a dozen long-distance trains are going to be shut down in this coming fiscal year. Mr. Speaker, 13 of 18 long-distance trains will be shut down in order to reduce the deficit to \$150 million. That means 2,300,000 passengers will lose service: the Sunset Limited from Orlando to Los Angeles, the California Zephyr from Chicago to Oakland, the Southwest Chief from Chicago to Los Angeles, the City of New Orleans from Chicago to New Orleans. In fact, nine of those 13 have service running through Chicago, the heartland of America's rail sector, for well over a century.

The only remaining long-distance trains will be one operating on the West Coast, the Empire Builder from Seattle to Chicago, and the New York-Florida service. We will no longer have a national intercity passenger rail system. If we simply remember and recall back to September 11, when all air service was shut down, the only way people moved, apart from personal cars and Greyhound and other intercity bus service, the mass transit system was our Amtrak system. And when these trains are gone, they are gone forever. The cost of bringing them back up will be prohibitive. That is not what this country needs, that is not what the public wants, and we should not be a

Third World Nation when it comes to intercity passenger service. We ought to be a first-rank Nation.

Mr. Speaker, I urge the committee to go back, do its serious business, restore these funds. We have now a president of Amtrak who really understands railroading who, given the money, will do the job right and put our system back on its feet and make it operate appropriately.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 30 seconds simply to say that based on OMB's analysis of the continuing resolution, Amtrak would do very well on an annualized basis; their share would be \$1.1 billion, and I tend to be one of those who support Amtrak and believe that the Nation has got to maintain the ability to move goods and people by rail and by highways, as well as by air. But OMB believes that Amtrak does very well under the amortized CR.

Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from Iowa (Mr. NUSSLE), the chairman of the House Committee on the Budget, which, in fact, did pass a budget this year.

Mr. NUSSLE. Mr. Speaker, I thank the chairman for yielding me this time.

I rise reluctantly today in opposition to this resolution and I would like to explain why. I support Congress taking the necessary legislative steps, since Congress has not yet passed an appropriation bill for many of the subcommittees of jurisdiction, so that we can ensure the continuous operation of the government; but I believe there is a better way to accomplish this; and, therefore, I cannot support this resolution. It is on one principled basis, and that is that we need to control spending.

The resolution provides a funding formula that I believe is flawed. The formula assumes that all one-time emergency spending passed by the Congress in response to the events of September 11 continues permanently. There is probably no better example of the problem and an illustration of this problem than the Pentagon. Under this flawed formula, funding for rebuilding the Pentagon would continue every year in perpetuity, even though the Pentagon has been rebuilt.

Last week, when the House considered its first continuing resolution, I raised this very issue in a colloquy with the very distinguished chairman of the Committee on Appropriations. I was given some assurances by the chairman that this issue could and would be addressed in future continuing resolutions; and unfortunately, this issue has not been addressed in the resolution before the House today.

It is only fair to point out that there appears to be great consensus in the Congress and in the administration that the true one-time expenses for the responses to September 11 should be just that: one-time expenses. In fact, the Office of Management and Budget

has identified \$16 billion of these one-time expenses. While it is said that \$16 billion in one-time expenditures will not be funded again through administrative action, Congress also needs to act. It is our responsibility under the Constitution.

Therefore, Mr. Speaker, there is a better way. I hope that in future bills that they can recognize this better way, and I reluctantly oppose this continuing resolution.

Mr. OBEY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I am amazed by what I have just heard from the gentleman from Iowa. Apparently, the gentleman is only now beginning to face what a miserable mess is often created when we have to run the government under continuing resolutions. I would simply say that there are a lot of things in the continuing resolution that the gentleman from Florida and I do not like; but the fact is, when we are prevented from doing our work in passing the regular appropriation bills, then, in the end, we are stuck with only one alternative, and that alternative is to simply run the government by formula until people come to their senses. So that is what this continuing resolution has to do.

Apparently, the gentleman from Iowa is only now beginning to understand what a mighty mess he and his colleagues have created. Now, he was talking about one-time spending, as though that is a clearly defined item, and he uses as his example the Pentagon. Well, I would point out that the Pentagon was repaired as a result of the hit that we took on September 11, but the Pentagon reconstruction project was going on before that time as well. We were upgrading safety at the Pentagon; and without those upgrades, a lot more people could have died in the hit on September 11.

So we have now one section of the Pentagon that is reconstructed with a lot more safety measures included in the rest of the building, but there are still four wings left to go. Now, I do not know how the gentleman from Iowa feels; but as far as I am concerned, we need to continue that reconstruction work at the Pentagon so that we can make all of the wings of the Pentagon as safe as the new wing has been made with its construction program. And I make no apology for the fact that that program will continue under the continuing resolution. It should and it must if we are concerned about the safety of people who work at the Pentagon.

Beyond that, I would note that another example used by OMB of one-time spending is the national pharmaceutical stockpile. Well, that is true. We spent a lot of extra money last year on that program, but now we are also being asked by the President to purchase anthrax vaccines for everybody. I assume the gentleman would like to see that continue, even though that would be defined as a continuation of a

so-called 1-year expenditure. Again, I make no apology for the fact that the continuing resolution will allow that to continue.

So I think before the gentleman takes an oversimplified look at what constitutes 1-year spending, he ought to ask whether or not that spending is justifiably continued, because we have higher priorities such as keeping all of the people at the Pentagon more safe and seeing to it that this country has an adequate pharmaceutical stockpile.

I would also note the gentleman is going to be asked to provide several billion dollars in directed scoring for the defense budget. I believe the gentleman provided that last year; and yet he did not want to do the same thing for highway spending. If that is the case, that is the gentleman's prerogative, but it means that the bill that contains an important bridge in his district is not going to be able to go forward on this House floor. So when we look at the details, I think we will find reasons why some of this funding continues, even though if we take a look at a brief staff memo on it, one might conclude that it is all not worth it. I think some of it is, and I think I have just cited several cases that are.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Texas (Mr. DELAY), the majority whip; but before he begins, I would like to notify the gentleman from Wisconsin (Mr. OBEY) that the gentleman from Texas (Mr. DELAY) will be the last speaker, and then I will reserve and have a closing statement.

Mr. DELAY. Mr. Speaker, I appreciate the chairman yielding me this time.

I have been down in my office watching this debate on television, and I find it very interesting. A lot of the debate is over process. Some are saying, we passed a budget, the Senate did not pass a budget; back and forth, talking about process, bringing bills to the floor, not bringing bills to the floor, and I decided to come up to the floor to try to put it all into perspective.

The point is that, yes, in process, I congratulate the chairman of the Committee on Appropriations. He has done an incredible job in trying to hold down spending and bring a little fiscal responsibility to this process.

□ 1245

The President of the United States said when he first took office that we needed to get our fiscal house in order, that we needed to restrain spending, we needed to be fiscally responsible. We wanted to keep the balanced budget that we had. We wanted to continue to pay down the debt. That is what this Republican House has been doing for the last 8 years.

I have heard people on the floor say it was the Clinton administration that brought about the balanced budget and the surpluses that we were enjoying and using to pay down the public debt

on our children. I see history a little bit differently. In 1993, when Bill Clinton became President, we found deficits to the tune of \$250-, \$300 billion every year, year in and year out.

The two budgets that the Democrat House at that time, in 1993 and 1994, passed had deficits of \$250 billion, \$300 billion, as far as the eye could see. They never intended to balance the budget. There was no initiation by the President of the United States or this Democrat House, Democrat-controlled House, they never offered a budget that would get us to balance. In fact, they raised taxes as they increased spending, and the deficits continued.

When the Republicans took over in 1995, they laughed at our Contract with America, but part of that contract was to balance the budget. They said that we could never do it. I remember the Washington pundits all saying that there was no way we could balance the budget under the present conditions, but we started doing things differently.

In fact, I remember the Balanced Budget Act of 1997 that the President vetoed, fought over, shut down the government. We fought like cats and dogs out here. They never voted for it. The other side of the aisle never voted for it; yet, we finally got it into law. That was the beginning of fiscal responsibility initiated by this Republican House, pushed by this Republican House, and fought for by this Republican House, which was a great signal to the economy, by the way. That along with the growth in the economy is what created the balanced budget that we were enjoying. We did it in the face of opposition like I have never seen before; yet, after it was done, even this morning, they took credit for it.

Now, the problem, as we have seen over the last year, as the President has rightly pointed out, is that we were attacked. We are at war. We have security issues that have driven up spending. The economy is slowing, so the revenues are slower than normal. There are other issues.

There are other issues that have caused this problem, but instead of them talking about how do we get back to balance, what this argument has been going on, as I watched it all this morning and this afternoon, is they want to spend more. The reason they vote against the bills for the last 8 years, the appropriation bills, is because it is not enough spending for them. What we are trying to do here during this whole process is to bring some fiscal responsibility to what this government does.

They vote against bills that do not have enough spending, and they keep voting. They want to bring bills out here so they can continue to spend more. Their interest is to spend more; our interest is to bring fiscal responsibility to government and, most importantly, protect the taxpayers' money. That is what this argument is all about.

The President of the United States said, send me a bill anywhere over my

budget numbers, and I will veto it. Do Members know what: The Republicans in the House partner with the President and we say the same thing, so we are not going to send him a bill to veto that is overspending. We are bringing fiscal responsibility to this floor. They want to tax and spend; we are trying to do the right thing. I think the American people appreciate it.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, it is amazing how we can rewrite history on the floor of the House. On the economy and the actions of this body that took place from 1990 until this year. Let me quickly review.

The 1990 budget took Democratic support along with Republican support in a bipartisan way that laid the foundation on the budget rules and the economy that ultimately balanced the budget in 1993. The budget in 1993, not a single Republican voted for the 1993 budget, which put the walls up on the economy that we enjoy today.

In 1997, it took Democrats to work with some Republicans to pass the 1997 budget that has gotten a lot of credit, much of which was not due, but it at least was part of the process. Every time we have made decisions that move the country forward, we have done it in a bipartisan way.

I, again, have no quarrel with the appropriators, the gentleman from Florida (Chairman YOUNG), or the manner in which the chairmen and the ranking members are proceeding forward. My quarrel is with the economic game plan that has gotten us to the point that we have borrowed now \$440 billion, \$440 billion during the last year.

The majority whip just stood up here and defended the economic game plan that he is proud of, that he is responsible for, for making certain that this Congress does not do anything other than what he wants to do, and he refuses to take the credit for that which he has wrought.

What is interesting today is we look at corporate America and the unfunded liabilities of pension plans all over the country which corporate America is having to come up with the money to fund, but yet we in this House refuse to come up with the money to fund the unfunded liabilities of the Social Security system, the Medicare, the Medicaid, the veterans, all of this. We refuse to because that was not in the budget that everybody over here is so proud of.

I wish Members would quit coming to the floor and saying there was no Democratic alternative, because they know it is not true; there was a Democratic alternative. We offered it. We lost. We lost. We did not have the votes. When we do not have the votes, we lose; but quit saying we had no alternative. We did have an alternative,

and if we followed it, we would not be in quite as deep a hole as we are in today.

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

Mr. Speaker, the previous Republican speaker is the majority party whip. It is his job to line up votes to pass every bill that the Republican leadership brings to the floor.

The reason we are seeing no appropriation bills come to the floor is because he cannot find the votes in his own caucus for the President's education budget, so his answer to everything is, delay and delay and delay.

What I would suggest to the gentleman, he is absolutely right: On this side of the aisle, we do want to provide more money for education than the President; we do want to provide more money for environmental protection; and we do want to provide more money for health care, because too many people are losing health coverage, and we need to do something about it.

Now, I would say to the gentleman from Texas (Mr. DELAY), he gives great speeches about how the Democratic position in wanting to do those three things is irresponsible. If Members think it is, put it to the test: Bring the bill out. It is their bill, they are in the majority, and they ought to have the votes to pass their bill. If they do not, it is because people in their own caucus are telling them it is cockamamie.

If Members want to see movement in this House, bring the bills out, and they should take their chances. If they have the best arguments, they will whip us. But just because they think we in the minority are wrong is no excuse for their doing nothing at all.

Right now that is what the majority party whip is leading his caucus to do: no action on education; no action on health care; no action on housing; no action on environmental cleanup; no action on agriculture; nothing but delay, delay, delay, and duck. What leadership. It is dazzling in its irresponsibility.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I wanted to explain to the Members why my friend and colleague, the gentleman from Wisconsin (Mr. OBEY), is in such a good mood today: Today is his birthday; and he is not getting much older, but he is getting a little older.

I remember one night we kept him here late on an appropriations bill, and it was his wedding anniversary. We all had to call and apologize to his wife. But anyway, I say to the gentleman from Wisconsin, happy birthday.

Mr. Speaker, what we are dealing with today is not a tax bill, it is not a budget resolution, and unfortunately, it is not even an appropriations bill, one of the 13 regular bills; it is a continuing resolution that just continues the same CR that we passed last week. It merely extends the date, it does not change anything else.

Some things have been raised here today that have to do with the Committee on the Budget. I thought I might want to respond to that. For example, it was suggested by a member of the Committee on the Budget that we were going to rebuild the Pentagon twice. That is not true. We are not going to do that.

First of all, the money to rebuild the Pentagon was in the initial \$40 billion emergency supplemental that we passed in a bipartisan way with the help of the gentleman from Wisconsin (Mr. OBEY) to fight back against terrorism, to recover in New York, and to rebuild the Pentagon, so that was in that bill. It is not an issue.

We do work with OMB as we deal with the numbers on appropriations bills, and the letter here from Mr. Daniels talking about the CR, the language of the CR, and Mitch Daniels is the Director of the Office of Management and Budget. He said, "Consistent with past practice, we will reduce one-time non-recurring costs. Example: We will not rebuild the city of New York twice, we will not rebuild the Pentagon twice."

So based on the Office of Management and Budget's preliminary spending on this resolution, spending on an annual basis would be below the 2003 budget that was submitted by the President and below the House-passed budget resolution. So I do not know where the excitement comes from from members of the Committee on the Budget.

Now, another issue was raised, and I am glad my friend, the gentleman from Texas, is still on the floor. He did talk about pay-go. Pay-go has to do with mandatory spending. Pay-go is a requirement in mandatory spending that the salaries would have to be increased based on the law, but that that cost would have to be offset. But that is not in this bill, because this is not a budget resolution.

If the Committee on the Budget is concerned about pay-go, they ought to put a resolution on the floor and deal with pay-go. Those rules, they did expire on October 1.

I brought up the issue of pay-go not so much to talk about that, but to talk about mandatory spending. For those who are concerned about what we are doing or not doing on appropriations bills, and for those who are concerned about the fact that the government spends too much money, let me suggest that discretionary spending, the appropriations that I deal with as chairman, that the gentleman from Wisconsin (Mr. OBEY) deals with as the ranking member, we deal with one-third of the overall budget. Two-thirds, two-thirds of the government spending is mandatory, over which we as appropriators have no involvement whatever, except our vote on the floor. If we are serious about containing and constraining spending, we had better deal with mandatories.

One of the big issues that Members have heard me talk about on the floor

before was the agriculture bill that went \$100 billion over the baseline, and some of the very people concerned about the levels of spending on the discretionary accounts voted for that bill.

Now, if Members are going to be concerned about too much spending, pay attention to the mandatories, the back-door spending. Pay attention there as much as they do to the discretionary spending. Then we will have a fair and equal, balanced debate. But until we pay attention to mandatory spending, there is not a whole lot of room to talk on discretionary spending.

Mr. BLUMENAUER. Mr. Speaker, Tuesday of this week, the 2003 fiscal year began and Congress has not yet completed a single appropriations bill. The Republican party's split among its conservative members continues to stall the appropriations process. This failure to complete our budget and funding responsibilities leads to more strain on our fragile economy. I again support this short-term resolution to keep agencies operating, but I urge leadership to move the appropriations process along so we can find the education programs we promised in the No Child Left Behind Act; so we can find the technology and new-hires needed for seaport and airport security; and, so we can find the many other priorities and commitments that the American people expect of us.

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

The SPEAKER pro tempore (Mr. SIMPSON). The joint resolution is considered as having been read for amendment.

Pursuant to House Resolution 568, the previous question is ordered.

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 passage of the joint resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 404, nays 7, not voting 20, as follows:

[Roll No. 439]

YEAS—404

Abercrombie	Ballenger	Berry
Ackerman	Barcia	Biggart
Aderholt	Barr	Bilirakis
Akin	Barrett	Bishop
Allen	Bartlett	Blagojevich
Andrews	Barton	Blumenauer
Armey	Bass	Blunt
Baca	Becerra	Boehner
Bachus	Bentsen	Bonilla
Baird	Bereuter	Bono
Baldacci	Berkley	Boozman
Baldwin	Berman	Borski

Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummins
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon

Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslie
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Klecza
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)

McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-
McDonald
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Obey
Oliver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascarell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Badanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryan (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays

Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sununu

Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Townes
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden

Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

further weakening their ability to provide health care to the indigent and uninsured.

Whereas federal payments to states for this program have been reduced by approximately \$700 million in FY 2002 and will be reduced further by about \$900 million in FY 2003, thus severely restricting public hospitals' ability to serve persons in need of health care.

Whereas the number of uninsured persons without access to health care has risen in the last year to 41.2 million.

Whereas by failing to act Congress imposes on the states and localities an undue burden to carry health care costs as well as abrogates its responsibility to maintain the general welfare of the country, bringing discredit to this Body and threatening the very well-being of the populace.

Now, Therefore, Be It Resolved that it is the sense of the House of Representatives that the Congress should complete action on H.R. 854 or other provider reimbursement legislation before recessing and should insure that Medicare and Medicaid providers have appropriate funds to carry out their health care mandates.

The SPEAKER pro tempore. The Chair will hear briefly from the proponent of the resolution as to whether the resolution constitutes a question of privileges of the House under rule IX.

Mr. FARR of California. Mr. Speaker, rule IX of the House Rules Manual states that questions of privilege are "those affecting the rights, reputation, and conduct of, Members, Delegates, or the Resident Commissioner, individually, in their representative capacity only."

The rights, reputation and conduct of this Member are negatively affected when the House cannot move legislation that the American people overwhelmingly support. That is true when it comes to full funding for education, for prescription drug, HMO reform and economic recovery.

I, like others, represent 700,000 people. My rights and those of my constituents are being denied when urgent legislation that has majority support is blocked from consideration simply because the Republican leadership will not schedule the bill.

As a result, I believe this resolution meets the test of privilege.

While the health care safety net is under particular strain, general health care providers, hospitals, doctors and home health care agencies are facing disastrous financial circumstances.

The Disproportionate Share Hospitals, also known as DSH hospitals, cuts first enacted in the Balanced Budget Act of 1997 were initially postponed, but now are scheduled to go back into force, creating a health care havoc for hospitals across this Nation. In California alone, the DSH cuts total \$184 million and will grow exponentially if we do not act to correct this situation. The hospital system in California, nor in any other State, can absorb this level of funding reduction. We have to act now.

Other provider reimbursement programs are facing similar financial catastrophe. Physician reimbursements were reduced by 5.4 percent in January of this year and are scheduled to decline by another 17 percent by the year

NAYS—7

Paul

NOT VOTING—20

Baker
Boehlert
Bonior
Callahan
Clement
Cooksey
Deal

Fattah
Green (TX)
Hastings (FL)
Hilleary
Lampson
Larsen (WA)
Lewis (CA)

Mascara
Roukema
Schrock
Stump
Tanner
Tierney

□ 1320

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—
SENSE OF HOUSE THAT CONGRESS SHOULD COMPLETE ACTION ON H.R. 854 OR OTHER PROVIDER REIMBURSEMENT LEGISLATION

Mr. FARR of California. Mr. Speaker, I rise to a question of the privileges of the House and offer a privileged resolution that I noticed pursuant to rule IX and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. THORNBERRY). The Clerk will report the resolution.

The Clerk read as follows:

Whereas President George W. Bush has urged Congress to put Medicare on a "sustainable financial footing" in order to assure Americans of affordable and accessible health care.

Whereas the Administration has failed to take action to protect Medicare and Medicaid programs from severe cuts that threaten basic services to persons in need of health care.

Whereas the Medicaid program is facing significant cuts through reductions in the disproportionate share hospital program, threatening the very financial viability of the nation's public hospitals.

Whereas the cuts made in order by the Balanced Budget Act were postponed until 2003 by the Benefits Improvement and Protection Act but without further congressional action cuts will be reimposed and have the potential to seriously cripple safety-net public health services in states across the nation.

Whereas, in addition to slashing payments to hospitals the Administration has also eliminated the UPL payments for hospitals,

2005. Just 2 days ago, a 10 percent reduction in nursing reimbursements to nursing homes and skilled nursing home facilities was implemented. How are these critical facilities supposed to cope? How will their patients fare unless Congress addresses a reasonable level of care?

States and localities that operate hospitals and health clinics to treat the indigent and low-income populations rely on Medicaid revenues to help cover their costs. Low provider rates compound the effects of other losses that these facilities will be experiencing this year, including the dramatic drop in Federal revenues from the DSH cliff and reductions in State support, and reductions in the State support because of the implications at the State level.

I urge this body not to recess unless we can correct the problem and make sure that basic health care providers, our public hospitals and doctor networks, have the funds they need to give care when and where it is needed. It is our duty as the legislative branch of government not to abandon these responsibilities. We must do this, and we have to do it now.

I ask for support of my resolution.

The SPEAKER pro tempore. The Chair is prepared to rule on whether the resolution offered by the gentleman from California constitutes a question of the privileges of the House under rule IX.

The resolution offered by the gentleman from California expresses the sense of the House that the Congress should complete action on a legislative measure. Specifically, the resolution calls upon the Congress to complete action on a specific health care bill or other similar legislation and to ensure that health care providers are adequately funded.

As the Chair ruled yesterday, a resolution expressing the sentiment that Congress should act on a specified measure does not constitute a question of privileges of the House under rule IX.

The Chair would further add that the Chair understands the gentleman from California purported to invoke a question of the privileges of the House rather than a question of personal privilege.

Accordingly, the resolution offered by the gentleman from California does not constitute a question of the privileges of the House under rule IX and may not be considered at this time.

Mr. FARR of California. Mr. Speaker, I appeal the ruling of the Chair, and I ask to be heard on the appeal.

□ 1330

The SPEAKER pro tempore (Mr. THORNBERRY). The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. HULSHOF

Mr. HULSHOF. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Missouri (Mr. HULSHOF) to lay on the table the appeal of the ruling of the Chair.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 206, nays 192, not voting 34, as follows:

[Roll No. 440]

YEAS—206

Aderholt	Goss	Pitts
Akin	Graham	Platts
Armey	Granger	Pombo
Bachus	Graves	Portman
Ballenger	Green (WI)	Pryce (OH)
Barr	Greenwood	Putnam
Bartlett	Grucci	Quinn
Barton	Hansen	Radanovich
Bass	Hart	Ramstad
Bereuter	Hastert	Regula
Biggert	Hastings (WA)	Rehberg
Bilirakis	Hayes	Reynolds
Blunt	Hayworth	Riley
Boehlert	Herger	Rogers (KY)
Boehner	Hobson	Rogers (MI)
Bonilla	Horn	Rohrabacher
Bono	Hostettler	Ros-Lehtinen
Boozman	Houghton	Royce
Brady (TX)	Hulshof	Ryan (WI)
Brown (SC)	Hunter	Ryun (KS)
Bryant	Hyde	Saxton
Burr	Isakson	Schaffer
Burton	Issa	Sensenbrenner
Buyer	Istook	Sessions
Calvert	Jenkins	Shadegg
Camp	Johnson (CT)	Shaw
Cannon	Johnson (IL)	Shaays
Cantor	Johnson, Sam	Sherwood
Capito	Jones (NC)	Shimkus
Castle	Kelly	Shuster
Chabot	Kennedy (MN)	Simmons
Chambliss	Kerns	Simpson
Coble	King (NY)	Skeen
Collins	Kingston	Smith (MI)
Combest	Kirk	Smith (NJ)
Crane	Knollenberg	Smith (TX)
Crenshaw	Kolbe	Souder
Cubin	LaHood	Stearns
Culberson	Latham	Sullivan
Cunningham	LaTourrette	Sununu
Davis, Jo Ann	Leach	Sweeney
Davis, Tom	Lewis (KY)	Tancredo
DeLay	LoBiondo	Tauzin
DeMint	Lucas (OK)	Taylor (NC)
Diaz-Balart	Manzullo	Terry
Doolittle	McCrery	Thomas
Dreier	McHugh	Thornberry
Duncan	McKeon	Thune
Dunn	Mica	Tiahrt
Ehlers	Miller, Dan	Tiberi
Ehrlich	Miller, Gary	Toomey
Emerson	Miller, Jeff	Upton
English	Moran (KS)	Vitter
Everett	Morella	Walden
Ferguson	Myrick	Walsh
Flake	Nethercutt	Wamp
Fletcher	Ney	Watkins (OK)
Foley	Northup	Watts (OK)
Forbes	Norwood	Weldon (FL)
Fossella	Nussle	Weldon (PA)
Frelinghuysen	Osborne	Weller
Gallely	Ose	Whitfield
Gekas	Otter	Wicker
Gibbons	Oxley	Wilson (NM)
Gilchrest	Paul	Wilson (SC)
Gillmor	Pence	Wolf
Gilman	Peterson (PA)	Young (AK)
Goode	Petri	Young (FL)
Goodlatte	Pickering	

NAYS—192

Abercrombie	Andrews	Baldacci
Ackerman	Baca	Baldwin
Allen	Baird	Barrett

Becerra	Hinojosa	Obey
Bentsen	Hoeffel	Oliver
Berkley	Holden	Ortiz
Berman	Holt	Owens
Berry	Honda	Pallone
Bishop	Hoolley	Pascarell
Blagojevich	Hoyer	Pastor
Blumenauer	Inslee	Payne
Bonior	Israel	Pelosi
Borski	Jackson (IL)	Peterson (MN)
Boswell	Jackson-Lee	Phelps
Boucher	(TX)	Pomeroy
Boyd	Jefferson	Price (NC)
Brady (PA)	John	Rahall
Brown (FL)	Johnson, E. B.	Rangel
Brown (OH)	Jones (OH)	Reyes
Capps	Kanjorski	Rivers
Capuano	Kaptur	Rodriguez
Cardin	Kennedy (RI)	Roemer
Carson (IN)	Kildee	Ross
Carson (OK)	Kilpatrick	Rothman
Clay	Kind (WI)	Roybal-Allard
Clayton	Kucinich	Rush
Clyburn	Langevin	Sabo
Condit	Lantos	Sanchez
Conyers	Larsen (WA)	Sanders
Costello	Larson (CT)	Sandlin
Coyne	Lee	Schakowsky
Cramer	Levin	Schiff
Crowley	Lewis (GA)	Scott
Cummings	Lipinski	Serrano
Davis (CA)	Lofgren	Sherman
Davis (FL)	Lowey	Shows
Davis (IL)	Lucas (KY)	Skelton
DeFazio	Luther	Smith (WA)
Delahunt	Lynch	Snyder
DeLauro	Maloney (NY)	Solis
Deutsch	Markey	Spratt
Dicks	Matheson	Stark
Dingell	Matsui	Stenholm
Doggett	McCarthy (MO)	Strickland
Dooley	McCarthy (NY)	Tauscher
Doyle	McCollum	Taylor (MS)
Edwards	McDermott	Thompson (CA)
Engel	McGovern	Thompson (MS)
Eshoo	McIntyre	Thurman
Etheridge	McNulty	Tierney
Evans	Meehan	Turner
Farr	Meek (FL)	Udall (CO)
Filner	Meeks (NY)	Udall (NM)
Ford	Menendez	Velazquez
Frank	Millender-	Visclosky
Frost	McDonald	Waters
Gephardt	Miller, George	Watson (CA)
Gonzalez	Mollohan	Watt (NC)
Gordon	Moore	Waxman
Gutierrez	Moran (VA)	Weiner
Hall (TX)	Murtha	Wexler
Harman	Nadler	Woolsey
Hill	Napolitano	Wu
Hilliard	Neal	Wynn
Hinchee	Oberstar	

NOT VOTING—34

Baker	Hastings (FL)	McInnis
Barcia	Hefley	McKinney
Callahan	Hilleary	Roukema
Clement	Hoekstra	Sawyer
Cooksey	Keller	Schrock
Cox	Klecicka	Slaughter
Deal	LaFalce	Stump
DeGette	Lampson	Stupak
Fattah	Lewis (CA)	Tanner
Ganske	Linder	Towns
Green (TX)	Maloney (CT)	
Gutknecht	Mascara	

□ 1356

Ms. SOLIS and Mr. RAHALL changed their vote from “yea” to “nay.”

Mr. SMITH of Michigan changed his vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 448

Mr. CARSON of Oklahoma. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 448.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRIVILEGES OF THE HOUSE—INTEGRITY OF PROCEEDINGS AS PRESCRIBED BY THE CONSTITUTION

Ms. CARSON of Indiana. Mr. Speaker, I rise to a question of the privileges of the House, and offer a privileged resolution that I noticed yesterday pursuant to rule IX, and ask for its immediate consideration.

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

The Clerk read as follows:

Whereas under Article I, Section IX, of the Constitution states no money shall be drawn from the Treasury, but in Consequence of Appropriations made by law.

Whereas it is the fiscal duty of the Congress to appropriate annually the funds needed to support the execution of the programs and operations of the Federal Government.

Whereas to date the House has only considered five Appropriations bills.

Whereas President George W. Bush has ignored the requests of Amtrak for an Appropriation of \$1.2 billion, and has instead proposed only \$521 million in funding.

Whereas the House Appropriations Committee gutted funding for Amtrak with every Republican member of the Committee voting to cut funding, despite the dire impact this will have on their own districts.

Whereas instead of strong support and consistent growth in support for the nation's passenger rail system the President's FY 2003 Budget seeks to strangle Amtrak so that the Administration can begin to implement plans to privatize the system.

Whereas Amtrak provided a critical transportation need in the months after the terrorist attacks of September 11th, and has seen consistent growth in ridership despite continued levels of inadequate funding.

Whereas Amtrak serves more than 500 stations in 46 states and employs over 24,000 people, and Amtrak passengers on Northeast corridor trains would fill 250 planes daily or over 91,000 flights each year.

Resolved, That it is the sense of the House of Representatives that the Congress should complete action on the Fiscal Year (FY) 2003 Transportation Appropriations, with an allocation of \$1.2 billion for Amtrak.

□ 1400

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair will hear briefly from the gentlewoman from Indiana as to whether the resolution constitutes a question of privileges of the House under rule IX.

Ms. CARSON of Indiana. Mr. Speaker, article 1, section 9, of the Constitution states that no money shall be drawn from the Treasury but in consequence of appropriations made by law. It is the fiscal duty of the Congress to appropriate the money necessary to provide the funds needed to support the execution of programs and operations of the Federal Government. To date, only five of the 13 appropriations measures have been considered. Mr. Speaker, this inaction has hampered this body's constitutional duty and called into question its integrity.

The failure of this unrealistic budget resolution is especially true in respect to the fiscal year 2003 transportation appropriations bill in its funding for Amtrak. This inaction has hampered this body's constitutional duty. After the events of September 11, our Nation's air transportation system ground to a halt. After the Federal Aviation Administration grounded all flights following the terrorist attacks, travelers turned to Amtrak. Whether people had to travel for business, to help with rescue efforts or just to get home, Amtrak kept Americans moving during a time of national emergency. Amtrak ridership and revenues skyrocketed, led by the Northeast Corridor, which had a 13.5 percent revenue growth and a 4.6 percent ridership growth in 2001. For the system as a whole, revenue rose 8.2 percent and ridership 4.3 percent. The situation not only proved that Amtrak works but that passenger rail is a critical part of our transportation infrastructure.

Despite this, Mr. Speaker, we continue to drastically underfund Amtrak, jeopardizing not only the safety and security of this country but the jobs and the livelihoods of tens of thousands of Americans. We have been told that if Amtrak receives the full \$1.2 billion that both it and the Department of Transportation has recommended it receive, they will be able to begin to revitalize their operations, they will be able to revitalize and build upon the successes they have seen in the Northeast Corridor, they will be able to revitalize and build on rail service to areas of the country currently underserved by rail and, Mr. Speaker, they will be able to revitalize operations at their Beech Grove maintenance facility, which is in my district. They will be able to rehire the 228 employees who were furloughed back in February and rejuvenate a facility that has served this country since 1905. Workers at the plant right now are working 7 days a week to keep the facility running.

The SPEAKER pro tempore. The Chair requests the gentlewoman confine her remarks to the issue of whether the resolution constitutes a question of privileges of the House.

Ms. CARSON of Indiana. Mr. Speaker, my question of privilege regards the integrity of our proceedings as a House as prescribed by the Constitution. The United States Constitution conveys upon this body the power to originate appropriation measures. It is not only our responsibility but our duty and obligation to restate this message in this legislation about the importance of Amtrak.

I believe that we have probably not been in accordance with our constitutional responsibilities concerning appropriations and would argue that their continued inaction on such urgent priorities, as full funding of Amtrak, meets the test for privileged resolutions.

The SPEAKER pro tempore. The Chair is prepared to rule on the ques-

tion of whether the resolution offered by the gentlewoman from Indiana constitutes a question of privileges of the House under rule IX.

The resolution offered by the gentlewoman from Indiana expresses the sense of the House that the Congress should complete action on a legislative measure. Specifically, the resolution calls upon the Congress to complete action on a general appropriation bill with regard to prescribed funding for Amtrak.

As the Chair ruled yesterday and earlier today, a resolution expressing the sentiment that Congress should act on a specified measure does not constitute a question of the privileges of the House under rule IX.

The mere invocation of the general legislative power of the purse provided in the Constitution coupled with a fiscal policy end does not meet the requirements of rule IX and is really a matter properly initiated through introduction in the hopper under clause 7 of rule XII.

Accordingly, the resolution offered by the gentlewoman from Indiana does not constitute a question of the privileges of the House under rule IX and may not be considered at this time.

Ms. CARSON of Indiana. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Michigan (Mr. ROGERS).

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

RECORDED VOTE

Ms. CARSON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 203, noes 192, not voting 36, as follows:

[Roll No. 441]

AYES—203

Aderholt	Buyer	Diaz-Balart
Akin	Calvert	Doolittle
Armey	Camp	Dreier
Bachus	Cannon	Duncan
Ballenger	Cantor	Dunn
Barr	Capito	Ehlers
Bartlett	Castle	Ehrlich
Barton	Chabot	Emerson
Bass	Chambliss	English
Bereuter	Coble	Everett
Biggert	Collins	Ferguson
Bilirakis	Combest	Flake
Blunt	Cox	Fletcher
Boehler	Crane	Foley
Bonilla	Crenshaw	Forbes
Bono	Cubin	Fossella
Boozman	Culberson	Frelinghuysen
Brady (TX)	Cunningham	Gallegly
Brown (SC)	Davis, Jo Ann	Gekas
Bryant	Davis, Tom	Gibbons
Burr	DeLay	Gilchrest
Burton	DeMint	Gillmor

Gilman Lucas (OK)
 Goode Manzullo
 Goodlatte McCrery
 Goss McHugh
 Graham McKeon
 Graves Mica
 Green (WI) Miller, Dan
 Greenwood Miller, Gary
 Gucci Miller, Jeff
 Gutknecht Moran (KS)
 Hansen Morella
 Hart Myrick
 Hastings (WA) Nethercutt
 Hayes Ney
 Hayworth Northup
 Hefley Norwood
 Herger Nussle
 Hobson Osborne
 Hoekstra Ose
 Horn Otter
 Hostettler Paul
 Houghton Pence
 Hulshof Peterson (PA)
 Hunter Petri
 Hyde Pickering
 Isakson Pitts
 Issa Platts
 Istook Pombo
 Johnson (CT) Portman
 Johnson (IL) Pryce (OH)
 Johnson, Sam Putnam
 Jones (NC) Quinn
 Kelly Radanovich
 Kennedy (MN) Ramstad
 Kerns Regula
 King (NY) Rehberg
 Kingston Riley
 Kirk Rogers (KY)
 Knollenberg Rogers (MI)
 Kolbe Rohrabacher
 LaHood Ros-Lehtinen
 Latham Royce
 LaTourette Ryan (WI)
 Leach Ryan (KS)
 Lewis (KY) Saxton
 LoBiondo Schaffer

NOES—192

Abercrombie Doyle
 Ackerman Edwards
 Allen Engel
 Andrews Eshoo
 Baca Etheridge
 Baird Evans
 Baldacci Farr
 Baldwin Filner
 Barrett Ford
 Becerra Frank
 Bentsen Frost
 Berkley Gephardt
 Berman Gonzalez
 Berry Gordon
 Bishop Gutierrez
 Blagojevich Hall (TX)
 Blumenauer Harman
 Bonior Hill
 Borski Hilliard
 Boswell Meek (FL)
 Boucher Hinojosa
 Boyd Hoeffel
 Brady (PA) Holden
 Brown (FL) Holt
 Brown (OH) Honda
 Capps Hooley
 Capuano Hoyer
 Cardin Inslee
 Carson (IN) Israel
 Carson (OK) Jackson (IL)
 Clay Jackson-Lee
 Clayton (TX)
 Clyburn Jefferson
 Condit John
 Conyers Johnson, E. B.
 Costello Jones (OH)
 Coyne Kanjorski
 Cramer Kaptur
 Crowley Kennedy (RI)
 Cummings Kildee
 Davis (CA) Kilpatrick
 Davis (FL) Kind (WI)
 Davis (IL) Kleczka
 DeFazio Kucinich
 Delahunt LaFalce
 DeLauro Langevin
 Deutsch Lantos
 Dicks Larsen (WA)
 Dingell Larson (CT)
 Doggett Lee
 Dooley Levin

Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Schakowsky
 Schiff
 Scott
 Serrano
 Sherman

Roemer
 Ross
 Rothman
 Roybal-Allard
 Rush
 Sabo
 Sanchez
 Sanders
 Sandlin
 Schakowsky
 Simpson
 Schiff
 Scott
 Serrano
 Sherman

NOT VOTING—36

Baker
 Barcia
 Boehner
 Callahan
 Clement
 Cooksey
 Deal
 DeGette
 Fattah
 Ganske
 Granger
 Green (TX)

Shows
 Skelton
 Smith (WA)
 Snyder
 Solis
 Spratt
 Stenholm
 Strickland
 Tauscher
 Taylor (MS)
 Thompson (CA)
 Thompson (MS)
 Tierney
 Turner

Udall (CO)
 Udall (NM)
 Velazquez
 Visclosky
 Waters
 Watson (CA)
 Watt (NC)
 Waxman
 Weiner
 Wexler
 Woolsey
 Wu
 Wynn

HASTINGS of Florida, REYES, BOSWELL, PETERSON of Minnesota, and CRAMER.

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities: Messrs. STUMP, HUNTER, and SKELTON.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. GOSS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GOSS. Mr. Speaker, I may not have heard properly, but that list did not exactly conform to the list I submitted, and I want to make sure we remove any doubt.

The SPEAKER pro tempore. The Clerk properly read the list which was submitted by the Speaker. The Chair will take the gentleman's comments under advisement and make further adjustments in the future as needed.

□ 1436

Mr. HALL of Texas and Mr. WYNN changed their vote from "aye" to "no."

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MALONEY of Connecticut. Mr. Speaker, I was detained on Thursday, October 3, 2002, and missed rollcall votes Nos. 440 and 441. Had I been present, I would have voted "no" on rollcall No. 440 and "no" on rollcall No. 441.

I request that my statement appear in the RECORD at the appropriate place.

APPOINTMENT OF CONFEREES ON H.R. 4628, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from Florida? The Chair hears none and, without objection, appoints the following conferees:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. GOSS, BREUTER, CASTLE, BOEHLERT, GIBBONS, LAHOOD, CUNNINGHAM, HOEKSTRA, BURR of North Carolina, CHAMBLISS, EVERETT, Ms. PELOSI, Mr. BISHOP, Ms. HARMAN, and Messrs. CONDIT, ROEMER,

PERMISSION TO HAVE UNTIL MIDNIGHT, MONDAY, OCTOBER 7, 2002 TO FILE CONFERENCE REPORT ON H.R. 4628, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the managers may have until midnight on Monday, October 7, 2002, to file the conference report on the bill (H.R. 4628) to authorize appropriations for fiscal year 2003 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

There was no objection.

LEGISLATIVE PROGRAM

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, I yield to the gentleman from Ohio (Mr. PORTMAN) for the purpose of inquiring about the schedule for next week.

Mr. PORTMAN. Mr. Speaker, I appreciate the gentlewoman's indulgence, and I appreciate her yielding on the schedule.

Mr. Speaker, I am pleased to announce the House has completed its legislative business for the week. No votes are expected in the House tomorrow in order to allow Members to attend the funeral service for the Honorable Patsy Mink, our former colleague from the State of Hawaii.

The House will meet for legislative business on Monday, October 7, at 9:30 a.m. for morning hour and 11 a.m. for legislative business. The majority leader will schedule a number of measures under suspension of the rules, a list of which will be distributed to the Members' offices tomorrow. Recorded votes on Monday will be postponed until 6:30 p.m.

For Tuesday and the balance of the week, the majority leader has scheduled the following measures for consideration in the House: first, H.J. Res. 114, providing authorization for the use of military force against Iraq; second, a continuing resolution; and, third, H.R. 2037, the Protection of Lawful Commerce in Arms Act. Additionally, I am advised that conference reports may be brought up at any time during the week.

I thank the gentlewoman for yielding.

Ms. PELOSI. Mr. Speaker, reclaiming my time, I thank the gentleman for that information. I thank and hope he will convey the gratitude of the Members of the House who wish to attend the funeral of our dear friend and colleague, Congresswoman Patsy Mink, in Hawaii. I thank the Speaker and our distinguished minority leader for accommodating the request and making that possible.

I had some questions about the schedule. On the question of the Iraq debate, issues of war and peace are the most important decisions we make. In 1991, every Member was given the opportunity to speak for 5 minutes. What is the thinking of about how much debate we will have on this important resolution?

I yield to the gentleman from Ohio.

Mr. PORTMAN. I appreciate the gentlewoman yielding, and I thank her for her inquiry. As the gentlewoman knows, we are working closely with the minority leader both on substance and process. The Committee on International Relations is currently marking up the resolution. It is my understanding that the majority leader and the Speaker and the minority leader would intend to have ample time for a full and fair debate on that critical issue, as the gentlewoman says, of war and peace. But I know that there has been no decision made yet on time, nor has the Committee on Rules met to consider the rule.

Ms. PELOSI. Mr. Speaker, I thank the gentleman. Is the gentleman prepared to inform us whether alternatives will be allowed to the President's proposal?

Mr. PORTMAN. Mr. Speaker, if the gentlewoman will continue to yield, again, no decision has been made. We do not yet have the resolution out of the Committee on International Relations. It is my understanding that by 5 p.m. tomorrow Members are asked to submit possible amendments or substitutes to the Committee on Rules; and again, we then would be in a position to know better what the possibility is of the substitute or amendments. But we have nothing to announce definitively at this point.

Ms. PELOSI. Mr. Speaker, does the gentleman have any knowledge of the plans for next Friday? Will the House be in session?

Mr. PORTMAN. Mr. Speaker, again, if the gentlewoman will yield, there is no decision yet made as to whether we

will be in session on Friday. I think from talking to the majority leader that it really depends on conference reports. We have the possibility of a conference report, for instance, on energy; and I know the gentleman from Wisconsin (Mr. OBEY) is here, and there is the possibility of conference reports on DOD and military construction appropriations, and other conference reports, including election reform, that may be before the House.

So Members should be advised that it is possible that we would be in next Friday considering conference reports.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for that information.

What is the gentleman's latest prediction from the leadership on his side on when the House will adjourn before the election, and do you believe we will return for a lame duck session?

Mr. PORTMAN. Mr. Speaker, again, I have nothing to announce definitively. I wish for my own personal purposes that I did, as I am sure all Members are eager to know that. But it will depend obviously on the work we can get done here in the next week and, more importantly, in the Senate. There are a number of matters that the House would like to take up. The Speaker has made it clear, for instance, that we should complete work on the homeland security bill that would provide for the new creation of the Department of Homeland Security, but that bill is currently in the Senate. So I suppose the answer would be nothing definitive at this point, but we are waiting to hear from the Senate.

□ 1445

Ms. PELOSI. On a final note, I would say, Mr. Speaker, that we have eight appropriations bills still to consider, including the very important one dealing with education, our number one national priority; also, the appropriation bills that deal with veterans, medical care, transportation, and agriculture.

In addition, this House urgently needs to address our worsening economy. One and one-half million workers have exhausted unemployment benefits, jobless claims are the highest since May, pension plans are eroding on a daily basis, and health care is not being addressed. We need to bring these substantive issues to the floor. We must not leave for this election without addressing these urgent needs.

Mr. OBEY. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I would like to ask the gentleman from Ohio (Mr. PORTMAN) this question.

I note that another continuing resolution is being scheduled, sort of like Groundhog Day. We just finished one today. The purpose of continuing resolutions is to give us time to do our other business.

Given that fact, can the gentleman tell me, are there any plans for the ma-

majority to bring the agriculture appropriations bill before us any time soon?

Mr. PORTMAN. Mr. Speaker, if the gentlewoman will continue to yield, I know of no plans to bring the agriculture appropriations bill to the floor.

As the gentleman knows better than I, the committee is working not only on that appropriation bill, but others. We still find ourselves with an interesting situation, with the Senate not having passed a budget and not having some of the fiscal discipline and parameters we need to move forward.

But we have no information on the agriculture appropriations bill at this point.

Mr. OBEY. If the gentlewoman will yield further, with all due respect, Mr. Speaker, nothing is required of the Senate for us to do our work.

I assume that there are no plans to bring the District of Columbia appropriations bill out; the labor, health, education bill out; the foreign operations bill out, which has some crucial funding for Afghanistan and other areas; the transportation and the energy and water bills.

So am I to conclude, therefore, that despite the fact that we are passing a continuing resolution, we are not going to use that time to do any of our other regular appropriations work?

Mr. PORTMAN. If the gentlewoman will continue to yield, just again to make the point that we do have a busy week next week, and with the possibility of the Department of Defense appropriations bill and the military construction appropriations bills out of conference coming before the House, but that is the schedule for the week as we know it.

Mr. OBEY. Mr. Speaker, if the gentlewoman will continue to yield, let me indicate that I am reaching the point where I am becoming highly reluctant to support any other continuing resolutions of a week or longer in nature because they do not seem to be affording us or they do not seem to be providing any pressure for us to pass our regular appropriation bills.

I think it is probably about time that we start thinking about having 1-day continuing resolutions in order to put maximum pressure on this House to perform. I thank the gentlewoman for her time.

Ms. PELOSI. I thank the gentleman for his valuable contribution, and I thank the gentleman from Ohio (Mr. PORTMAN) for the information on the schedule.

Mr. Speaker, I think that every day that goes by, this body appears to be more irrelevant to the concerns of the American people. The jobless rate is increasing, employment insurance is exhausted, we have not funded the education bill, and there are so many issues that we must deal with that are immediate concerns to the lives of America's working families.

This House has to provide leadership and stop making up excuses for not doing the people's business.

REMOVAL OF MEMBER AS CONFEE ON H.R. 4628, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2003

The SPEAKER pro tempore (Mr. REHBERG). Without objection, the gentleman from Florida (Mr. HASTINGS) is removed as a conferee on H.R. 4628, since he is no longer a member of the Permanent Select Committee on Intelligence.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferee.

ADJOURNMENT TO MONDAY,
OCTOBER 7, 2002

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF THE HON. MAC THORNBERRY TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH TUESDAY, OCTOBER 8, 2002

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 3, 2002.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore to sign enrolled bills and joint resolutions through October 8, 2002.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

APPOINTMENT OF MEMBERS TO ATTEND FUNERAL OF THE LATE HONORABLE PATSY T. MINK

The SPEAKER pro tempore. Pursuant to House Resolution 566, the Chair announces the Speaker's appointment of the following Members of the House to the committee to attend the funeral of the late Patsy T. Mink:

Mr. ABERCROMBIE of Hawaii;
Mr. GEPHARDT of Missouri;
Ms. PELOSI of California;
Mr. OBEY of Wisconsin;
Mr. GEORGE MILLER of California;
Mr. SENSENBRENNER of Wisconsin;
Mr. FALEOMAVAEGA of American Samoa;
Ms. DELAURO of Connecticut;
Ms. WATERS of California;
Mrs. CLAYTON of North Carolina;
Ms. ESHOO of California;
Ms. EDDIE BERNICE JOHNSON of Texas;
Mr. MICA of Florida;
Mr. SCOTT of Virginia;
Mr. UNDERWOOD of Guam;
Ms. WOOLSEY of California;
Ms. JACKSON-LEE of Texas;
Ms. LOFGREN of California;
Ms. MILLENDER-MCDONALD of California;
Ms. LEE of California;
Mr. KIND of Wisconsin;
Mr. WU of Oregon; and
Ms. WATSON of California.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 1-minute at this time.

TRIBUTE TO NANCEE ANN BLOCKINGER, CHIEF OF STAFF TO HON. JAMES V. HANSEN, ON HER RETIREMENT

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

Mr. HANSEN. Mr. Speaker, I stand today to proudly pay tribute to my Chief of Staff, Nancee Ann Blockinger. Nancee has stood with me for my entire career in the United States Congress. For 22 years she has served me, the people of Utah, and the people of this country with unsurpassed dedication.

Her hard work and loyalty has earned her the reputation among staff and Members as a consummate professional. I have never had to worry about how my office was being run or our compliance with House rules. I knew Nancee was on top of it. Her intelligence, hard work, and caring attitude has made a difference in more ways than I could ever imagine.

My staff and I extend our sincere gratitude and appreciation to Nancee, and recognize all that she has unselfishly given of herself over the past 22 years. Her career on Capitol Hill has indeed touched many lives, and her service will be remembered with fondness.

I am honored to pay tribute to Nancee today in front of this distinguished body of Congress. She is my Chief of Staff, my friend, and I wish her only the very best in her retirement.

RECOGNIZING GARDEN GROVE UNIFIED SCHOOL DISTRICT FOR BEING CHOSEN AS FINALIST FOR BROAD FOUNDATION AWARD

(Ms. SANCHEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SANCHEZ. Mr. Speaker, I rise today to recognize the Garden Grove Unified School District, which I am proud to represent, for being selected as one of the five finalists nationwide for the Eli Broad Foundation Award.

As a finalist, Garden Grove Unified was recognized as one of the top five urban school districts in the Nation, and for that it receives \$125,000 in student scholarships.

There are nearly 50,000 students in schools in the very diverse Garden Grove Unified School District. They come speaking more than 60 languages, and come from many different cultures.

The finalists were chosen for their work in improving overall student achievement and for narrowing achievement gaps, in particular for high-risk students. This prize recognizes the hard work of the teachers and the support staff of the Unified School District, and I applaud the district's efforts to overcome language and economic barriers to give our students a high-quality education.

COMMENDING MONTGOMERY COUNTY FIRST RESPONDERS, POLICE, AND RESCUE PERSONNEL, AND MONTGOMERY COUNTY PUBLIC SCHOOLS IN THEIR RESPONSE TO SHOOTINGS

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, our thoughts, our hearts, and our prayers go out to the victims and the families of those five people who were senselessly gunned down last night and today in Montgomery County, Maryland.

The tales of these tragic shootings are still emerging. At this point, we do not know who has perpetuated these crimes, and we do not know the twisted motivation. What we do know is that this senseless violence has touched all segments of our community: women and men, African Americans, white, Hispanic, the old, the young.

I recognize this is a very difficult, scary time for our community, but I want to commend our Montgomery County first responders, our police, our rescue personnel. They are doing a terrific job under the most difficult, extreme circumstances.

I want to acknowledge all of the agencies involved in this preliminary investigation, local, State, District of Columbia, the FBI, the Secret Service. Homeland Security contacted our county also to offer their assistance.

Indeed, I will work to engage and ensure that my local community receives all of the Federal help that they may need.

I also want to recognize the Montgomery County Public Schools for their prudent, responsible actions today to keep our students safe and sound. The best thing we can do now is remain calm, but aware and vigilant, and report any suspicious activities to the police.

TRIBUTE TO THE LATE HOLLY JOHNSTON RICHARDSON

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

Mr. WILSON of South Carolina. Mr. Speaker, on behalf of myself and the gentleman from South Carolina (Mr. BROWN), I rise today to pay tribute to one of South Carolina's most dedicated public servants, the late Holly Johnston Richardson, who passed away this week after a courageous battle with breast cancer at the young age of 47.

Most people know Holly Richardson as Senator STROM THURMOND's confidante, gatekeeper, and personal adviser since 1979, but some may not know she was also one of Senator THURMOND's closest friends.

Holly was a native of Summerville, South Carolina, and was always loyally at Senator THURMOND's side. She commanded the most sincere respect from South Carolinians and Washingtonians because of her professionalism, her character, and her devotion to duty.

All of South Carolina will miss Holly's Southern charm, her warmth, and dedication to Senator THURMOND. We extend our deepest sympathies to her husband Phil, to her two children, Anne and Emmet, and to her mother and father, Joanne and Coy Johnston. Her positive influence will continue through the STROM THURMOND and Holly Richardson Public Service Scholarship at her alma mater of Converse College in Spartanburg, South Carolina.

A WORD CALLED "IRONY"

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

Mr. REHBERG. Mr. Speaker, I want to talk today about a word called "irony." Webster's dictionary says irony is when there is an incongruity between the actual and the expected result of events.

Unfortunately, Mr. Speaker, we have a prime case of this in my State. The people who have produced food for all of us in this country for our whole lives, farmers and ranchers, are now having a hard time affording food themselves. The very hard-working people who made this country the breadbasket of the world now cannot afford bread themselves.

That is a pretty good example of an irony; is it not? It is also a good example of a cruel irony.

Mr. Speaker, I implore the Members of this House to finally hear our plea for assistance for drought-stricken farmers and ranchers, and quickly pass an agriculture disaster assistance package for crop years 2001 and 2002.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GEKAS). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

□ 1500

HONORING SEYMOUR GOLDWEBER

The SPEAKER pro tempore (Mr. REHBERG). Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor one of Florida's outstanding agricultural heroes, Seymour Goldweber.

Near Jersey City, Seymour was born on July 24, 1918. As a young boy he moved with his family to Miami where he completed primary and secondary school and became an Eagle Scout with Miami's oldest scout troop. He then joined the United States Marine Corps before the start of World War II.

Seymour served throughout the war in the Pacific Theater where he fought in many military campaigns, including the Marines' costly battle at Iwo Jima. Following his military service to our country, he returned to Miami-Dade County where he obtained his Bachelor of Science degree in botany at the University of Miami in 1950.

Seymour Goldweber began his professional career at the University of Miami's Tropical Fruit Research Farm at Richmond Field conducting horticulture research studies on tropical fruit. His work brought these unknown species from around the world into productive specimens, worthy of national and international marketing, including guavas, mangos, and avocados that we enjoy today.

Mr. Goldweber joined the University of Florida-Miami-Dade County Cooperative Extension Service as their fruit crops agent in 1960 where he designed their nationally and internationally prominent extension programs.

In particular, his extension programs for the development of tropical and subtropical fruit has had an enormous impact in establishing south Florida's tropical fruit industry for distribution across the USA and for export around the globe.

Seymour has shared his extensive knowledge and expertise by training numerous other extension office faculty and staff. He is a role model and mentor of outstanding caliber and per-

formance. He made the mold. Seymour Goldweber is widely recognized by our local and State agencies. He is the choice to lecture to visiting professors, tour with college students, host an event, or guide a bus full of journalist and legislative representatives through America's grocery, South Miami-Dade County.

Seymour is the go-to guy for his vast knowledge, his capabilities in research and instruction, and his friendly style. His voice is reassuring and recognized across Miami and South Miami-Dade County. You can see the stamp of Seymour Goldweber's experience and loaned expertise with many organizations, including the American Society for Horticultural Science, the Dade County Farm Bureau, the Florida State Horticultural Society, the Florida Avocado and Lime Administrative Committees, the Mango Forum, and the Dade County Youth Fair, Miami-Dade County's Fruit and Spice Park, and the State of Florida's Farmers Market, and so many others.

Seymour is a founding member of the AGRI-Council, the Rare Fruit Council International, the Tropical Agriculture Fiesta, and Fairchild Tropical Gardens.

He also serves on the South Dade Soil and Water Conservation District Board and the Dade County Public School Citizen Advisory Committee for AGRIBusiness and Natural Resources.

He is a member of the National Association of the Federal Retired Employees and a proud member of the American Legion.

Seymour Goldweber has been honored by the National Weather Service for 24 years as the liaison to the agricultural community. He also has an annual scholarship in his name that is presented by the AGRI Council to the outstanding agricultural student of the year.

He has received the Dedicated Service in Agriculture award by the Horticultural Society of Florida, the Distinguished Service in Agriculture award by the Florida Mango Forum, and the Outstanding Service Award by the Dade County Youth Fair.

Seymour was named Man of the Year by the Horticulture Studies Society of Florida in 1980. He was honored to receive the Paul Harris Fellow by the Rotary Club of Homestead for furthering understanding of people of the world.

Mr. Goldweber is the sought-after speaker for highly diverse audiences, including farmers, master gardeners, community and agri-business leaders, school teachers, homeowners, youth and 4-H programs, and local, State and Federal Government representatives.

Many growers, local leaders, and organizations seek him out for his knowledge and his repertoire on agricultural issues and historical events.

Upon his retirement from the Cooperative Extension Service in 1984, after 24 years of outstanding service, Seymour was awarded the first Extension Agent Emeritus Designation in the State of Florida. Though he was officially, and

is supposedly, retired, his service to the community has continued to this day.

Seymour Goldweber continues to work for us, for the sheer love of agriculture, tropical fruits, and the growers who need and love him.

To our hero, Seymour Goldweber, and his wonderful wife, Libby, felicidades a los dos.

DO NOT POSITION USA AS A COMMON ENEMY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, coming from a family of combat infantry men and Marines, I must say that anytime this Congress is asked to consider the authorization for the use of force, it is a request that we consider very seriously. I might add that most of those who are making this request from the White House have never served in combat themselves. Certainly the Secretary of Defense has not. Certainly the Communications Director of the White House who made the flippant statements this week that one silver bullet is cheaper than going to war, in referencing a possible assassination in Iraq, is one of the most appalling comments I have ever heard from a White House official. If he had been in the service of Franklin Roosevelt or Harry Truman or John Kennedy, he would no longer have a job.

The resolution this Congress will be asked to consider next week is a work in progress. Initially it started with inspections where we had the broad support of the international community. And all we needed to do was expand that a little bit and be rigorous, as we have done before, working with our allies around the world. But, no, the ante was raised by the White House conveniently 4 weeks before an election now and the objective is regime change.

The President has said it, it is not disallowed in the resolution that is brought up to us; and I want to speak tonight a little bit about how the United States, not just through this resolution but through the rhetoric that has been spewing out of Washington here across the Islamic and Arab world, is going to increase terrorism, is going to increase hatred toward the United States of America. When the President of the United States uses terms like dead or alive, do you think General Omar Bradley would have ever said that? General Hugh Shelton, would he have ever used those terms so publicly?

When you have not been to war, you are loose with your rhetoric.

Senator Warren Rudman, who helped produce a report with Senator George Mitchell about the rising threat of terrorism around the world, sobered our membership when he came up here a few months ago and said though he had traveled the world as a Senator, he did

not realize until he got into the issue of terrorism how much he found America hated around the world.

Tonight I want to place in the RECORD a longer analysis of what is really wrong with U.S. policy towards that region of the world, but let us be clear where the hatred comes from and what spawns the terrorism.

First of all, we have the lack in the Middle East and Central Asia of a real resolution to the Israeli-Palestinian conflict. This has been with us in the free world for over 50 years. We do not have a peace process under way. Every night we see in the newspapers or we see on television more killing of Israelis by Palestinians or vice versa.

There was a great cartoon, a sad cartoon, in one of the newspapers recently showing Mr. Sharon and Mr. Arafat holding hands and falling together down a deep cavern and blaming one another as they fell to their certain deaths.

We as a world need to organize in order to resolve the Israeli-Palestinian conflict. Without it, terrorism will continue not only in that region of the world but will find its way creeping into our homeland as we saw on 9-11.

The other major issue deals with U.S. ties to the oil kingdoms in the Middle East on which we have become even more dependent than during the oil crises of the 1970s and the Persian Gulf War in the early 1990s, and importantly to the repressive regimes that our dollars help support. There is a very rude awakening in the Middle East and Central Asia for a different way of life and America is fast becoming the excuse for the repression under which the majority of people live all in undemocratic regimes.

So my first advice tonight is please, Mr. President, do not position the United States as the common enemy that serves as a unifying force against which all the disparate malcontents and discontents of the Middle East and Central Asia can unite. We saw a sign of that in our homeland last year. But not only our homeland, across the world American embassies are being built like bunkers. Our diplomats are being killed more and more, every 10 years more of them are killed, whether it is Africa, whether it is Malaysia, whether it is the Middle East.

To achieve long-term stability, the United States' policy toward the Arab and Islamic world must be shaped multilaterally and affirm our belief in democratic principals. Unfortunately, the Bush administration's policies continue us down this dangerous path.

ALLIES WORKING TOWARD A SECURE FUTURE

To achieve long-term stability, U.S. policy toward the Arab and Islamic world must be shaped multilaterally and affirm our nation's belief in democratic principles. The Bush Administration's initiatives will lead to neither. Indeed, it is positioning the U.S. to be the common enemy in a volatile region where terrorism grows with each passing decade of war and remembrance.

Bush policies—such as threatening regime change or the “one bullet policy” on Iraq—

are destabilizing and pose a real threat to U.S. long-term interests. These irresponsible policies inject the U.S. into the festering antipathy of disparate forces whose common denominator is growing anti-Western sentiment.

Thus, a resolution that employs all diplomatic and economic means to draw broad multilateral support to allow U.N. arms inspectors access to conduct robust investigations of Iraq's suspected weapons sites is of paramount importance. As a first step, Congress should support the recently negotiated international agreement allowing inspectors to return to Iraq after four years. Especially in this region of the world, former Senator George Mitchell emphasizes the importance of diplomacy in the Mitchell Report, “Whatever the source, violence will not solve the problems of the region. It will only make them worse. Death and destruction will not bring peace, but will deepen the hatred and harden the resolve on both sides. There is only one way to peace, justice, and security in the Middle East, and that is through negotiation.”

FIRST STRIKE

Based on the lack of verifiable evidence presented to Congress and the American people, the President's proposal to preemptively, or unilaterally, strike against Iraq is unacceptable. Due to the predictably destabilizing effect on the region, the U.S. should avoid a first strike. Dr. Mark Juergensmeyer, Director of Global and International Studies at U.C. Santa Barbara, “It is essential that a multilateral force be deployed if action is contemplated.”

If America goes to war, the cause must be just and better justified.

TOWARD A CHANGED REGION

Powerful Islamic stirrings inside undemocratic regimes in the Middle East and Central Asia, including violent forces operating outside nation-states (like Al Qaeda), create conditions for emerging revolutions. In responding to these, the U.S. must act in a manner that is true to our founding principles as the world's oldest democratic republic. We, too, have been a revolutionary people aspiring to a better way of life.

We must not wed ourselves to monarchy, dictatorship, or repression. As a superpower, the U.S. must position itself for long-term, relations with many emerging nations. The U.S. should not become the inheritor of a new world order in the Middle East and Central Asia, nor an occupying force. Simply put, U.S. dominance there is not unilaterally sustainable.

GRAVE AND GATHERING VS. IMMINENT THREAT

Congress must ask: what is the “imminent threat” to the U.S. that justifies a war resolution now? The President, in his remarks before the U.N., stated, “Iraq is a grave and gathering danger.” He did not say “an imminent threat.”

What has Iraq done differently in the last 4 months than the prior year to warrant invasion now? Yes, Iraq is a secular state that seeks greater domination over the Arab world. But intelligence briefings have indicated that Iraq has fewer military capabilities than it did 10 years ago. Secretary Rumsfeld has stated that Iraq's army is only 40% of what it was 10 years ago. The Central Intelligence Agency and Defense Intelligence Agency have verified that Iraq's chemical and nuclear capabilities are substantially less than 10 years ago. However, in the area of biologics, Iraq is likely ahead of where it was 10 years ago.

The international community has the opportunity to use its united efforts to require Iraq to abide by U.N. resolutions requiring immediate access to verify Iraq's commitment to rid itself of weapons of mass destruction and long-range missiles.

THERE IS A DISTINCTION BETWEEN AL QAEDA
AND IRAQ

Congress must ask the Bush Administration to distinguish between Al Qaeda and Iraq. The carnage that took place on September 11, 2001, was committed by members of the Al Qaeda terrorist network. Al Qaeda's primary objective is to rid the Middle East of all foreign influence and impose strict Islamic religious rule based on its particular interpretation of the religion. Iraq, rather, is a secular state headed by a military dictator, Saddam Hussein, holding the second largest oil reserves in the Middle East. Saddam's chief objective is to control the entire region's oil reserves and eventually gain greater power in the Arab world.

America's war on terrorism began as a clear campaign against Al Qaeda, not Iraq. Neither Congress nor the American public has been presented with any evidence of a connection between Iraq and Al Qaeda. Though some terrorists may be "present" especially in the northern zone of Iraq, which Hussein does not control, there is no linkage of evidence between them and the government of Iraq. The President asserted in his draft resolution that members of Al Qaeda are "known to be in Iraq" and that Iraq may give weapons to terrorists. His statements are filled with innuendoes, not facts. No intelligence information has been presented to Congress to add certainty to the President's statements.

OIL IS THE PRIMARY UNDERPINNING OF U.S.
"VITAL" INTEREST

Congress must ask: For how long will Americans be asked to die for "vital interests" centered in the oil kingdoms? The economic underpinning of Iraq is oil—the second largest reserves in the world. 95% of Iraq's economy is oil driven. Americans might ask the question: "Why has the U.S. become bogged down in this region so many times in modern history?" and "Why have all of America's major recessions in the past 30 years been triggered by rising oil prices?" In fact, rising oil prices triggered our current recession, and prices are rising again.

During the 1970's, two Arab oil embargoes drove the U.S. economy into deep recession. President Jimmy Carter tried to move America toward energy independence, calling the challenge the "moral equivalent of war." But as world oil prices dropped through O.P.E.C. price manipulation, America lost its edge on energy independence. Though conservation and alternative energy development progressed, their pace was not sufficient to meet demand.

In the early 1990's, America went to war over Iraq's invasion of neighboring Kuwait's oil fields and port access. In October 2000, the USS *Cole*, a Navy destroyer protecting the oil shipping lanes in the Persian Gulf, was suicide bombed in Yemen's harbor. Even now, as the President contemplates invasion, 8% of America's oil originates in Iraq.

Oil is not worth one more American soldier's life, nor any more disruption to our national economy. America needs a national commitment to become energy independent again in this decade, much like the space program of the 1960s that led America into the heavens. Ms. Robin Wright, Foreign Diplomatic Correspondent for the Los Angeles Times has stated, "To build a more peaceful world, the U.S. must deal with the oil issue. It must also deal with the political destiny of people in that part of the world who want to have some say in their futures."

NAKED AGGRESSION IS NOT THE AMERICAN WAY

Yes, Iraq is in gross violation of U.N. resolutions calling for inspections, but America should not pressure Iraq unilaterally, without maintaining that same broad-based

international support. It was proper for President Bush to deliver an address at the United Nations. Our nation has always sought to be a constructive partner among the community of nations. We need to maintain this policy of engagement with the nations of the world.

Naked aggression by a superpower with no evidence presented to its lawmakers is discomforting to the American people and not the way to forge alliances in a troubled part of the world. America, surely, does not wish to be perceived as the "bully on the block" in the most oil rich region of the world where not one democratic state exists.

A PLAN FOR THE FUTURE

As a first step, we should support International Strategic Partnership to Eliminate a Common Threat (INSPECT), an alternate resolution encouraging the President to support the recently negotiated inspection plan between the Iraqi Government and international representatives calling for a robust team capable of ensuring that Iraq is no longer in violation of international agreements. The resolution rejects any unilateral military action by the U.S. until Congress is able to grant its approval. In addition, the President must submit a report to Congress, at least every 30 days, on matters relevant to this resolution. According to David Albright, President of the Institute for Science and International Security, "Nuclear threat is not imminent. Because the threat is not imminent, inspectors could be beneficial."

WITH REGARDS TO WAR: IS
CONGRESS RELEVANT?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, the last time Congress declared war was on December 11, 1941, against Germany in response to its formal declaration of war against the United States. This was accomplished with wording that took less than one-third of a page, without any nitpicking arguments over precise language, yet it was a clear declaration of who the enemy was and what had to be done. And in 3½ years, this was accomplished. A similar resolve came from the declaration of war against Japan 3 days earlier. Likewise, a clear-cut victory was achieved against Japan.

Many Americans have been forced into war since that time on numerous occasions, with no congressional declaration of war and with essentially no victories. Today's world political condition is as chaotic as ever. We're still in Korea and we're still fighting the Persian Gulf war that started in 1990.

The process for our entering war the past 57 years and the inconclusive results of each war since that time are obviously related to Congress' abdication of its responsibility regarding war, given to it by article I section 8 of the Constitution.

Congress has either ignored its responsibility entirely over these years, or transferred the war power to the executive branch by a near majority vote of its Members, without consideration of it by the States as an amendment required by the Constitution.

Congress is about to circumvent the Constitution and avoid the tough decision of whether war should be declared by transferring this monumental decisionmaking power regarding war to the President. Once again, the process is being abused. Odds are, since

a clear-cut decision and commitment by the people through their Representatives are not being made, the results will be as murky as before. We will be required to follow the confusing dictates of the U.N., since that is where the ultimate authority to invade Iraq is coming from—rather than from the American people and the U.S. Constitution.

Controversial language is being highly debated in an effort to satisfy political constituencies and for Congress to avoid responsibility of whether to go to war. So far the proposed resolution never mentions war, only empowering the President to use force at his will to bring about peace. Rather strange language indeed!

A declaration of war limits the presidential powers, narrows the focus and implies a precise end point to the conflict. A declaration of war makes Congress assume the responsibilities directed by the Constitution for this very important decision, rather than assume that if the major decision is left to the President and a poor results occurs, it will be his fault, not that of Congress. Hiding behind the transfer of the war power to the executive through the War Powers Resolution of 1973 will hardly suffice.

However, the modern way we go to war is even more complex and deceptive. We must also write language that satisfies the U.N. and all our allies. Congress gladly transfers the legislative prerogatives to declare war to the President, and the legislative and the executive branch both acquiesce in transferring our sovereign rights to the U.N., an unelected international government. No wonder the language of the resolution grows in length and incorporates justification for starting this war by citing U.N. resolutions.

In order to get more of what we want from the United Nations, we rejoined UNESCO, which Ronald Reagan had bravely gotten us out of, and promised millions of dollars of U.S. taxpayer support to run this international agency started by Sir Julian Huxley. In addition, we read of promises by our administration that one we control Iraqi oil, it will be available for allies like France and Russia, who have been reluctant to join our efforts.

What a difference from the days when a declaration of war was clean and precise and accomplished by a responsible Congress and an informed people.

A great irony of all this is that the United Nations Charter doesn't permit declaring war, especially against a nation that has been in a state of peace for 12 years. The U.N. can only declare peace. Remember, it wasn't a war in Korea; it was only a police action to bring about peace. But at least in Korea and Vietnam, there was fighting going on, so it was a bit easier to stretch the language than it is today regarding Iraq. Since Iraq doesn't even have an Air Force or a Navy, is incapable of waging a war, and remains defenseless against the overwhelming powers of the United States and the British, it's difficult to claim that we're going into Iraq to restore peace.

History will eventually show that if we launch this attack—just as our sanctions already have—the real victims will be the innocent Iraqi civilians who despise Saddam Hussein and are terrified of the coming bombs that will destroy their cities.

The greatest beneficiaries of the attack may well be Osama bin Ladin and the al Qaeda.

Some in the media have already suggested that the al Qaeda may be encouraging the whole event. Some unintended consequences do occur, what will come from this attack is still entirely unknown.

It's a well-known fact that the al Qaeda are not allies of Saddam Hussein and despise the secularization and partial westernization of Iraqi culture. They would welcome the chaos that's about to come. This will give them a chance to influence post-Saddam-Hussein Iraq. The attack, many believe, will confirm to the Arab world that indeed the Christian West has once again attacked the Muslim East, providing radical fundamentalists a tremendous boost for recruitment.

An up or down vote on declaring war against Iraq would not pass the Congress, and the President has no intention of asking for it. This is unfortunate, because if the process were carried out in a constitutional fashion, the American people and the U.S. Congress would vote No on assuming responsibility for this war.

Transferring authority to wage war, calling it permission to use force to fight for peace in order to satisfy the U.N. Charter, which replaces article I, section 8 war power provision, is about as close to 1984 "newspeak" that we will ever get in the real world.

Not only is it sad that we have gone so far astray from our Constitution, but it's also dangerous for world peace and threatens our liberties here at home.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PUT AN END TO CORPORATE ABUSE AND HELP EMPLOYEES AND RETIREES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 5 minutes.

Mr. GEKAS. Mr. Speaker, we have seen a bevy of cases in which corporate executives plunder their own business, work with insiders, and do dastardly things in their business world. We have seen them use every kind of device known to mankind to avoid their responsibilities to their debtors, to their

employees, to the retirees, to their fellow insiders even. And so we have done great things in trying to curb that kind of practice.

Yesterday, I introduced H.R. 5525, which takes another step down the road of protecting the employees and the retirees of a given company that might have corporate executives going down the wrong paths. My bill would simply state that if such a corporate executive should go bankrupt or a business like that go bankrupt, that retirees under that corporate structure will be protected with respect to their retirement so that the bankruptcy would not absolve the retirees benefits that would accrue to them if the corporation kept alive.

And so protecting retirees is one of the aspects of our bankruptcy reform bill for corporate executives. The other one would be to make sure that employees currently on the payroll are not robbed of their potential pay checks by a bankruptcy that absolves or tries to absolve the corporate executives from meeting their salary and wage obligations to the employees. We allow the bankruptcy courts to take that into consideration when such a bankruptcy occurs so that the employees can be protected.

This is a national extension of the work that we have been doing over 5 years now to reform the bankruptcy laws of our country. Do you recognize the fact that the current law which we are trying to change and which we are within a quarter of an inch of trying to change that the current law under bankruptcy allows one of these corporate executives to take millions of dollars, escape to a State that has a homestead exemption and then purchase a big mansion in one of these places where the full value of that mansion would not be subject to creditors or to employees or anybody else?

We have changed that in our bankruptcy reform bill. And so everyone should recognize that one of the good things that comes out of bankruptcy reform is further safeguarding against corrupt corporate executives and streamlines a system that for so many years really required streamlining.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. SHOWS) is recognized for 5 minutes.

(Mr. SHOWS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FARR) is recognized for 5 minutes.

(Mr. FARR of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

(Mr. TAYLOR of Mississippi addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHANGE IN APPOINTMENT OF CONFEREES ON H.R. 4, SECURING AMERICA'S FUTURE ENERGY ACT OF 2002

The SPEAKER (during the Special Order of Mr. KUCINICH). Pursuant to clause 11 of rule I, the Chair announces that in the appointment of the managers on the part of the House in the conference on the bill H.R. 4, the gentlewoman from Wyoming (Mrs. CUBIN) is appointed, in addition to the appointment from the Committee on Resources, for consideration of the House bill and the Senate amendment, and modifications committed to conference.

The Clerk will notify the Senate of the change in conferees.

VOTE "NO" ON IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Ohio (Mr. KUCINICH) is recognized for 60 minutes as the designee of the minority leader.

Mr. KUCINICH. Mr. Speaker, I want to thank the Speaker and the leadership for providing me with this opportunity.

Mr. Speaker, it was just a few moments ago that 25 Members of Congress, in temperatures that outside

were over 90 degrees, stood one after another to announce their opposition to the war resolution that has been presented to this Congress.

□ 1515

As the vote on whether or not this Nation goes to war approaches in this Chamber, a vote which most surely will come within a few days, I think it is important, Mr. Speaker, for us to be able to make the case to the American people as to why it is not appropriate for this country to go to war and to encourage the American people to call their Members to make sure that government of the people, by the people, and for the people does prevail.

The Members who joined me today, Members for whom I have the greatest gratitude, include the gentlewoman from Florida (Ms. BROWN), the gentleman from Ohio (Mr. BROWN), the gentleman from Massachusetts (Mr. CAPUANO), the gentlewoman from North Carolina (Mrs. CLAYTON), the gentleman from Michigan (Mr. CONYERS), the gentleman from Illinois (Mr. DAVIS), the gentleman from Oregon (Mr. DEFazio), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the gentleman from Texas (Mr. DOGGETT), the gentleman from California (Mr. FARR), the gentleman from California (Mr. FILNER), the gentlewoman from Texas (Ms. JACKSON-LEE), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Virginia (Mr. MORAN), the gentleman from Massachusetts (Mr. OLVER), the gentlewoman from Michigan (Ms. RIVERS), the gentleman from Vermont (Mr. SANDERS), the gentleman from New York (Mr. SERRANO), the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentlewoman from California (Ms. SOLIS), the gentlewoman from Ohio (Mrs. JONES), the gentlewoman from California (Ms. WATERS), the gentlewoman from California (Ms. WATSON), and the gentleman from California (Ms. WOOLSEY).

One after another they came before the national press to make their case as to why this Congress should vote against any resolution which would put us on a path towards war. And one after another, in front of the National Press Corps, they called out to the American people to tell the American people to make sure that they called their Members of Congress; that if they did not want war, these Members told the National Press Corps, that if the American people do not want war, to call their Congressman.

So, Mr. Speaker, today, I intend to do a number of things. I intend to present to this Congress an analysis of the joint resolution which was offered to this Congress; and, after presenting that analysis, I want to put in perspective where we are in this moment in history.

The resolution which this Congress is facing says: "Whereas in 1990 in response to Iraq's war of aggression against an illegal occupation of Kuwait, the United States forged a coalition

of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq."

The American people need to know that the key issue here is that in the Persian Gulf War there was an international coalition. World support was for protecting Kuwait. There is no world support for invading Iraq.

The resolution goes on to say: "Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

"Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated."

But the key issue here that the American people need to know is that U.N. inspection teams identified and destroyed nearly all such weapons. A lead inspector, Scott Ritter, said that he believes that nearly all other weapons not found were destroyed in the Gulf War. Furthermore, according to a published report in *The Washington Post*, the Central Intelligence Agency, yes, the Central Intelligence Agency, has no up-to-date accurate report on Iraq's capabilities of weapons of mass destruction.

The resolution that is presented to this Congress says: "Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998."

What the American people need to know, and the key issue here, is that the Iraqi deceptions always failed. The inspectors always figured out what Iraq was doing. It was the United States that withdrew from the inspections in 1998, and the United States then launched a cruise missile attack against Iraq 48 hours after the inspectors left. And it is the United States, in advance of a military strike, the U.S. continues to thwart, and this is the administration's word, weapons inspections.

Now, this resolutions, and what I am doing here obviously is stating the resolution as a point and then making the counterpoint so the American people can understand that this is a capsule summary of the debate that is going to take place in this House next week.

In the resolution the administration contends: "Whereas, in 1998 Congress

concluded that Iraq's continuing weapons of mass destruction programs threatened U.S. vital interests and international peace and security, declared Iraq to be in material and unacceptable breach of its international obligations and urged the President to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations."

The resolution says: "Whereas Iraq both possesses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations."

The American people deserve to know that the key issue here is that there is no proof that Iraq represents an imminent or immediate threat to the United States of America. I will repeat: there is no proof that Iraq represents an imminent or immediate threat to the United States. A continuing threat does not constitute a sufficient cause for war. The administration has refused to provide the Congress with credible evidence that proves that Iraq is a serious threat to the United States and that it is continuing to possess and develop chemical and biological and nuclear weapons.

Furthermore, there is no credible evidence connecting Iraq to al Qaeda and 9-11, and yet there are people who want to bomb Iraq in reprisal for 9-11. Imagine, if you will, as Cleveland columnist Dick Feagler wrote last week, if after this country was attacked by Japan at Pearl Harbor in 1941, if instead of retaliating by bombing Japan, we would have retaliated by bombing Peru. Iraq is not connected by any credible evidence to 9-11, nor is it connected by any credible evidence to the activities of al Qaeda on 9-11.

The resolution says, and I quote, continuing in this comparison point by point, the resolution says, that we will be voting on the administration's resolution: "Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait."

The counterpoint, and what the American people deserve to know, the key issue here, is that this language is so broad that it would allow the President to order an attack against Iraq even though there is no material

threat to the United States. Since this resolution authorizes the use of force for all Iraq-related violations of U.N. Security Council directives, and since the resolution cites Iraq's imprisonment of non-Iraqi prisoners, this resolution could be seen by some to authorize the President to attack Iraq in order to liberate Kuwaiti citizens, who may or may not be in Iraqi prisons, even if Iraq met compliance with all requests to destroy any weapons of mass destruction.

The resolution goes on to say: "Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against any other nations and its own people;

"Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council."

The counterpoint of this, Mr. Speaker, and the key issue here, is that the Iraqi regime has never attacked, nor does it have the capability to attack, the United States. The no-fly zone was not the result of a U.N. Security Council directive. Now, many people do not know that. They think the U.N. Security Council established the no-fly zone. It did not. The no-fly zone was illegally imposed by the United States, Great Britain, and France, and is not specifically sanctioned by any Security Council resolution.

The resolution goes on to say, and I quote from the resolution: "Whereas members of al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, are known to be in Iraq."

Well, the American people need to know there is no credible evidence that connects Iraq to the events of 9-11 or to participation in those events by assisting al Qaeda.

The resolution states, and I quote: "Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens."

The key issue here, and the counterpoint that the American people need to know, is that any connection between Iraq's support of terrorist groups in the Middle East, Mr. Speaker, is an argument for focusing great resources on resolving the conflict between Israel and the Palestinians. It is not a sufficient cause for the United States to launch a unilateral preemptive strike against Iraq. Indeed, an argument could be made that such an attack would exacerbate the condition in the Middle East and destabilize the region.

The resolution states: "Whereas the attacks on the United States of Amer-

ica of September 11, 2001 underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations."

And, again, and I stress, the American people need to know that there is no connection between Iraq and the events of 9-11. However, this resolution attempts to make the connection over and over and over. And just saying that there is a connection does not make it so, because the Central Intelligence Agency has not presented this Congress with any credible information that indicates that there is in fact a tie between Iraq and 9-11, between Iraq and al Qaeda, or Iraq and the anthrax attacks on this Capitol.

And if we are to go to war against any Nation, and I oppose us doing this in this case, we ought not be taking such action in retaliation, and ought not put it in a document like this in retaliation, attacking a nation that had nothing to do with 9-11.

□ 1530

The resolution goes on to say, "Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself"; that is the assertion.

The key issue here is that there is no credible evidence that Iraq possesses weapons of mass destruction. If Iraq had successfully concealed the production of such weapons since 1998, and let us assume that somebody has information they have never told Congress, they have never been able to back up, but they have this information and it is secret, and they secretly know Iraq has such weapons, there is no credible evidence that Iraq has the capability to reach the United States with such weapons, if they have them, and many of us believe no evidence has been presented that they do.

In 1991, the Gulf War, Iraq had a demonstrated capability of biological and chemical weapons, but they obviously did not have the willingness to use them against the Armed Forces of the United States. Congress has not been provided any credible information which proves that Iraq has provided international terrorists with weapons of mass destruction.

Mr. Speaker, this resolution will be presented to this Congress to vote on as a cause of war. I am reading the exact quote from the resolution, and then I am making the counterpoint. In effect, this is the first step towards a debate on this issue on this floor.

The resolution says, "Whereas United Nations Security Council Reso-

lution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949."

The counterpoint and what the American people need to know is that the U.N. Charter, and we participate in the United Nations, we helped form the United Nations, we helped set up this international framework of law that is represented by the United Nations, that the United Nations Charter forbids all Member nations, including the United States, from unilaterally enforcing U.N. resolutions.

We cannot do this on our own. We cannot decide that some nation is in violation of U.N. resolutions and we take it upon ourselves to render justice.

The resolution states, that will be before this House as a cause of war, "Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 612, 664, 665, 666, 667, 669, 670, 674, 677"; and the point is the same.

If those Security Council resolutions are not being implemented, that is up to the United Nations and the Security Council to take up the matter. It is not up to the United States to initiate unilateral action enforcing U.N. resolutions with military force.

The resolution which is being presented to this House next week says, "Whereas in December 1991, Congress expressed its sense that it supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102-1), that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region, and that Congress supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688."

Well, the counterpoint here is this, and what we are going to be asserting on the floor of this House is that this clause demonstrates the proper chronology of international process in contrast to the current march to war. In

1991, the United Nations Security Council passed the resolution asking for enforcement of its resolution. Member countries authorized their troops to participate in a U.N.-led coalition to enforce the U.N. resolutions. Now the President is asking Congress to authorize a unilateral first strike before the U.N. Security Council has asked its member states to enforce U.N. resolutions.

If we believe in international law, then we ought to look to what this country did in 1991 when it joined the United Nations' effort on this matter on global security and not go it alone, not initiate a unilateral action or attack or preemptive strike.

The resolution here says, "Whereas the Iraq Liberation Act (Public Law 105-338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime."

Well, the counterpoint is this, and the American people should know this, this sense of Congress resolution which is referred to in that paragraph was not binding. Furthermore, while Congress supported democratic means of removing Saddam Hussein, and I voted for that, we clearly did not endorse the use of force contemplated in this resolution.

Where does it end? Is there some other leader we do not like that we are going to use force to take out? Nor did Congress endorse assassination as a policy. It is absolutely horrific that a Nation which has prided itself as celebrating the rule of law, as believing in the rights of all people, that we would have any document in our government, have any public official in our government, have anybody working for this government implying or openly advocating that we would use assassination as a policy. This country has suffered from assassination of some of our greatest leaders, some of our greatest Presidents, and we know that once that principle goes out there, that it can only go against the highest principles this country stands on.

Mr. Speaker, this resolution says, "Whereas on September 12, 2002, President Bush committed the United States to work with the United Nations Security Council to meet our common challenge posed by Iraq and to work for the necessary resolutions, while also making it clear that the Security Council resolutions will be enforced, and that the just demands of peace and security will be met, or action will be unavoidable."

It goes on to say, "Whereas the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and other United Nations Security Council reso-

lutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary."

That is their cause of war. Now what the American people need to know, and the other side of that key issue is, unilateral actions against Iraq will cost the United States the support of the world community, adversely affecting the war on terrorism. No credible intelligence exists which connects Iraq to the events of 9/11 or to those terrorists who perpetrated 9/11. And under international law, the United States does not have the authority to unilaterally order military action to enforce United Nations Security Council resolutions.

The point that the administration is trying to make, and it is in this resolution, that it is a cause of war is that, "Whereas Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations."

The key issue here and what the American people need to know and what will be in debate on this floor next week is that the administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11. The American people are fair people. They do not believe in hitting someone who did not hit them. They believe in self-defense, but they do not believe that we should bomb Iraq if Iraq is not connected to 9/11.

The administration in the resolution that we will be voting on next week, their cause of war says, "Whereas the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations."

Again, I repeat, the answer to that is obvious. By now people need to understand, the American people need to know, the counterpoint is the administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11. Furthermore, there is no credible evidence that Iraq has harbored those who are responsible for planning the attacks.

The resolution says, "Whereas the President has the authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Mili-

tary Force (Public Law 107-40);" and what the American people need to know and the key point here, the counterpoint is that this resolution that we passed, the one we passed last year, that was specific to 9/11. It was a limited response to 9/11. It did not authorize war without end. We did not vote for that. We did not vote to conduct war against Iraq a year ago.

The resolution states, "Whereas it is in the national security of the United States to restore international peace and security to the Persian Gulf region."

The key issue here, Mr. Speaker, what do we mean by national security interests? If by national security interests of the United States the administration means oil, it ought to communicate such to the Congress. A unilateral attack on Iraq by the United States will cause instability and chaos in the region, and it will sow the seeds of future conflict all over the world.

Mr. Speaker, we have an enactment clause in all laws which is effectively the stuff of which the law is made. All of the things that I have cited before are substantially prefatory clauses, even hortatory language, but the real guts of the law comes in the enactment clause.

□ 1545

The short title is the Authorization for the use of Military Force Against Iraq.

Section 2. Support for United States Diplomatic Efforts.

The Congress of the United States supports the efforts by the President to strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts; and, B, obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and noncompliance and promptly and strictly complies with all relevant Security Council resolutions.

Mr. Speaker, Congress can and Congress should support this clause. However, the section I am about to read, which is section 3, undermines the effectiveness of this section 2. Any peaceful settlement requires Iraq compliance. The totality of this resolution, however, indicates the administration will wage war against Iraq no matter what. This approach, of course, would undermine negotiations.

I am going to cite from section 3 which is the section that all Americans are going to want to know about:

Section 3. Authorization for Use of United States Armed Forces.

Authorization. The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to, 1, defend the national security of the United States against the continuing threat posed by Iraq; and, 2, enforce all relevant United Nations Security Council resolutions regarding Iraq.

Mr. Speaker, the key issue here and the counterpoint and what will be the focus of debate in this House next week is this fact: this clause is substantially similar to the authorization that the President originally sought. It gives authority to the President to act prior to and even without a U.N. resolution, and it authorizes the President to use U.S. troops to enforce U.N. resolutions, even without United Nations' request for it. So what we are talking about here is unilateralism. Go it alone. Policeman of the world. Strike first. Send a signal to every other nation; strike first. This is a violation of chapter 7 of the U.N. charter, which reserves the ability to authorize force for that purpose to the Security Council alone.

Under chapter 7 of the charter of the United Nations, it says that the Security Council shall determine the existence of any threat to peace and shall make recommendations to maintain or restore international peace and security. That is from article 39. It says that only the Security Council can decide that military force would be necessary. The Security Council may decide what measures are to be employed, to give effect to its decisions. Article 41. And it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. That is article 43.

Furthermore, the resolution that will be before us authorizes use of force illegally since the U.N. Security Council has not requested it. According to the U.N. charter, members of the U.N. such as the U.S. are required to make available to the Security Council on its call and in accordance with the special agreement or agreements, armed forces. The U.N. Security Council has not called upon its members to use military force against Iraq at the current time. Furthermore, changes to the language of the previous use of force resolution drafted by Congress and objected to by many Members of Congress are cosmetic.

I want it stated, Mr. Speaker, if I thought for a moment that this country was facing a threat and was under attack, I and every Member of this Congress would rise in a single voice. By voice we would have a unanimous resolution defending this country, because that is our proud tradition. As a matter of fact, that is one of the foundational principles of this country, to provide for the common defense. We have an obligation to provide for the common defense. But we also have an obligation not to let that hallowed principle, that sacred principle of providing for the common defense be misused.

It says provide for the common defense, not provide for the common offense. It is called the Department of Defense, not the Department of Offense. America is not an aggressor Nation, but the resolution that is brought in this House next week would for the first time in the history of this country make America an aggressor Nation. We

have to remember that we are heirs to an incredible tradition, a tradition of standing up for honesty and decency and human rights in this world, a tradition of truth telling, a tradition upon which 226 years rests. In that tradition there are no Democrats or Republicans; there are only Americans. Before this Congress defames the purpose of this country by voting for such a resolution, we owe it to the American people to go over every aspect of this resolution to make sure that we are not making a grievous mistake that would set this country on a path towards destruction.

Mr. Speaker, many of us remember last month when we left this Chamber to join hundreds of Members of Congress in a solemn commemoration of 9-11 and in solidarity with New Yorkers at Federal Hall in New York City. I know the Speaker and other Members of Congress, all of us, could sense a special energy at that sacred shrine to democracy where George Washington was sworn in, where a Congress of 2 centuries ago received the Bill of Rights. As I stood there, Mr. Speaker, in a moment of reflection, I could envision the Congress of long ago gathering as a galaxy of stars just cascaded from the sky through that circular opening above the rotunda of Federal Hall. In my mind's eye, I could see this galaxy of stars coming through representing universal principles pouring into this venerable site, in forming the pledge that Washington made to a new Nation, freedom's holy light illuminating the Bill of Rights.

In that moment, I had a new understanding about our flag. Our flag as spangled with stars as a bolt of heaven itself connects the United States with eternal principles of unity, of brotherhood and sisterhood. Look at that flag. Those stars are not just 50 States. They are principles. And the energy of the stars, present at the birth of this Nation, is still with us. It is upon that dark blue cloth of our flag. One bright star there shines for hope, another star for optimism, another for well-being, one for freedom, one star for abundance, one star for creativity, one for togetherness, and one for peace. One star to wish upon to create our highest aspirations, to make our dreams come true.

This, our country and our very selves are all made of such stars. As the popular song goes, "This is who we are." This is what gives higher meaning to our being an American. This is what gives higher meaning to patriotism. I love our flag. Though some would make it stand for chaos and war, I see the field of stars as standing for the highest expression of human unity. A higher meaning of the United States is that we express wholeness through the unity of 50 States. Out of many, we are one. That is the motto up there, Mr. Speaker, *e pluribus unum*, Latin for "out of many, we are one." We present ourselves to the world as an exemplification of the principle of oneness, of

the universality of all, of the confirmation of one in the many. The world. Out of many nations we are one. Universality, that is where we come from.

The idea of America emerged from the intellectual energy, the heart energy, the spirit energy of the Renaissance, the genesis and a journey of lovers marrying their fortunes together, bound for America, looking for that lamp lifted beside the golden door of liberty. The quest for universal principles, of justice, of human rights, of civil rights, of opportunity, of a meaningful future is what caused millions, millions to see America as the light of nations. These universal principles are the stars by which those who came to our shores sailed. These are the stars that can guide us past the shoals of arms dealers and oil interests who today would crash our ship of state upon the rocks of war.

America has a higher destiny. As with generations past, our destiny can take us to places we have never been before or can only imagine, places of peace, places of plenty, places of hope, places of love. We have a right to live up to our ideals. That is our birthright. We should not trade it for the pretensions of empire, nor for delusions of grandeur, nor for all the gold in Fort Knox, all the tea in China, nor all the oil in Iraq. America has a higher destiny. Mr. Speaker, I want to speak about the America that can be, about reestablishing the context of our Nation, about a second renaissance which can begin in this Nation with this generation.

First, let us travel to the place where civilization was born thousands of years ago, upon the banks of the Tigris and Euphrates. Let us see there, instead of dancing with death and killing untold thousands of innocent civilians, we can change directions, pull back from war with Iraq, change the outcome, connect with our aspirations for peace and reclaim our ingenuity and creativity in human relations.

Why is this war and why has this war that we are facing with Iraq, why has it been presented as inevitable? Is it not time to insist that our leaders stop incessant war talk, this assumed right to unilateral action? Is it not time that we insist on preventive diplomacy and our obligation to work with the world community on matters of global security? Why is this war being presented as inevitable?

The headlines from The New York Times the day after we visited to commemorate 9-11 read, "Bush to Warn U.N., Act on Iraq or U.S. Will. He Leads Nation in Mourning at Terrorist Sites." There is no credible evidence linking Iraq with 9-11, with al Qaeda, or with anthrax attacks. There is no credible evidence Iraq has usable weapons of mass destruction, the ability to deliver such weapons, or the intention to do so.

When Iraq possessed such weapons, quite sad to say, they did it with the knowledge and sometimes with materials from the United States. During

the administration of President Reagan, 60 helicopters were sold to Iraq. Later reports said Iraq used U.S. helicopters to spray Kurds with chemical weapons. According to The Washington Post, Iraq used mustard gas against Iran with the help of intelligence from the CIA. Intelligence reports cited the use of nerve gas by Iraq against Iran. Iraq's punishment? The U.S. reestablished full diplomatic ties around Thanksgiving of 1984. Throughout 1989 and 1990, U.S. companies, with the permission of the first Bush government, sent to Iraq, the government of Saddam Hussein, tons of mustard gas precursors, live cultures for bacteriological research, helped to build a chemical weapons factory, supplied West Nile virus, supplied fuel explosive technology, computers for weapon technology, hydrogen cyanide precursors, computers for weapon research and development, and vacuum pumps and bellows for nuclear weapons plants.

"We have met the enemy," said Walt Kelly's Pogo, "and he is us."

□ 1600

Unilateral action on the part of the United States or in partnership with Great Britain would for the first time set our Nation on a blood-stained path of aggressive war, a sacrilege against the memory of those who fought to defend this country. America's moral authority would be undermined throughout the world. It would signal for Russia to invade Georgia; China, Taiwan; North Korea, South; India, Pakistan; and destabilize the entire Gulf and Middle Eastern region.

There is a way out. We need a comprehensive solution to the crisis in Iraq. It must involve the United Nations, and it can be facilitated by Russia, which signed a \$40 billion trade agreement with Iraq. Inspections for weapons of mass destruction must begin immediately. Inspectors must have free and unfettered access to all sites. Negotiations must begin.

Concerning the counterproductive policies, a regime change and sanctions, emergency relief must be expedited. Free trade except in arms should be permitted. Foreign investments should be allowed, and the assets of Iraq abroad must be restored. A regional zone free of weapons of mass destruction should be established.

If we could take a new direction in Iraq and the region, we could begin a new era of peace. We do not have to go to war. We could refocus our effort on the conflict between the Palestinians and the Israelis. We could bring new initiatives to help Pakistan and India resolve Kashmir.

Mr. Speaker, in total, the United States can repair its position in the world community through cooperation, not confrontation. We can change the world for the better, and we can look to the heavens itself for guidance. We can begin by banning any research planning or deployment of weapons in outer space. Human destiny has always

been linked with the stars. How grim that America is planning to put weapons in outer space, to seize the ultimate high ground, to attempt to gain strategic advantage over every nation on Earth.

We must turn back from such arrogance. We must let the name of peace be hallowed on Earth as it is in the heavens. With a space preservation treaty, we must direct our efforts towards solving conflicts on this planet rather than spreading war and perpetuity throughout the universe in a plan paradoxically called Vision 2020.

I have a vision of nations working together cooperatively, using what President Franklin Roosevelt called the science of human relations. That is the basis for the creation of a department of peace which seeks to make non-violence an organizing principle in our society for domestic as well as international policy. War is not inevitable unless we refuse to work for peace patiently and tirelessly.

I envision a U.S. leadership which will end the threat of nuclear destruction by realizing the promise of the Nonproliferation Treaty. Seventeen nations possess, are pursuing, or are capable of acquiring nuclear weapons. Now is the time to stop the drive towards nuclear rearmament. Now is the time to provide incentives to stop the nuclear arms race, to stop building nuclear weapons, and to stop testing.

America should restore the ABM Treaty and begin again with Russia true arms reductions towards the day when all nuclear weapons are abolished, and America can lead those 26 nations which possess or they are pursuing or are trying to get chemical weapons of mass destruction. We need to move towards participation in the chemical weapons convention and agree to have such weapons eliminated worldwide. America can lead the way towards the destruction of all biological weapons of mass destruction by signing on to the biological weapons convention. Twenty nations have designs on such weapons. Let America lead the way towards abolishing biological weapons.

We have much work to do to regain world leadership in ending the proliferation of small arms by signing the small arm treaty and to eliminate the scourge of land mines. America can help strengthen the cause of international justice by agreeing to the International Criminal Court. Certainly, certainly a Nation which has an interest in bringing to justice those in violation of international law should support an international court which would accomplish just that.

Mr. Speaker, last month I represented the United States at the World Summit on Sustainable Development. There with the gentleman from California (Mr. GEORGE MILLER), the gentleman from Oregon (Mr. BLUMENAUER), I called for our Nation to join with the world community in solving the challenge of global climate

change and working to reduce carbon emissions, greenhouse gases. America must lead the way towards sustainable and renewable energies. As a first step, I joined with Mayor Brown of Oakland, proposing a \$50 billion solar initiative in cooperation with Mikhail Gorbachev's Global Green.

It is the United States that lead the way towards a global community which is inclusive and sustainable, which promotes democratic values, and which enables the growth of potential and the health of each person by putting human rights and workers' rights and environmental quality principles into each and every trade agreement.

There is much work to do on the world stage, but we cannot do it by creating war when we ought to be working for peace. Iraq is not an imminent threat, but an unemployment rate which is reaching 6 percent is an imminent threat. Forty-one million Americans without health insurance is an imminent threat. The high cost of prescription drugs, an imminent threat. Unregulated energy companies which charge confiscatory rates for electricity and gas, an imminent threat. Large corporations which lie about their value and deprive stockholders of their life's savings, an imminent threat. Seniors losing their pensions, an imminent threat.

So, too, is the climate of fear being cycled in this country. Every time a civil liberty is rolled back or undermined in America, a little bit of our free Nation dies. Each government report which drums terror and fear weakens our Nation. When Francis Scott Key wrote "Oh, say does that star-spangled banner yet wave, o'er the land of the free and the home of the brave," he made the essential connection between democracy and courage. Courage will guide our Nation through this crisis. Courage will enable us to set our government right. Courage will enable us to go to the campuses, to labor halls, to churches and to the streets to organize against a war which will undermine our Nation, ruin our reputation, kill innocent people, and damage the economy of our Nation and the world.

We are at a critical and creative moment in the human history where we have it within our power to change the world. It is about evolutionary politics which follows an evolutionary consciousness. We can do it by changing the way we look at the world, by contemplating and realizing universal brotherhood and sisterhood of all persons. We can do it by tapping into our own unlimited potential to think anew.

Imagine, imagine if we could look at our Nation today with the same daring with which our Founders gazed. Imagine if we could regain the capacity of spirit which animated freedom of speech, the right to assemble, the right to vote, freedom from fear, freedom from want.

I tell my colleagues that there is another America out there, and it is

ready to be called forward. It is the America of our dreams. It is the America of the flag full of stars. It is the America which is in our hearts, and we can make it the heart of the world.

I thank the people of the 10th Congressional District for giving me the honor to serve the State of Ohio in this Congress, and I join once again in gratitude to all those Members of Congress who today called on the people of America to reconfirm the commitment of government of the people, by the people, and for the people, to reconfirm the connection which you have with this country. And if you do not want war with Iraq, then the people have the right to contact their Members of Congress and tell them so. That is the essence of representative government; that is the process I am proud to be a part of. That is why it is a privilege to be a Member of the Congress of the United States.

OMISSION FROM THE CONGRESSIONAL RECORD OF WEDNESDAY, OCTOBER 2, 2002 AT PAGE H6963

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC., September 26, 2002.

Hon. J. DENNIS HASTERT,
Speaker of the House,
Washington, DC

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on September 25, 2002 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army. Sincerely,

DON YOUNG,
Chairman.

There was no objection.

DOCKET 2702: MARTIN PENA CANAL, SAN JUAN, PUERTO RICO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Rio Puerto Nuevo, Puerto Rico, and other pertinent reports to include the dredging of Cano Martin Pena Project Design Report and Environmental Impact Statement, dated March 2001, to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of environmental restoration and protection and related purposes at the Martin Pena Canal, San Juan, Puerto Rico.

Adopted: September 25, 2002.

DOCKET 2703: ARTHUR KILL CHANNEL AND MORSES CREEK TO PERTH AMBOY, NEW JERSEY
Resolved by the Committee on Transportation and Infrastructure of the United States House

of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the New York and New Jersey Channels, published as House Document 133, 74th Congress, 1st Session, and other pertinent reports to determine whether benefits have changed affecting the feasibility of deepening the Arthur Kill channel and easing bends in the channel from Morses Creek to Perth Amboy, New Jersey, to accommodate deep draft navigation. The review shall include the locally prepared study entitled "Pre-feasibility Study for Channel Improvements—Arthur Kill from Morses Creek to Perth Amboy and Raritan Bay Approaches."

Adopted: September 25, 2002.

DOCKET 2704: ELLIOTT BAY SEAWALL, SEATTLE, WASHINGTON

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the Comprehensive Study of Water and Related Land Resources for Puget Sound and Adjacent Waters, State of Washington, dated 1971, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of storm damage prevention, shoreline protection, environmental restoration and protection, and related purposes in Elliott Bay, Washington, including the rehabilitation of the Alaskan Way seawall.

Adopted: September 25, 2002.

DOCKET 2705: MIDDLE AND LOWER ST. CROIX RIVER, MINNESOTA AND WISCONSIN

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the St. Croix River, Wisconsin and Minnesota, published as House Document 462, 71st Congress, 2nd Session, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, environmental restoration and protection, water quality and related purposes to include developing a comprehensive coordinated watershed management plan for the development, conservation, and utilization of water and related land resources in the St. Croix River Basin and its tributaries.

Adopted: September 25, 2002.

DOCKET 2706: TONAWANDA CREEK WATERSHED, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Buffalo Metropolitan Area Water Resources Management Final Report dated 1991 and all interim studies for the entire Tonawanda Creek Watershed and related reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of environmental restoration and protection, flood damage reduction, stream bank restoration, water quality, recreation and other related purposes.

Adopted: September 25, 2002.

DOCKET 2707: MILL CREEK, SOUTHAMPTON, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the

Chief of Engineers on the Delaware River Basin, New York, New Jersey, Pennsylvania and Delaware, published as House Document 522, 87th Congress, 2nd Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of flood control, environmental restoration and protection, riparian habitat improvement, erosion, and other related purposes in the Mill Creek area, Southampton, Pennsylvania.

Adopted: September 25, 2002.

DOCKET 2708: SILVER AND BROCK CREEKS, YARDLEY, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Delaware River Basin, New York, New Jersey, Pennsylvania and Delaware, published as House Document 522, 87th Congress, 2nd Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of flood control, environmental restoration and protection, riparian habitat improvement, erosion, and other related purposes in the Silver and Brock Creeks Watersheds, Yardley, Pennsylvania.

Adopted: September 25, 2002.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TANNER (at the request of Mr. GEPHARDT) for today on account of a death in the family.

Mr. LEWIS of California (at the request of Mr. ARMEY) for today after 11:30 a.m. and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.
Mr. GREEN of Texas, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.
Ms. NORTON, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. BROWN of Ohio, for 5 minutes, today.

Mr. SHOWS, for 5 minutes, today.
Mr. STRICKLAND, for 5 minutes, today.

Mr. FARR of California, for 5 minutes, today.
Mr. TAYLOR of Mississippi, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. GEKAS, for 5 minutes, today.
Mr. JONES of North Carolina, for 5 minutes, October 7.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 1226. An act to require the display of the POW/MIA flag at the World War II memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial; to the Committee on Resources.

S. 2980. An act to revise and extend the Birth Defects Prevention Act of 1998; to the Committee on Energy and Commerce.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 27, 2002 he presented to the President of the United States, for his approval, the following bills.

H.J. Res 111. Making continuing appropriations for the fiscal year 2003, and for other purposes.

H.R. 640. To adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes.

ADJOURNMENT

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

The SPEAKER pro tempore (Mr. REHBERG). The motion is agreed to.

Mr. KUCINICH. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. All those in favor of taking this vote by the yeas and nays will rise and remain standing until counted.

An insufficient number has arisen.

The yeas and nays are refused.

So the motion was agreed to; accordingly (at 4 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until Monday, October 7, 2002, at 9:30 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9486. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 00-07, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

9487. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans State of Montana: General Conformity [MT-001-0046a; FRL-7383-2] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9488. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Volatile Organic Compound Reasonably Available Control Technology (RACT) Plans and Regulations [MA-083-7213a; A-1-FRL-7374-9] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9489. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County's Generic VOC and NOx RACT Regulation and Revised Definitions [PA135-4101a; FRL-7389-2] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9490. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia, Regulation to Prevent and Control Air Pollution From the Operation of Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas [WV048-6020a; FRL-7381-7] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9491. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ambient Air Quality Standard for Carbon Monoxide and Ozone [WV052-0623a; FRL-7388-9] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9492. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Ambient Air Quality Standard for Nitrogen Dioxide [WV054-6022a; FRL-7381-9] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9493. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Approval of PM10 State Implementation Plan (SIP) Revisions and Designation of Areas for Air Quality Planning Purposes [MA-075-7209a; A-1-FRL-7374-7] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9494. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for North Dakota; Revisions to the Air Pollution Control Rules; Delegation of Authority for New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants [ND-001-0005a & 0007a; FRL-7379-8] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9495. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay Sanctions, Bay Area Air Quality Management District [CA 272-03969c; FRL-7387-2] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9496. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Pollution Control District and South Coast Air Quality Management District [CA207-0252; FRL-7380-8] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9497. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California

State Implementation Plan, South Coast Air Quality Management District [CA187-0365a; FRL-7385-3] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9498. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Land Disposal Restrictions: National Treatment Variance to Designate New Treatment Subcategories for Radioactively Contaminated Cadmium-, Mercury-, and Silver-Containing Batteries [FRL-7390-7] (RIN: 2050-AE99) received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9499. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA272-0369a; FRL-7387-1] received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9500. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting the Department of the Army's proposed lease of defense articles to the Government of Norway (Transmittal No. 15-02), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

9501. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the revised annual report concerning defense articles and services that were licensed for export under section 38 of the Arms Export Control Act during Fiscal Year 2001; to the Committee on International Relations.

9502. A letter from the Chairman, Federal Communications Commission, transmitting the Commission's revised strategic plan for FY 2003 through FY 2008; to the Committee on Government Reform.

9503. A letter from the Comptroller General, General Accounting Office, transmitting information concerning GAO employees who were assigned to congressional committees as of July 22, 2002; to the Committee on Government Reform.

9504. A letter from the Director, Regulations and Forms Services Division, Department of Justice, transmitting the Department's final rule — Delegating the Secretary of Labor the Authority To Adjudicate Certain Temporary Agricultural Worker (H-2A) Petitions [INS No. 1946-98; AG Order No. 2617-2002] (RIN: 1115-AF29) received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9505. A letter from the Chairperson, United States Commission on Civil Rights, transmitting a report entitled, "Ten-Year Check-Up: Have Federal Agencies Responded to Civil Rights Recommendations," pursuant to 42 U.S.C. 1975a(c); to the Committee on the Judiciary.

9506. A letter from the Attorney, Department of Transportation, transmitting the Department's final rule — Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications [Docket No. RSPA-02-12524 (HM-189T)] (RIN: 2137-AD72) received October 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9507. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Guidelines Establishing Test Procedures for the Analysis of Pollutants; Measurement of Mercury in Water; Revisions to EPA Method 1631 [FRL-7390-6] (RIN: 2040-AD72) received October 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9508. A letter from the Deputy Administrator, General Services Administration, transmitting a report of Building Project Survey for the U. S. Court of Appeals in Atlanta, GA; to the Committee on Transportation and Infrastructure.

9509. A letter from the Administrator, General Services Administration, transmitting informational copies of additional lease prospectuses that support the General Services Administration's Fiscal Year 2003 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 282. A bill to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorists attacks, or covert operations; with an amendment (Rep. 107-719). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 5400. A bill to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and for other purposes; with an amendment (Rept. 107-720). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. HART (for herself, Mr. NORWOOD, Mr. WAMP, and Mr. SHIMKUS):

H.R. 5542. A bill to consolidate all black lung benefit responsibility under a single official, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 5543. A bill to amend title 23, United States Code, to provide incentives to States for the development of traffic safety programs to reduce crashes related to driver fatigue and sleep deprivation; to the Committee on Transportation and Infrastructure.

By Mr. BOUCHER (for himself and Mr. DOOLITTLE):

H.R. 5544. A bill to amend the Federal Trade Commission Act to provide that the advertising or sale of a mislabeled copy-protected music disc is an unfair method of competition and an unfair and deceptive act or practice, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. LEWIS of California, Mrs. BONO, and Mr. BACA):

H.R. 5545. A bill to designate a Prisoner of War/Missing in Action National Memorial at Riverside National Cemetery in Riverside,

California; to the Committee on Veterans' Affairs.

By Mr. DUNCAN (for himself and Mr. WAMP):

H.R. 5546. A bill to authorize the construction of a replacement lock at the Chickamauga Lock and Dam, Tennessee; to the Committee on Transportation and Infrastructure.

By Mr. FRANK (for himself and Mr. LYNCH):

H.R. 5547. A bill to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. HOUGHTON:

H.R. 5548. A bill to amend the Internal Revenue Code of 1986 to provide fairness in tax collection procedures; to the Committee on Ways and Means.

By Mr. HOUGHTON:

H.R. 5549. A bill to amend the Internal Revenue Code of 1986 to provide for improved administrative efficiency and confidentiality under the internal revenue laws; to the Committee on Ways and Means.

By Mr. HOUGHTON:

H.R. 5550. A bill to amend the Internal Revenue Code of 1986 to reform its penalty and interest provisions; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5551. A bill to amend the Internal Revenue Code of 1986 to allow corporations to claim a charitable deduction for the donation of services related to contributions of computer technology or equipment; to the Committee on Ways and Means.

By Mr. OTTER:

H.R. 5552. A bill to provide for the conveyance of Federal land in Sandpoint, Idaho, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTMAN (for himself and Mr. CARDIN):

H.R. 5553. A bill to amend the Internal Revenue Code of 1986 to preserve retirement security by accelerating increases in retirement plan contribution limits and by eliminating rules that force depletion of retirement savings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADANOVICH:

H.R. 5554. A bill to prohibit the Administrator of the Environmental Protection Agency from issuing or renewing certain national pollutant discharge elimination system permits; to the Committee on Transportation and Infrastructure.

By Mr. BRYANT:

H. Con. Res. 498. Concurrent resolution honoring the United States Marines killed in action during World War II while participating in the 1942 raid on Makin Atoll in the Gilbert Islands and expressing the sense of Congress that a site in Arlington National Cemetery near the Space Shuttle Challenger Memorial at the corner of Memorial and Faragut Drives should be provided for the remains of those Marines; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions

as fall within the jurisdiction of the committee concerned.

By Mr. HOSTETTLER:

H. Con. Res. 499. Concurrent resolution honoring George Rogers Clark; to the Committee on Government Reform.

By Mr. CUNNINGHAM:

H. Res. 570. A resolution concerning the San Diego long-range sportfishing fleet and rights to fish the waters near the Revillagigedo Islands of Mexico; to the Committee on Resources.

By Mr. DAVIS of Illinois:

H. Res. 571. A resolution honoring the life of David O. "Doc" Cooke, the "Mayor of the Pentagon"; to the Committee on Government Reform.

By Mr. PLATTS:

H. Res. 572. A resolution honoring the 225th anniversary of the signing of the Articles of Confederation; to the Committee on Government Reform.

By Mr. WATTS of Oklahoma (for himself, Mr. ROYCE, and Mr. THORBERRY):

H. Res. 573. A resolution providing that development assistance by the United States to foreign countries should be provided only to countries that work toward economic and political freedom to improve the living standards of all of its citizens; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. UDALL of Colorado introduced a bill (H.R. 5555) for the relief of Jesus Raul Apodaca-Madrid, Adan Apodaca-Bejarano, Maria de Jesus Madrid-Tarango, Francisco Javier Apodaca-Madrid, Alma Delia Apodaca-Madrid, Maria Isabel Apodaca-Madrid, Laura Apodaca-Madrid, and Luis Bernardo Chavez-Apodaca; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 97: Mr. MCINTYRE.
H.R. 600: Mr. FATTAH.

H.R. 690: Mr. PAYNE, Mr. PASCRELL, and Mr. JEFFERSON.

H.R. 826: Ms. HARMAN, Mr. WICKER, and Mr. JEFF MILLER of Florida.

H.R. 950: Mr. PLATTS.
H.R. 951: Mr. MCCRERY and Mr. MORAN of Kansas.

H.R. 1143: Mr. TIAHRT.
H.R. 1368: Mr. DUNCAN.
H.R. 1520: Ms. ROS-LEHTINEN and Mr. GALLEGLY.

H.R. 1555: Mr. HALL of Texas.
H.R. 1754: Mr. DUNCAN.

H.R. 1774: Mr. HOUGHTON.
H.R. 2457: Mr. WILSON of South Carolina.

H.R. 2484: Mr. CAMP.
H.R. 2573: Mr. SENSENBRENNER.

H.R. 2630: Ms. DELAURO.
H.R. 2874: Mr. MEEHAN, Mr. HINCHEY, Mr. RAHALL, and Mr. WYNN.

H.R. 3107: Mr. GOODE and Mr. VISCLOSKEY.
H.R. 3333: Mr. RILEY.

H.R. 3414: Mr. SHERMAN.
H.R. 3617: Ms. DELAURO.

H.R. 3710: Mr. RADANOVICH.
H.R. 3831: Mr. CLAY and Mr. CAMP.

H.R. 3886: Mr. HOLT, Mr. PALLONE, Mr. CROWLEY, and Mr. CAPUANO.

H.R. 3961: Mr. ROTHMAN.
H.R. 3992: Mr. UDALL of Colorado, Mr. COSTELLO, and Mr. FORD.

H.R. 4548: Mr. UDALL of Colorado, Mr. COSTELLO, Mrs. MORELLA, and Mr. FORD.

H.R. 4604: Mr. WELDON of Florida.
 H.R. 4743: Mr. KUCINICH.
 H.R. 4750: Ms. PELOSI, Mrs. DAVIS of California, Mr. LANTOS, Mr. HONDA, Ms. WOOLSEY, Ms. ESHOO, Mr. STARK, Mr. BACA, Mr. CONDIT, and Mr. GEORGE MILLER of California.
 H.R. 4763: Mr. SANDLIN, Mr. BALDACCI, and Mr. LAHOOD.
 H.R. 4843: Mr. BAIRD and Mr. SAXTON.
 H.R. 4950: Mr. KERNS and Mr. MCINNIS.
 H.R. 5013: Mr. GRAHAM and Mr. BURTON of Indiana.
 H.R. 5081: Mr. CALVERT, Mr. GIBBONS, and Mr. DOOLEY of California.
 H.R. 5085: Mr. HOLT.
 H.R. 5089: Ms. SOLIS.
 H.R. 5147: Mr. TANCREDO and Mr. TOOMEY.
 H.R. 5165: Mr. WALSH.
 H.R. 5230: Mr. CROWLEY and Mr. HINCHEY.
 H.R. 5250: Mr. MORAN of Kansas, Mr. OXLEY, and Mr. MALONEY of Connecticut.
 H.R. 5268: Mr. PHELPS, Mr. LANGEVIN, and Ms. VELAZQUEZ.
 H.R. 5293: Mr. ENGEL.
 H.R. 5310: Mr. WU.
 H.R. 5311: Mr. PHELPS, Mr. BASS, and Mrs. JO ANN DAVIS of Virginia.
 H.R. 5317: Mr. HINCHEY.
 H.R. 5334: Mr. GREEN of Wisconsin, Mr. HONDA, Ms. KAPTUR, Mr. HOLT, Mr. KELLER, Mr. FORD, Ms. BALDWIN, Mr. CONYERS, Mr. STUPAK, and Mr. MEEHAN.
 H.R. 5344: Mr. RANGEL.
 H.R. 5346: Mr. BISHOP.
 H.R. 5359: Mr. ISRAEL.

H.R. 5383: Mr. UDALL of Colorado, Mr. SCHAFFER, Mr. MCHUGH, Mr. GEKAS, Mr. CLYBURN, and Mr. GORDON.
 H.R. 5411: Mr. OLVER, Mrs. CLAYTON, Mrs. THURMAN, Mr. TOWNS, Mr. SERRANO, Mr. TIERNEY, Mr. COSTELLO, Mrs. JONES of Ohio, Mr. GRAHAM, and Ms. NORTON.
 H.R. 5413: Mr. ROGERS of Michigan, Mr. HOEKSTRA, Mr. LINDER, Mr. BALLENGER, Mr. RYAN of Wisconsin, and Mrs. MYRICK.
 H.R. 5417: Mr. BLUMENAUER.
 H.R. 5446: Mr. BAKER.
 H.R. 5456: Mrs. MALONEY of New York.
 H.R. 5459: Mr. YOUNG of Alaska.
 H.R. 5463: Mr. ISTOOK and Mr. PAUL.
 H.R. 5479: Mr. ISRAEL.
 H.R. 5485: Mr. RYUN of Kansas.
 H.R. 5491: Mr. KENNEDY of Rhode Island, and Mr. UDALL of Colorado.
 H.R. 5499: Ms. WATERS and Ms. VELAZQUEZ.
 H.R. 5511: Ms. NORTON, Mr. CROWLEY, and Mr. MCNULTY.
 H.J. Res. 31: Mr. HINCHEY, Mr. OWENS, Mrs. CHRISTENSEN, Mr. PAYNE, and Mrs. JONES of Ohio.
 H. Con. Res. 462: Mr. UDALL of Colorado and Mr. STUPAK.
 H. Con. Res. 466: Mr. MORAN of Virginia and Mr. KOLBE.
 H. Con. Res. 477: Mr. MORAN of Kansas, Mr. LANGEVIN, and Mr. BALDACCI.
 H. Con. Res. 492: Mr. GILMAN, Mr. CHABOT, Mr. LANTOS, and Mr. ISSA.
 H. Res. 548: Mr. SAM JOHNSON of Texas.
 H. Res. 549: Mr. OXLEY, Mr. OSBORNE, and Mr. PLATTS.

H. Res. 560: Mr. BARCIA and Mr. HOEKSTRA.
 H. Res. 565: Mr. HOEKSTRA, Mr. UPTON, Mr. ROGERS of Michigan, Mr. KILDEE, Mr. DINGELL, Ms. KILPATRICK, Mr. CONYERS, and Mr. BONIOR.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 448: Mr. CARSON of Oklahoma.
 H.R. 3781: Mr. SMITH of Washington.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 11, by Mrs. THURMAN on House Resolution 517: George Miller, Nydia M. Velazquez, John B. Larson, Harold E. Ford, Jr., Stephen Horn, David R. Obey, William J. Coyne, and Rod R. Blagojevich.

Petition 12, by Mr. CONYERS on House Resolution 519: Eliot L. Engel, Martin T. Meehan, Carolyn B. Maloney, Steven R. Rothman, John J. LaFalce, Bill Luther, Gerald D. Kleczka, Stephen Horn, William J. Coyne, Mike Thompson, John M. Spratt, Jr., and Karen L. Thurman.