

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 4577, DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. HOLT. Mr. Speaker, pursuant to clause 7(c) of House rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 4577, a bill making appropriations for fiscal year 2001 for the Departments of Labor, Health and Human Services, and Education.

The form of the motion is as follows:

Mr. HOLT moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources for local school construction and, instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

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Mr. WU. Mr. Speaker, pursuant to clause 7(c) of House rule XXII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct conferees on H.R. 4577, a bill making appropriations for fiscal year 2001 for the Departments of Labor, Health and Human Services, and Education.

The form of the motion is as follows:

Mr. WU moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 4577, be instructed to insist on disagreeing with provisions in the Senate amendment which denies the President's request for dedicated resources to reduce class size in the early grades and instead, broadly expands the Title VI Education Block Grant with limited accountability in the use of funds.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include tabular and extraneous material, on H.J. Res. 119.

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

There was no objection.

FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2001

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the provisions of House

Resolution 646, I call up the joint resolution (H.J. Res. 119) making further continuing appropriations for the fiscal year 2001, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 119 is as follows:

H.J. RES. 119

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 106-275, is further amended by striking the date specified in section 106(c) and inserting "October 30, 2000".

The SPEAKER pro tempore. Pursuant to House Resolution 646, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair will recognize the gentleman from Florida (Mr. YOUNG).

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

Mr. Speaker, this is another one of those one-day CRs. We find ourselves here in the House Chamber on Sunday night because the President of the United States refuses to sign a continuing resolution longer than 24 hours. This resolution is to provide for one more day of continuing government funding until tomorrow night.

I would report briefly that the negotiations are ongoing this afternoon, negotiations with both parties and both Houses of the Congress. We will be meeting with the representatives of the White House later tonight. We would make every effort possible to conclude those negotiations sometime before tomorrow morning and hopefully be able to write this final bill and to file it in the House sometime tomorrow night and possibly have it on the floor Tuesday. That is why we are here tonight, Mr. Speaker.

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

□ 1830

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

Mr. Speaker, while I am told the Packers lost, my only consolation is I guess the Vikings did too.

Mr. Speaker, we are now faced with the need to pass the eighth continuing resolution, I believe, of the year. Well, let me back up and just make an observation.

The gentleman from Florida (Mr. YOUNG) said we are here tonight because the President refused to sign any continuing resolution longer than 1 day. Let me respectfully disagree with that statement. We are here because the House worked all year, diligently, and passed all 13 appropriation bills.

The problem is that those bills had no attachment to reality. Those bills were fashioned, as they were, in order

to allow the majority to continue its pretense that the surpluses would be large enough that we could provide very large tax cuts and still balance the budget and pay down the debt and provide all of the funding that the Congress intended to provide for its discretionary programs. The Congress, in the month of October, at least the House itself, did not finish action on a single appropriation bill, and now we are faced with the necessity to do a year's worth of work in 1 month's time.

The reason the President indicated he would not sign continuing resolutions longer than 1 day is because virtually no progress was made for the first month after he had signed a series of longer continuing resolutions, and he felt that it was necessary to try to bring things to a head so that this body would in fact get its work done. Article I of the Constitution gives us the requirement to get our work done on basic things like the budget. The Congress has not done so. There are a number of bills that still have not yet gone to the President's desk.

So now we not only are dragging in terms of schedule, but because a whole range of other issues were not dealt with by this House and by the authorizing committees, we now have 313 separate authorization items which we are being asked to include in this bill by various persons within this institution. We are supposed to go through all of those items between 6:30 tonight and 10 o'clock tonight.

I am going to let somebody else say with a straight face that they will know what they are doing in dealing with all of those bills. I am one of the four that is supposed to deal with them, and I certainly do not know what all of them are.

The good Senator can tell me to stop speaking if he wants, but he is a guest in this House. Let me simply say that I am not going to stop speaking until I have finished my statement.

I would simply ask Members to recognize that this is not a responsible way to run a railroad. I hope it never happens again, and I would hope that tonight, as we enter that room, that we have a flexible response from the Republican leadership to the White House offer yesterday to end this impasse.

The White House has laid out a fairly straightforward proposition for ending the divisions, at least on the major bill that divides us, the Labor-Health-Education bill. I would hope that we would have flexibility on the part of both sides as we are in those negotiations.

Mr. Speaker, let me simply say I regret as much as anyone the fact that Members have to be kept here, but had we had a series of honest appropriation bills and sensible orders from the House leadership to begin with over the first 8 months of this year, all of this chaos would not be necessary.

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

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

Mr. Speaker, I just want to reiterate, we could have passed a continuing resolution on Friday that would have kept us going until Monday night, and Members could have been home Saturday and Sunday in their districts tending to their district business. But the President refused to sign one that would take us until Monday night, so we are here doing it on Sunday to get to Monday night. So that is the real reason.

Regarding the argument that my friend, the gentleman from Wisconsin (Mr. OBEY), makes about where we are in the process, the House Committee on Appropriations had concluded all of its appropriations bills in July, early July, and we had them all through on the floor. We had them all through on the floor, and 12 of the 13 were passed through this House. The 13th was prepared to be passed, but it was pulled off the schedule in July, and we did not take it up again until we came back from the August recess.

The House has done its job. But what has happened here, as the gentleman from Wisconsin (Mr. OBEY) has mentioned, is how many requests we have had from Members of the House on both sides of the aisle, Members of the Senate on both sides of the aisle, from the President of the United States, some of them just coming over, many slipped in the doorway in the last couple of days. So we have had to deal with all of these issues.

That, plus the fact that we have spent hour after hour, day after day, on amendments to bills in the House that had nothing to do with an appropriations bill, that were not germane, that were subject to a point of order; but as a courtesy to the minority, we allowed them hours and hours and hours of extra time on those amendments that we knew were not even in order. In fact, in most cases, the sponsor of the amendment withdrew the amendment after the delaying tactics of using up that time.

Now, that is why we are here. Let us be honest about it. We are here because the President will sign only a one-day CR per day, and we are here because there have been certain delaying tactics that have kept this House behind its appointed schedule.

Now, we ought to get this CR through here quickly so the other body can pass it tonight and the President can have it and sign it in time for the government to continue tomorrow.

There is another reason. Every hour that we spend on this floor now takes the gentleman from Wisconsin (Mr. OBEY) and myself, who are negotiators for the House, away from the negotiating table. We have Senators waiting in another room, waiting for us to come back to try to continue those ne-

gotiations, to go over the list of requests made by our colleagues here in the House, to see if we can agree to them or if we cannot agree to them.

So these unnecessary delays are keeping us from concluding our business. That is one reason that the gentleman from Wisconsin (Mr. OBEY) and I, whether we like it or not, are going to be here until the late hours tonight, Sunday night, and probably into the early hours of Monday morning, if we are going to get this product completed and filed by tomorrow night.

Mr. Speaker, I wanted to advise the gentleman from Wisconsin (Mr. OBEY) that at this point I have no further requests for time and will reserve the balance of my time so that we can conclude this CR.

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

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

Mr. Speaker, I do not want to prolong this, because the gentleman and I need to get back to the negotiations, but I do want to respond to one point he said. He has made much of the fact that the majority was so kind and gracious that they gave the minority an opportunity to debate amendments which were not in order.

Let me say that that itself is the problem, because the majority used the Committee on Rules to prevent us from offering amendments that would have made those appropriation bills real. They prevented us from offering those amendments because they knew if we brought them to the floor they would have enough Republican support, along with our support, to pass. So, instead of giving us the opportunity to get a vote on items that we thought were necessary, they said, no, we will not give you the right to vote on them. All we will do is give you an opportunity to talk on them for a little bit. So that was the second best option. It was the only option we were given.

So I think, in fact, the gentleman's remarks illustrate how arbitrary the majority was in assuring that the minority would never be able to produce amendments that would make these bills real. That is why we are stuck here tonight.

The other point I would simply make is that the majority has now passed appropriation bills which have taken these bills billions of dollars above the level of the amendments that we tried to offer that they said were not in order in the first place because they supposedly exceeded the budget resolution. The majority itself has now exceeded their own budget resolution by almost \$40 billion. So the idea that somehow we had a real legislative process going on on those 13 bills is a joke.

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

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

Mr. Speaker, I just wanted to make the point that all of the appropriations bills that we brought to the House floor were under an open rule, an open rule, and the rules of the House prevailed.

I would just like to say to my friend, the gentleman from Wisconsin (Mr. OBEY), that when we did allow that extra time of debate on amendments that were not even in order, that is the courtesy we showed to the minority that when they were the majority party they never showed to us.

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

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

Mr. OBEY. Mr. Speaker, that is a distinction without meaning, because the fact is the gentleman says we were given amendments that we could offer under an open rule. But in fact that was a closed rule, because of the nature of the budget resolution, which was so artificially low in order to make room for your "let's-pretend-tax-cut," that the rules were then used to preclude us from offering amendments that otherwise would have been in order under an open rule, and you know that as well as I do.

Mr. YOUNG of Florida. Mr. Speaker, reclaiming my time, that is a good spin on that subject, but check the record. They were open rules.

Mr. Speaker, I just ask for a vote on the CR, so we can get about the rest of our business tonight.

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

The SPEAKER pro tempore (Mr. THORNBERRY). All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to House Resolution 646, the previous question is ordered.

The question is on engrossment and third reading of the 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 342, nays 7, not voting 83, as follows:

[Roll No. 575]

YEAS—342

Ackerman	Andrews	Baca
Aderholt	Army	Bachus

Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bentsen
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Coburn
Collins
Combest
Cook
Cox
Coyne
Cramer
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Fossella
Frelinghuysen

Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinojosa
Hobson
Hoefel
Hoekstra
Holden
Holt
Hookey
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Jones (OH)
Kelly
Kildee
Kind (WI)
King (NY)
Kingston
Kleccka
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Largent
Larson
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McKeon
McKinney
McNulty
Meeks (NY)

Mica
Millender-
McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Packard
Pallone
Pascrell
Pastor
Paul
Payer
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)

Smith (WA)
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas

Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Trafficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Vitter
Walden
Walsh

Wamp
Waters
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—7

Baird
Barton
Capuano

Abercrombie
Allen
Archer
Barr
Becerra
Bereuter
Bishop
Boucher
Brown (FL)
Campbell
Clay
Clayton
Conyers
Cooksey
Crane
Crowley
Danner
Davis (IL)
Delahunt
Dickey
Dooley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Gillmor
Greenwood

Costello
DeFazio
Dingell

NOT VOTING—83

Gutierrez
Hastings (FL)
Hefley
Hilliard
Hinche
Houghton
Hulshof
Johnson (CT)
Johnson, E.E.
Kanjorski
Kaptur
Kasich
Kennedy
Kilpatrick
Klink
Kolbe
LaFalce
Lantos
LaTourette
Lazio
Lewis (GA)
Lipinski
Maloney (CT)
Martinez
McCollum
McInnis
McIntosh
McIntyre

Meehan
Meek (FL)
Menendez
Metcalf
Moran (VA)
Owens
Oxley
Pickett
Riley
Sanchez
Shaw
Shays
Shuster
Snyder
Spratt
Stark
Stupak
Talent
Tancredo
Thompson (MS)
Visclosky
Watkins
Watts (OK)
Weiner
Weygand
Wise
Wynn

□ 1921

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.

PERSONAL EXPLANATION

Mr. MALONEY of Connecticut. Mr. Speaker, I was unavoidably detained during rollcall vote No. 574. Had I been present I would have voted "yea."
Additionally, I was unavoidably detained during rollcall vote No. 575. Had I been present I would have voted "yea".

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall Nos. 574 and 575 I missed votes due to an airline delay. Had I been present, I would have voted "yea" on both.

PERSONAL EXPLANATION

(Mr. HINCHEY asked and was given permission to address the House for 1 minute.)
Mr. HINCHEY. Mr. Speaker, as a result of travel difficulties, on rollcall No. 574 and rollcall No. 575, I was un-

avoidably detained en route to the Capitol. Had I been present, I would have voted "aye."

MOTION TO INSTRUCT CONFEREES ON H.R. 4577, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. PALLONE. Mr. Speaker, I rise to offer a motion to instruct.

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

The Clerk read as follows:

Mr. PALLONE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4577 be instructed, in resolving the differences between the two Houses on the funding level for program management in carrying out titles XI, XVIII, XIX, and XXI of the Social Security Act, to choose a level that reflects a requirement on Medicare+Choice organizations to offer Medicare+Choice plans under part C of such title XVIII for a minimum contract period of three years, and to maintain the benefits specified under the contract for the three years.

The SPEAKER pro tempore. Under the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from California (Mr. THOMAS) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the motion I am offering is an amendment to inject some needed accountability into the Medicare+Choice program. It instructs the conferees to support language that would require HMOs participating in the Medicare+Choice program to stay in their given markets for 3 years. In addition, it instructs the conferees to support language that requires HMOs to provide all the benefits they promised to beneficiaries when they enrolled in Medicare HMOs.

Last week, the Republican leadership passed a Medicare refinement bill that is really nothing more than a special interest giveaway to the managed care industry. Over 40 percent of the money in this bill is given to the managed care industry, and it is given to the industry with virtually no strings attached.

Mr. Speaker, there is nothing in this bill that passed last Thursday that guarantees any stability for seniors or that the plans will stay in a given area. The only thing that is guaranteed is that the managed care industry will be granted a massive government windfall. I suppose it is a reward of sorts for the managed care industry from the Republican leadership for their effective campaign to prevent the patients' bill of rights from reaching the President's desk.