

Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Sullivan
Sununu
Sweeney
Tancred

Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp

Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—201

Abercrombie
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummins
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)

NOT VOTING—23

Ackerman
Bonilla
Clement
Combest
Cooksey
Gallegly
Gilman
Gonzalez

Hastings (WA)
Hilleary
Issa
Lynch
Meek (FL)
Miller, Gary
Miller, George
Mink

Murtha
Nadler
Napolitano
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascarelli
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Turner
Udall (CO)
Udall (NM)
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

PERSON and Ms. McCOLLUM changed their vote from "yea" to "nay."

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. STEARNS. Mr. Speaker, on rollcall No. 387 I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. CAPUANO. Mr. Speaker, on the morning of Thursday, September 12, 2002, I was in my congressional district participating in ceremonies honoring constituents who perished in the September 11, 2001, terrorist attacks on America. Due to this circumstance, I was unable to cast votes for rollcalls 385 and 386. Had I been present, I would have voted in the following manner: "yea" on rollcall 385; "yea" on rollcall 386.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

□ 1215

LEGISLATIVE PROGRAM

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

Ms. PELOSI. Mr. Speaker, I take this time to inquire of the distinguished majority leader what the schedule is. Was that the last vote of the day, and how are we going to proceed?

I am pleased to yield to the distinguished gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. Mr. Speaker, I thank the gentlewoman from California for yielding.

Mr. Speaker, the House has completed its legislative business for the week. The House will next meet for legislative business on Tuesday, September 17, at 12:30 p.m. for morning hour and 2 o'clock p.m. for legislative business. I will schedule a number of measures under suspensions of the rules, a list of which will be distributed to Members' offices tomorrow. Recorded votes on Tuesday will be postponed until 6:30 p.m.

For Wednesday and the balance of the week, I have scheduled the following measures: H.R. 1701, the Consumer Rental Purchase Agreement Act, and H.R. 4687, the National Construction Safety Team Act.

Ms. PELOSI. Mr. Speaker, reclaiming my time, I would like to inquire of the majority leader when he expects the bill that was just pulled to be rescheduled?

Mr. ARMEY. Mr. Speaker, I thank the gentlewoman for her inquiry.

We do have some technical considerations. We will have to have some dis-

cussions among ourselves, the bill sponsor and the committee of jurisdiction. I will announce in ample time for everybody's consideration before we reschedule it again.

Ms. PELOSI. I would further like to inquire of the majority leader when the appropriations bills will come to the floor?

Mr. ARMEY. Mr. Speaker, I appreciate the gentlewoman's concern on that. We wait upon the circumstances that allow us to bring our appropriations bills to the floor in a manner that is consistent with the budget passed by the House. We know this is a difficult circumstance for the House, in light of the fact that the other body has not passed a budget whatsoever and is seeking to spend anywhere from \$9 billion to \$19 billion beyond the President's request and the House budget. So we continue to work on these difficult problems.

Ms. PELOSI. Mr. Speaker, I thank the gentleman. I was particularly interested in the Labor, Health, Human Services and Education bill, when that would come to the floor, because in its present form it cuts \$7 billion in education from the Leave No Child Behind bill that was passed, H.R. 1, with great fanfare early in the year. So we are very, very interested in the resolution and the debate on that bill.

Would that bill be coming up next week?

Mr. ARMEY. Again I want to thank the gentlewoman for the inquiry.

The Labor, Health and Human Services bill has always been a bill that this side of the aisle, the Republican majority, has given special attention to. Indeed, Mr. Speaker, we have more than doubled spending on that bill since 1996, going from \$67 billion at that time, the first year in which we had majority jurisdiction, to \$130 billion today. So we continue to have great emphasis on that bill. Indeed, we plan a 5.3 percent increase over the previous year; a 3.7 percent increase over last year for education and a 14.2 percent increase over last year for title I. So we continue to work with a sense of priority for that.

Obviously, we always understand that the very definition of "underfunded" in this town is the difference between what a bill's original sponsor seeks to authorize and what in fact is indeed appropriated. But we are continuing, as we have done, to increase appropriations in this bill and its jurisdiction more than other appropriations bills.

Ms. PELOSI. Reclaiming my time, I am glad the gentleman ended on that note, because further to remind our colleagues, the President's Leave No Child Behind bill, H.R. 1, the flagship bill on education that was passed by this body, had \$7 billion in the President's bill for education, but in this bill cutting the investment in education leaves millions of children behind. So it is a high priority for us, and we look forward to that bill coming to the floor.

□ 1212

Messrs. HONDA, DICKS, LIPINSKI, JACKSON of Illinois, MCINTYRE, JEF-

Would the distinguished majority leader tell us when the bankruptcy conference report would be scheduled?

Mr. ARMEY. Mr. Speaker, I thank the gentlewoman for her inquiry.

It is particularly timely to talk about bankruptcy within the context where 3.7 percent increase and a 14.2 percent increase is considered a cut. That is exactly the kind of thinking that leads to bankruptcy dilemmas across the country. The bankruptcy bill, too, is an extremely important bill. We intend to do so.

Unfortunately, the bill is inflicted by a totally extraneous provision having to do with abortion put in by the other body. That has made it very difficult for Members who have a commitment on both of these two very important moral issues to reconcile their conflicts between that.

Unfortunately, we risk this bill's passage by virtue of the kind of extraneous riders that are all too commonplace in the other body. This body, being the more disciplined and responsible body, will, as it many times must do, find a way to come to terms with that irresponsibility in the legislative process, and as soon as we have found that way, I promise we will bring that bill to the floor.

Ms. PELOSI. Is the gentleman referencing the provision in the bill that was put in by the gentleman from Illinois (Chairman HYDE), from the gentleman's own party?

Mr. ARMEY. I appreciate the gentleman's inquiry.

The gentlewoman also understands it is contrary to the rules of the House for me to mention Senator SCHUMER by name, and I would never do that.

Ms. PELOSI. And the gentleman from Illinois (Chairman HYDE).

Mr. Leader, can we assume that since here we are, it is 20 after 12 on Thursday, we are in the middle of a great economic uncertainty in our country, America's seniors are clamoring for prescription drug benefits, we need to invest more in education, we have a list of priorities that the American people are concerned about, including their pension security, we came in just the other night, we are going out at 20 after 12 on Thursday and there will be no votes tomorrow, is that our understanding? We finished our business for the week?

Mr. ARMEY. Again, if the gentleman will yield, I appreciate so much the gentleman's frustration. We passed investment security over to the other body in August. We passed the education bill. We passed the prescription drug bill. We passed the homeland security bill.

We in this body are stuck with watching these bills languish in the other body as we await any kind of competent action from the other body. As soon as they can manage to pass any of these bills and get to conference on these bills, we would be willing to sit down and work on these bills, and I promise you we will bring them back for completion.

The gentlewoman is absolutely correct. All of this is too important to the people of this Nation for the other body to continue to dillydally.

Ms. PELOSI. Mr. Speaker, reclaiming my time, I think that if there is a person out there who has lost their pension or a senior making a decision about how much of a dosage you are able to afford to take or whether you can even afford to take any prescription drug over purchasing food, or if your child is going to a substandard school and you want a better investment, and the list goes on and on, you would think that what we were doing here is irrelevant, especially when we are not even here. We are missing-in-action on some of the struggles of the American people.

Will the gentleman inform us whether we will have votes next Friday?

Mr. ARMEY. Mr. Speaker, I do appreciate the gentleman's inquiry.

Of course, all of these concerns are exactly why our pension bill was passed out of this body, as I said, last April.

Whether or not we are able to have votes on Friday will depend upon the appropriators, particularly those appropriators that must reconcile themselves against the excesses of the other body. But we will try to get these bills to the floor, and I will announce as early as I can whether or not there will be votes on Friday.

Ms. PELOSI. So it is our understanding we are leaving at 20 after 12 on Thursday, coming back at 6:30 on Tuesday, and we may be out next Friday?

Mr. ARMEY. If the gentlewoman will yield, the incredible thing, Mr. Speaker, is that even keeping these hours, we get three times as much work done as is done in the other body.

Ms. PELOSI. Our standard must be the standard we set for the American people, and we cannot hide behind anyone else's schedule. We have leadership that we can take ourselves to meet the needs of the American people.

I thank the distinguished majority leader for the information, and, as always, his gracious presentation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would remind Members that references to the Senate or to Senators are closely circumscribed by the rules and inappropriate references must be avoided.

HOUR OF MEETING ON TOMORROW

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

ADJOURNMENT FROM FRIDAY, SEPTEMBER 13, 2002, TO TUESDAY, SEPTEMBER 17, 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, September 13, 2002, it adjourn to meet at 12:30 p.m. on Tuesday, September 17, 2002, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the 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 Texas?

There was no objection.

LAYING ON THE TABLE CERTAIN RESOLUTIONS

Mr. REYNOLDS. Mr. Speaker, I ask unanimous consent that the following resolutions be laid on the table:

H. Res. 464;
H. Res. 500;
H. Res. 501;
H. Res. 506; and
H. Res. 508.

The SPEAKER pro tempore (Mr. PENCE). Is there objection to the request of the gentleman from New York?

There was no objection.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-261)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for 1 year. Proclamation 7463, Declaration of National Emergency by Reason of Certain Terrorist