

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 mandates.

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 mandates, 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	Biggert
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
Cummings
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
Inslee
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
Radanovich
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)
Ryun (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
Towns
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)

NAYS—7

DeFazio
McDermott
Miller, George

Nussle
Oberstar
Owens

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 CON- GRESS SHOULD COMPLETE AC- TION ON H.R. 854 OR OTHER PRO- VIDER REIMBURSEMENT LEGIS- LATION

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,

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