



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, WEDNESDAY, OCTOBER 16, 2002

No. 136—Part II

House of Representatives

□ 1700

PROVIDING FOR CONSIDERATION OF H.J. RES. 123, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

(Continued)

However, along comes the Office of Management and Budget and based on some vague language they derived out of section 110 of the CR, misinterpreted that law to cut highway funding and establish a pro-rata share of only \$27.7 billion, which is \$4.1 billion less than the fiscal year 2002 funding level.

This is consistent with the Administration's attempt to cut highway infrastructure investment as expressed in its message to Congress, but it is not consistent with Congressional intent. It had to be corrected. So the chairman of our committee, the gentleman from Alaska (Mr. YOUNG), and I worked together to include language in the third continuing resolution to reverse the OMB interpretation and ensure that the Federal-aid highways program obligation limitation be continued at the fiscal year 2002 rate, that is, \$31.8 billion, until Congress passes the Transportation Appropriations Conference Report.

Congress, not OMB, makes that determination. Our language did reverse the OMB interpretation. So far so good.

But then along came the House Republican leadership. They insisted on some additional language to reintroduce the \$27.7 billion number of the Transportation Appropriation committee-reported bill.

Well, a week ago the director of OMB, Mitch Daniels, said "I think \$27 [billion] is the right number"; but that is not what the CR said. So we insisted, I think we got OMB's attention, and OMB and the Federal Highway Administration have now issued guidance to States to provide the pro-rata share at the \$31.8 billion level. Unfortunately, that language that the House Republican leadership insisted on has clouded the picture.

Suffice it to say, I think we have a short-term fix that keeps the transportation program on the level provided for in TEA-21 up through, perhaps, August of next year. Then the whole program will crash back down to the \$27.7 billion level, and States will lose a lot of money and a lot of construction jobs.

Now the wish is and the hope is, and the gentleman from Wisconsin (Mr. PETRI), the chairman of the Subcommittee on Highways and Transit, and I both hope that Congress will come to its senses and fix that problem between now and then. But the reality is that States have to be able to plan

long term. They cannot plan much longer than August of 2003, at which time the program crashes back to \$27.7 billion and we lose 195,000 good-paying jobs in our economy.

What is worse is that States now are looking ahead and saying I do not think we can plan that far ahead.

Mr. Speaker, we will on our side move to defeat the previous question and offer an amendment that will fix this problem, and we ought to defeat the previous question. We ought to come back with fixed language that restores the total intent of TEA-21 and keep our transportation programs on schedule. These are Highway Trust Fund dollars. These are monies that could be set aside in the guaranteed account. They will help lift this economy up; and if Members believe in transportation and are sick of sitting in traffic congestion and believe in moving America forward, then they need to defeat the previous question and restore those dollars now, rather than waiting for some future point next year when we may or may not be able to restore the \$31.8 billion. This provides short-term benefit, and long-term uncertainty which is bad for highway programs, bad for transportation programs, bad for American jobs.

NOTICE

Effective January 1, 2003, the subscription price of the Congressional Record will be \$434 per year or \$217 for six months. Individual issues may be purchased for \$6.00 per copy. Subscriptions in microfiche format will be \$141 per year with single copies priced at \$1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

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

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



Printed on recycled paper.

H7953

COMPARISON OF DISTRIBUTION OF HIGHWAY FUNDING UNDER TEA 21 ENACTED (FY2002) AND ONE-YEAR CONTINUING RESOLUTION (FY2003) ¹

State	TEA 21 enacted FY2002	One-year cont. resolu- tion FY2003	Highway funds cut FY2003	Job losses
Alabama	561,362,701	498,655,044	(62,697,657)	-2,978
Alaska	314,793,656	282,429,537	(32,364,119)	-1,537
Arizona	486,222,525	428,846,983	(57,375,542)	-2,725
Arkansas	362,646,673	325,701,045	(36,945,628)	-1,755
California	2,516,921,592	2,255,787,099	(261,134,493)	-12,404
Colorado	353,162,510	315,841,503	(37,321,007)	-1,773
Connecticut	408,915,843	367,360,962	(41,554,881)	-1,974
Delaware	119,922,108	107,962,722	(11,959,386)	-568
Dist. of Col.	110,272,767	97,845,344	(12,427,423)	-590
Florida	1,288,949,611	1,139,860,823	(149,088,788)	-7,082
Georgia	988,683,758	875,763,739	(112,920,019)	-5,364
Hawaii	142,269,483	126,325,910	(15,943,573)	-757
Idaho	211,274,214	188,471,331	(22,802,883)	-1,083
Illinois	933,052,868	829,768,384	(103,284,484)	-4,906
Indiana	637,416,428	572,668,258	(64,748,170)	-3,076
Iowa	329,539,179	295,706,501	(33,832,678)	-1,607
Kansas	324,853,609	288,585,950	(36,267,659)	-1,723
Kentucky	483,773,648	429,395,471	(54,378,177)	-2,583
Louisiana	433,572,935	392,556,488	(41,016,447)	-1,948
Maine	147,086,603	130,479,750	(16,606,853)	-789
Maryland	444,585,693	402,894,442	(41,691,251)	-1,980
Massachusetts	514,199,794	460,954,117	(53,245,677)	-2,529
Michigan	894,928,134	794,183,563	(100,744,571)	-4,785
Minnesota	408,422,237	367,652,312	(40,789,925)	-1,938
Mississippi	355,303,061	318,446,942	(36,856,119)	-1,751
Missouri	646,921,711	580,568,320	(66,353,391)	-3,152
Montana	266,186,472	239,510,196	(26,676,276)	-1,267
Nebraska	215,987,903	191,081,515	(24,906,388)	-1,183
Nevada	197,993,516	176,029,565	(21,963,951)	-1,043
New Hampshire	140,214,707	126,902,623	(13,312,084)	-632
New Jersey	724,629,766	644,437,408	(80,192,358)	-3,809
New Mexico	268,590,255	240,780,600	(27,809,655)	-1,321
New York	1,401,040,155	1,262,949,423	(138,090,732)	-6,559
North Carolina	773,663,974	688,032,994	(85,630,980)	-4,067
North Dakota	179,364,219	160,210,847	(19,153,372)	-910
Ohio	961,276,478	860,311,210	(100,965,268)	-4,796
Oklahoma	428,332,860	379,797,789	(48,535,071)	-2,305
Oregon	337,795,085	304,194,090	(33,600,995)	-1,596
Pennsylvania	1,391,590,528	1,243,282,020	(148,308,508)	-7,045
Rhode Island	164,111,783	146,157,429	(17,954,354)	-853
South Carolina	461,159,042	411,996,298	(49,162,744)	-2,335
South Dakota	199,167,503	178,669,157	(20,498,346)	-974
Tennessee	622,352,003	564,991,230	(57,360,773)	-2,725
Texas	2,146,241,884	1,898,429,283	(247,812,601)	-11,771
Utah	216,502,048	192,439,532	(24,062,516)	-1,143
Vermont	124,154,439	111,927,901	(12,226,538)	-581
Virginia	709,623,612	641,862,481	(67,761,131)	-3,219
Washington	493,764,590	439,213,963	(54,550,627)	-2,591
West Virginia	308,053,178	278,926,511	(29,126,667)	-1,384
Wisconsin	545,543,085	483,447,684	(62,095,401)	-2,950
Wyoming	188,996,676	171,131,402	(17,865,274)	-849
State total	27,885,409,102	24,911,435,691	(2,973,973,411)	-141,264
Allocated programs	3,913,694,898	2,788,564,309	(1,125,130,589)	-53,444
Grand total	31,799,104,000	27,700,000,000	(4,099,104,000)	-194,707

¹ Prepared by Transportation Committee Democratic Staff based on information provided by the Federal Highway Administration and the American Road and Transportation Builders Association. Employment loss is spread over 7 years, with most loss occurring in 2003 and 2004. Assumes 47,500 jobs per \$1 billion of federal highway program investment.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Transportation and Infrastructure.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. YOUNG of Alaska. Mr. Speaker, I listened with great interest to the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), and his presentation. The gentleman and I participated and both signed off on the language in this resolution. That was last week. Nothing has changed. I am happy to say that this week my back does not hurt quite as much as it did last week, but the gentleman from Wisconsin (Mr. PETRI) raised this point, and I will say it again, this is for polit-

ical purposes. It is really not the way to do business.

If Members remember, in fact, when the President came down with his budget, there was about \$23 billion in the highway program. We on a bipartisan basis raised it to \$27.1 billion, and this House voted on that level. But under a continuing resolution, I want to spend the money actually at \$31.8 billion; and that is what we will do under this resolution as long as we are working under a continuing resolution. But there is a lot of what-ifs being brought up here. No Member believes that we will be working under a continuing resolution until August. That is very unlikely. I know the gentleman from Florida (Mr. YOUNG) will not allow that, nor will myself.

The Senate has not acted, nor have we in the final conclusion of this highway program. I see the gentleman from

Minnesota (Mr. OBERSTAR) and his staff, and they signed off on this. The gentleman signed off on this. Everybody signed off on it. That really bothers me when I see Members trying to distort this on the floor of the House again for political purposes. I think that is improper. We have been a very bipartisan committee, and I will continue to do that; but do not use this floor to try to convey something that is not all true. Not all true.

We will be able to spend this money and the States will be able to program this money until August under this resolution. I expect truthfully when the Senate and the House get together, we will arrive at the \$31 billion. I expect that to happen. So what we are doing is saying what if. We are in this position now. This is where we are going to be. I heard we are cutting jobs. We are not cutting anything in this resolution. I

think it is improper to try to convey the idea that we are trying to do something that we did not agree to beforehand.

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

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Did the gentleman hear my distinction of the funding at the \$31.8 billion level until August of next year at which point it crashes; and is that inaccurate?

Mr. YOUNG of Alaska. Absolutely. I heard and I agree if we were working under a continuing resolution that would happen, and by August we would not be able to spend the money at \$31 billion; but that is not going to happen.

Mr. OBERSTAR. If the gentleman would continue to yield, that is what I said. I did not politicize it. That is simply a statement of fact.

Mr. YOUNG of Alaska. What is fact? The fact is we are going to spend money at \$31 billion which we did not have prior to this until August if we work under a continuing resolution. We are not going to work under a continuing resolution, and the gentleman knows that. There will be a solving of this problem with the Senate if the Senate ever gets busy, and we will probably arrive at a figure of around \$31 billion.

Mr. OBERSTAR. If the gentleman would continue to yield, I would hope that we solve the problem. But I want to point out in all fairness, what we agreed to with the gentleman was \$31.8 billion. The \$27.7 billion language was added later. I do not know where it came from.

Mr. YOUNG of Alaska. Wait a minute. The gentleman saw the language.

Mr. OBERSTAR. That was an OMB insistence which I hope has been fixed.

Mr. YOUNG of Alaska. Reclaiming my time, it has been fixed with this letter, which I include for the RECORD.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, October 15, 2002.

Hon. DON YOUNG,

Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: OMB has reviewed section 137 of Public Law 107-240, Making Further Continuing Appropriations for Fiscal Year (FY) 2003, which passed the House on October 11, 2002. The enactment of section 137 will have no impact on the level of highway jobs or the level of highway spending for states.

The effect of section 137 is to retain the FY 2002 rate of operations for the Federal aid highway program at \$31.8 billion for the duration of the continuing resolution by requiring OMB to apportion funds at an annualized rate of \$31.8 billion during that period. As of today, OMB has apportioned funds in accordance with section 137.

Much confusion has surrounded the language in section 137 that limits total annual obligations for this program while operating under continuing resolutions to no more than \$27.7 billion. This provision, as many of the terms of the current resolution, is sub-

ject to section 107(c) of P.L. 107-229, which establishes the date of expiration of the continuing resolution. H.J. Res. 122 sets that date of expiration at October 18, 2002. Consequently, it is mathematically impossible for the highway program, spending at an annualized rate of \$31.8 billion, to reach the \$27.7 billion cap on total obligations prior to mid-August 2003, well beyond the expiration date of this or any other continuing resolution that is expected in the future.

Therefore, the effect of section 137 is to provide that the highway program continue at the FY 2002 enacted level of \$31.8 billion until the final FY 2003 funding level is determined in the context of House, Senate and Administration negotiations of the FY 2003 Transportation Appropriations bill.

Sincerely,

MITCHELL E. DANIELS, JR.,

Director.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3 minutes to the gentlewoman from Indiana (Ms. CARSON), who has been a leader in trying to help the neediest children in this land.

(Ms. CARSON of Indiana asked and was given permission to revise and extend her remarks.)

Ms. CARSON of Indiana. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise to oppose this rule. Because of our inaction on August 1, nearly \$1.2 billion in funds intended for low-income children reverted to the Federal Treasury. We had a chance in this continuing resolution to make a change for the better, for the children.

More than 80 percent of the funds that have reverted were awarded just 6 months ago to States such as Indiana, which had programs enrolling a large number of children. These States include Alaska, Indiana, Kentucky, Maryland, Massachusetts, New Jersey, New York, North Carolina, Rhode Island, South Carolina, and West Virginia.

Because of the national recession, many of these same States have experienced a slowdown in their SCHIP enrollment and record levels of participation in Medicaid. This is due to many low-income parents being forced to work reduced hours which forces parents into Medicaid programs along with their children. Not extending these funds will put the most successful programs at great risk when the economy improves and the SCHIP rolls again swell rapidly.

Indiana has already lost \$105 million of funding. Knowing that Indiana would likely receive additional funding from other States, State officials last year asked HHS to use it for new initiatives, including one to fund the replacement on windows painted with lead-based paint. Indiana wanted to take an aggressive approach and help more children by preventing lead poisoning, a significant problem in Indianapolis and throughout the State. Federal officials denied the request because Indiana would not limit the program to homes in which children already showed evidence of lead poisoning.

Allowing States to keep reallocated and redistributed fiscal year 1998 and

1999 allotments, along the lines of what the President proposed, is the simplest and fairest way to stabilize the program and help States to maintain critical services for low-income children. These are the funds that just expired and may be lost forever if Congress takes no action.

My Governor, who chairs the Human Resources Committee of the National Governors Association, recently told the New York Times that "Governors fear that, if this money is lost, the Federal Government's growing budget deficit will make it difficult to recover this money at a later date."

Without this funding being kept in States during uncertain financial times, Congress is risking leaving thousands of low-income children behind.

Mr. Speaker, as Members know, \$2.4 billion remaining from the regular SCHIP allotment is scheduled to be redistributed this year because of the agreement Congress made 2 years ago.

Congress must act, otherwise we are shortchanging more than 4.6 million children throughout America and in Indiana who need health care most. I plead that, indeed, we leave no child behind.

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

Mr. PETRI. Mr. Speaker, I rise in support of the rule and the joint resolution making further continuing appropriations for fiscal year 2003.

Much has been said about the highway funding provision that was included in last week's continuing resolution and which remains in effect under this resolution.

This provision was necessary to reverse the administration's decision to reduce the highway program to a \$27.7 billion annualized rate of funding while under the first two continuing resolutions.

As a result of the highway funding provision in last week's continuing resolution, the Office of Management and Budget issued a new apportionment for the highway program, increasing the rate of funding from \$27.7 billion to \$31.8 billion, on an annualized basis.

This proves beyond any doubt that the highway funding provision enacted last week had the desired effect of requiring the highway program to be continued at the fiscal year 2002 funding level of \$31.8 billion, while the continuing resolution remains in effect.

I am pleased to insert into the RECORD a copy of the OMB apportionment as well as a letter from OMB regarding this issue. From this letter, it is clear that the \$27.7 billion limit on total obligations has no practical effect under a short-term continuing resolution.

If at some point in the future the House considers a longer-term CR, one that remains in effect well into next year, the Committee on Transportation and Infrastructure, as has been indicated by the gentleman from Alaska

(Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR), will work to ensure that the \$27.7 billion limit on total obligations is removed.

Should that become necessary, we look forward to having the support of all those friends of the highway program who have spoken in favor of the \$31.8 billion funding level here on the House floor over this past week.

□ 1715

I am hopeful that a long-term CR will not become necessary and that this year's final highway funding level will be appropriately determined in the context of House and Senate negotiations on the budget 2003 transportation appropriation bill.

I urge support for the resolution that will be brought forward by the rule before us.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, October 15, 2002.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: OMB has reviewed section 137 of Public Law 107-240, Making Further Continuing Appropriations for Fiscal Year (FY) 2003, which passed the House on October 11, 2002. The enactment of section 137 will have no impact on the level of highway jobs or the level of highway spending for states.

The effect of section 137 is to retain the FY 2002 rate of operations for the Federal aid highway program at \$31.8 billion for the duration of the continuing resolution by requiring OMB to apportion funds at an annualized rate of \$31.8 billion during that period. As of today, OMB has apportioned funds in accordance with section 137.

Much confusion has surrounded the language in section 137 that limits total annual obligations for this program while operating under continuing resolutions to no more than \$27.7 billion. This provision, as many of the terms of the current resolution, is subject to section 107(c) of P.L. 107-229, which establishes the date of expiration of the continuing resolution. H.J. Res. 122 sets that date of expiration at October 18, 2002. Consequently, it is mathematically impossible for the highway program, spending at an annualized rate of \$31.8 billion, to reach the \$27.7 billion cap on total obligations prior to mid-August 2003, well beyond the expiration date of this or any other continuing resolution that is expected in the future.

Therefore, the effect of section 137 is to provide that the highway program continue at the FY 2002 enacted level of \$31.8 billion until the final FY 2003 funding level is determined in the context of House, Senate and Administration negotiations on the FY 2003 Transportation Appropriations bill.

Sincerely,

MITCHELL E. DANIELS, JR.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from the District of Columbia (Ms. NORTON) who fights hard for the Nation's Capital as well as the rest of this Nation.

Ms. NORTON. Mr. Speaker, I am very grateful to the gentleman from Florida for yielding this time to me because of the urgency of what this CR, yes, even this CR, does to your Nation's Capital.

While we have broken one impasse, the CR week-to-week impasse that allows Congress to go home, but I cannot believe that Congress understands what it is doing to the great American city called the District of Columbia. They are simply leaving this city hanging by a thread.

First, let me personally thank the gentleman from Florida (Mr. YOUNG), the gentleman from Wisconsin (Mr. OBEY), the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Pennsylvania (Mr. FATTAH) for doing their job. It was the smoothest D.C. appropriation in many years, they got it done, but there is not a sufficient realization of the Congress that the District of Columbia is not a Federal agency. It is an anomaly that it is here, anyway. This money is the money of the taxpayers of the District of Columbia, but we cannot spend any of it until we bring it over here. We have brought it over here. There have been no changes made in our budget, but D.C. cannot now go about allocating its money and spending the money of its own taxpayers.

The urgency of the matter is revealed in a letter that I would like to insert in the CONGRESSIONAL RECORD from the Mayor and the City Council chair. They have done an extraordinary job in making needed cuts because the national economy has caused that to be necessary for local jurisdictions and States throughout the United States. But now they cannot make the cuts, they cannot move the money around the way Maryland and Virginia and every other State is doing, because we are on some kind of continuing resolution that works well for HHS. Well, it does not work well, but at least does not bring HHS down, does not bring the Department of Labor down, but leaves your Nation's capital really on the ground.

The District has done a magnificent job of balancing its budget in difficult times. It had the same problem that your jurisdictions have had, where the problem with the national economy has not just trickled down, it has dumped on the States and localities. In 10 days' time the Mayor and the Council did not whine about it. When they discovered this problem, they cut their budget by \$323 million. They are ready to go now. But the Congress is not ready to go so they are holding us back for completely unrelated reasons.

There is vital new Federal money in there, the kind of Federal money that helps the Congress more than it helps us. We had to go to the Treasury in order to ask the President, and I am pleased that the President did in fact forward some money to us when we could not get the 2002 supplemental out, so that we could protect this city when the IMF demonstrations were just held here. But we cannot get public safety reimbursement money for, in fact, demonstrations that are likely to be held here, for example, against the war before you get back. This city is

torn up, however, because we have to spend on a day-to-day basis. Everybody will wonder: Why did the city not get protected?

You have no dispute with the District of Columbia. This is a dispute between the Congress and the President and, for that matter, among quarreling factions within the Congress of the United States. Nobody in this Congress means to hurt this city. Wherever you stand on the District, I think everybody wants this city to thrive. But to leave us even in a month-long CR is to leave us not only in pain, it is to leave the good people of the District of Columbia with pain and suffering. I am asking you to help us free D.C. from this CR.

DISTRICT OF COLUMBIA,
October 15, 2002.

Hon. J. DENNIS HASTERT,
*Speaker of the House,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: We thank you for your past assistance to the city and for the special sensitivity you have shown toward matters affecting the District of Columbia since becoming Speaker. We write to ask that you allow the District's budget to be disconnected from the current congressional appropriations stalemate out of respect for the nearly 600,000 taxpaying residents of the nation's capital who fund city services contained in that budget. The District, of course, is a major city, not a federal agency, and residents experience unique hardships when the D.C. appropriation is delayed with agency appropriations. We appreciate the expeditious consideration and close cooperation the city received in this year's appropriation process from the Chairs BILL YOUNG and JOE KNOLLENBERG and Ranking Members DAVID OBEY and CHAKA FATTAH. The continuing delay of passage of the District's budget, however, poses a special threat this year when the city has had to make last minute calls and must reallocate funds accordingly.

As you are aware, nearly all of the District's appropriation is derived from local, not federal funds, and Congress has traditionally approved the District's local budget without revision. This year, both the House and Senate appropriations committees passed the D.C. appropriation bill with unanimous bipartisan votes. The city is both grateful and proud of this achievement because just weeks before the start of the fiscal year, the city's Chief Financial Officer released revenue estimates projecting a \$323 million operating deficit in Fiscal Year 2003 due to the twin shocks of 9/11 attacks and the faltering national economy. Of course, the District's decline in revenue mirrors similar declines in cities and states across the country, but the District quickly corrected the imbalance with cuts to city programs and achieved a balanced budget within the record time of approximately ten days. We appreciate that after inspecting the city's figures to assure the budget was balanced, the House appropriations committee was able simply to insert the District's new numbers into the bill. The District has shown that it can act quickly to avert potential fiscal crisis. We hope that the Congress will respond.

In December 2000, you generously worked with us to free the District's appropriation from a similar national budget impasse. We are asking for your intervention again because further delay in the passage of the city's budget threatens our administration of many city services that must be adjusted

because of extensive cuts. We appreciate your consideration of our request and look forward to working with you and your staff on this matter.

Sincerely,

ELEANOR HOLMES NORTON,
Congresswoman.

ANTHONY A. WILLIAMS,
Mayor.

LINDA W. CROPP,
Chairman.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. CUNNINGHAM).

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

Mr. CUNNINGHAM. Mr. Speaker, we would never know it was an election year on the House floor, would we? I am joking, of course. It is sickening, the partisan attacks that go back and forth on this floor. Unfortunately, we are just a few weeks out from an election.

My colleagues on the other side will say, well, it is the mean Republican leadership; they are the ones that will not allow us to pass appropriations bills. All those other guys are okay; it is just the leadership. Casting aspersions and a dark cloud on the leadership damages the party for an election.

The House has passed appropriations bills, and my colleagues will say, "They don't need the Senate to act for us to pass our appropriations bills." On the floor, the rules state that I cannot talk about what the Senate has done and the reasons for it, so I will not do that. I will not violate those rules. So what I will do, let us just say the House of Commons in England, let us say the House of Lords in England, and let us say the House of Commons passes a budget and they look at fiscal responsibility across the board so that we do not go out into debt and that we can get back to a balanced budget and the things that we hold dear. But let us say the House of Lords does not pass a budget and they know that the House does not want to pass their appropriations bills, the House of Commons, because they can attach any number above ours. Not ours, of course, in England because that would be against the rule, Mr. Speaker, if I spoke if this was the House. But let us just say that they would speak against the House of Commons with any budget number and say, "Look at that mean House of Commons. They're cutting education. They're cutting veterans bills. They're cutting prescription drugs."

Let us just say, for instance, the House of Commons put \$340 billion to a prescription drug plan and the House of Lords put \$1.3 trillion. The House of Lords would go out and tell all the seniors, "Look at those mean Republicans." Well, excuse me, I do not know if they are called Republicans. Let us say "the House of Commons folks. Look how mean they are. They're going to hurt you, seniors." And let us say that if they had a bill on education and labor, that they put \$278 billion

more in the House of Lords than the House of Commons and they say, "Look, those mean rascals are cutting." But why will they not do their budget? Because the House of Commons will not play the game prior to an election and pass bills that the House of Lords knows will never get done, but for political reasons they want to do it.

But I would never, of course, attach the House of Lords to the Senate of the United States, Mr. Speaker, because that would be against the rules.

There was a bill, or a headline, Washington Post and Washington Times last week assigned and said, Congress Votes a Continuing Resolution Not to Shut Down the Government. You can spin it any way you want. You can try and blame the Republicans for shutting down the government or not doing their job, but we are not going to go home and not do our job just like the House of Commons would not in England. If you want to vote "no" on this rule and continuing resolution, you can spin it any way you want, but you are voting to shut down the government. We are not going to play that game either, Mr. Speaker.

If my colleagues on the other side, whether you be the House, or the House of Lords, you ought to get after the Senate. We passed in this House, with 118 Democrat votes, a bill giving confidence in the stock market to help the economy. We passed that in the House. The Senate has not acted. I, Mr. Speaker, would question anyone that would hold up a homeland security bill because they wanted their union brothers to fill those jobs. To me, that is unpatriotic.

Mr. HASTINGS of Florida. Mr. Speaker, as I heard the gentleman speak, I expected the Royal Family to show up any time here on the floor, but I am sure that that is not going to be the case.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, we hear from the other side of the aisle that it is the Senate's fault that we have not done our work. It has been 84 days since the House last considered an appropriation bill. We have been here for 84 days. Our number one job has been to pass the appropriation bills. And because of an internal war in the Republican Caucus, these 84 days have been wasted. They have been blown. It is time to quit being the Alibi Ikes of the Cosmos. It is time to face up to our duty. It is time to use at least 1 day in these 84 days to get the country's work done.

We have done the military bills. We have done Iraq. This House has not finished work on a single domestic appropriation bill. It ought to be ashamed of itself.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I rise in strong support of the rule. More than that, I rise in strong support of the leadership of the 107th Congress. In what will likely be the last time that I have the chance to stand on this blue carpet prior to Election Day 2002, it is truly astounding for me to hear anyone, any Member of any party rise in this institution and talk about the 107th Congress not having done its work, when I will in my years, whether I am a private citizen or a public servant, when I look back on these years, doing the people's work will be precisely what I know we have been about for the last 23 months: the people's work in passing, not once but twice, historic tax relief measures for working families, small businesses and family farms; passing a \$350 billion Medicare modernization and prescription drug benefit. We brought about types of reforms in virtually every area of government which, standing completely alone, Mr. Speaker, would qualify for this Congress having done its work for not 84 days but for the entirety of the 107th Congress. That would be not even require us to mention the way this Congress and this leadership responded to national tragedy. Our leadership in this institution stood with broad shoulders against the avalanche of tragedy on 9/11. We sped relief to the people immediately affected. More than that, we sped needed military resources to respond in the war on terrorism and a historic increase in military spending to prepare us for what may come. As biological and chemical weapons made their way into our Nation's Capital, it was this leadership that had the courage to stand against the wind of the national media's ridicule and take every member of the staff and every Member of this institution out of harm's way, demonstrating in a bipartisan way, Mr. Speaker, courage and vision and foresight. As we have gone forward doing our work in these humbling days that have just recently passed, as the President today signed a resolution authorizing the use of force, this Congress has done its work.

It is time to pass this rule and pass this continuing resolution so that every one of us of goodwill in this institution can go home and tell the people that we proudly serve of that work that we have done. I am proud of the Republican leadership of the 107th Congress. I am proud, and will ever be throughout my life, to have been part of this important and critical work during this time in the life of our Nation.

□ 1730

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

I would like to respond to the gentleman from Indiana (Mr. PENCE) by reminding him that a considerable number of people are out of work; the stock market is certainly not in a bullish mode. It is bearish, to say the least; and it is certainly down, although I do not know whether that is the best barometer, but when it comes to whether or not this House has really been about the business of helping people with their health care and with the workers in this country, even when the gentleman mentions 9-11, and, yes, I agree that we did a tremendous job in a bipartisan fashion in speeding along some relief for some, but those airline workers, many of them still have not received any of the benefits that were offered by Congress at that time.

Thus I say not only have we not done everything we are supposed to do first fiscally by law, we also may have done some things that made this economy worse; and I for one stood in opposition to many of the tax cuts offered by the other side, and I would feel that if we look at it carefully, we will know that it had a devastating impact on this economy.

Mr. Speaker, Democrats want to give Americans a clear choice. Democrats stand for increasing the minimum wage, extending unemployment benefits for laid-off workers, and making sure our highways are adequately funded. Republicans stand for more tax cuts. That is what they have been bandying about here for a couple of weeks about trying to bring out something here called an economic stimulus package that was nothing but some more tax cuts for some who are wealthy in our society and letting tax evaders move to Bermuda while our Nation is at war.

There is a clear choice. The numbers do not lie, Mr. Speaker: 8.1 million Americans are looking for work but cannot find it; 2.9 million have been unemployed for more than 15 weeks. Poverty has risen while our economic growth has declined. Democrats think we should do something about this. The Republicans evidently do not. There is a clear choice.

If the previous question is defeated, we will offer an amendment to the rule that will allow us to vote on three amendments. Number one, to increase the minimum wage to \$6.65 an hour over 2 years, and I say to anybody that has people in their district that are working on the minimum wage, you multiply \$6.65 times 40 hours and see if you can live with your family on such a meager amount of assistance. Two, we are going to seek to give an additional 13 weeks of unemployment benefits to our workers; and, three, to retain the fix for highway spending that was inserted in the CR last week while striking the language that would have limited overall spending for fiscal year 2003 to \$27 billion. These are priorities to Democrats and evidently afterthoughts to my Republican colleagues. There is a clear choice, Mr. Speaker;

and I urge a "no" vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the gentleman from Florida?

There was no objection.

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

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

I want to remind Members that this is a rule that provides for consideration of a continuing resolution that will get us through November 22. We will be back in the House for reorganization the week after the election, and I know between now and that time there will be work on the appropriation process. But one thing that has been well documented here in debate on the floor is that the other body on a major piece of legislation is behind this body; and I think it appropriate that we leave and allow them to catch up, and one of the main pieces of legislation that they have to get done, and I believe they have to get done and I think the American people expects them to get done, is the creation of the Office of Homeland Security.

So as we leave here with this CR in place until November 22, we will have the ability to come back and act on whatever legislation the other body were to pass that would require our work on this side. So that option is open, and our Members are prepared to come back at any time. Of course the most important piece of legislation is the creation of the Office of Homeland Security.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the joint resolution (H.J. Res. 123) making further continuing appropriations for the fiscal year 2003, and for other purposes. The first reading of the joint resolution shall be dispensed with. All points of order against consideration of the joint resolution are waived. General debate shall be confined to the joint resolution and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the joint resolution shall be considered for amendment under the five-minute rule. The joint resolution shall be considered as read. No amendment to the joint resolution shall be in order except those specified in section 2. Each amendment may be offered only in the order specified, may be offered only by the Member designated or a designee of such Member, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent,

shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendments referred to in the first section of this resolution are as follows:

(1) by Representative Oberstar of Minnesota, adding the following new section:

SEC. ____ . Section 137 of Public Law 107-229, as added by Public Law 107-240, is amended in the first sentence by striking "Provided, That" and all that follows through "Act".

(1) by Representative Bonior of Michigan, adding a new title consisting of the text of H.R. 4799.

(2) by Representative Rangel of New York, adding a new title of the text of H.R. 5491.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 209, nays 193, not voting 29, as follows:

[Roll No. 467]

YEAS—209

Aderholt	Castle	Frelinghuysen
Akin	Chabot	Galleghy
Armey	Chambliss	Gekas
Bachus	Coble	Gibbons
Baker	Collins	Gilchrest
Ballenger	Cox	Gillmor
Barr	Crane	Gilman
Bartlett	Crenshaw	Goode
Barton	Culberson	Goodlatte
Bass	Cunningham	Goss
Bereuter	Davis, Jo Ann	Granger
Biggert	Davis, Tom	Graves
Billirakis	Deal	Green (WI)
Blunt	DeLay	Greenwood
Boehlert	DeMint	Grucci
Boehner	Diaz-Balart	Gutknecht
Bonilla	Doolittle	Hansen
Bono	Dreier	Hart
Boozman	Duncan	Hastings (WA)
Brady (TX)	Dunn	Hayes
Brown (SC)	Ehlers	Hayworth
Bryant	Ehrlich	Hefley
Burr	Emerson	Herger
Burton	English	Hobson
Buyer	Everett	Hoekstra
Callahan	Ferguson	Horn
Calvert	Flake	Hostettler
Camp	Fletcher	Houghton
Cannon	Foley	Hulshof
Cantor	Forbes	Hunter
Capito	Fossella	Hyde

Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
McCrery
McHugh
McInnis
McKeon
Miller, Dan
Miller, Jeff
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle

NAYS—193

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

Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster

McIntyre
McNulty
Meehan
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak

Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney

Baldacci
Borski
Carson (OK)
Clayton
Clement
Combest
Cooksey
Cubin
Delahunt
Dooley

Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watson (CA)

Filner
Ganske
Graham
Hilleary
Hinojosa
LaHood
Larsen (WA)
Maloney (CT)
Manzullo
McKinney

NOT VOTING—29

□ 1802

Ms. ESHOO and Ms. PELOSI changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rolcall No. 467, I was conducting official business in my San Diego, California district. Had I been present, I would have voted “no.”

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

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 193, not voting 33, as follows:

[Roll No. 468]

AYES—206

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Boehlert
Boehner
Bonilla
Bono
Boozman
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Costello
Cox
Crane
Crenshaw
Culberson
Cunningham

Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Lipinski
Lipinski
Lipinski
Lucas (OK)
McCrery
McHugh
McInnis
McKeon
Miller, Dan

Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

Miller, Jeff
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barcia
Barrett
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clyburn
Condit
Conyers
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Hall (TX)
Harman
Hastings (FL)
Hill

Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan

NOES—193

Hilliard
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Klecicka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Lynch
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey

NOT VOTING—33

Baldacci
Borski
Carson (OK)

Clayton
Clement
Combest

Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Thomas
Thornberry
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)

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

Dooley	Larsen (WA)	Riley
Filner	Linder	Roukema
Ganske	Maloney (CT)	Rush
Graham	Manzullo	Slaughter
Hilleary	McKinney	Stump
Hinojosa	Meek (FL)	Tiahrt
Kennedy (RI)	Mica	Velazquez
LaHood	Miller, Gary	Waters

□ 1814

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 against:

Mr. FILNER. Mr. Speaker, on rollcall No. 468, I was conducting official business in my San Diego, California district. Had I been present, I would have voted "no."

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5010) "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes."

□ 1815

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 on H.J. Res. 123, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. SIMPSON). 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 the rule just adopted, I call up the joint resolution (H.J. Res. 123) making further continuing appropriations for the fiscal year 2003, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 123 is as follows:

H.J. RES. 123

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 "November 22, 2002."

The SPEAKER pro tempore. Pursuant to House Resolution 585, 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 (Mr. YOUNG).

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

Mr. Speaker, the continuing resolution is identical to the one we passed last week with the exception of the date change. As a matter of fact, the date in this CR is the one we started with last week but it was amended, as we recall, during the consideration of the rule. It would extend the CR until November 22, which would give the House an opportunity to finish some other unfinished business, would give the House an opportunity to wait upon the other body to send some of our legislation back to us that we have sent to them, and it maintains all of the other anomalies and provisions that the original CR included. Nothing new, no new starts.

And I would say that I would like the Members to listen to this: Despite the fact we suggest November 22, it does not mean that the House will not be in session, because it is my understanding that the House will be in session for some unfinished business dealing with the other body.

So, Mr. Speaker, I do not think we need a lot of debate on this. It is not a tax bill. It is not any kind of a bill other than a bill to extend the date of the CR to November 22. That will follow the elections, that will follow the reorganizational time that we have here in the Congress right after the election. It will give us time to proceed with and hopefully conclude our appropriations business.

For some of those who spoke earlier on the rule who were concerned about a long-term CR into the next Congress, I have resisted that. I am resisting it today and I will continue to resist it. That is not a good plan for us. But this resolution today to take us into November, following the election is a good plan; and, Mr. Speaker, I hope that we can expedite the consideration.

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

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, as we limp out of this Congress with an embarrassing budget debacle, I want to spend a few minutes talking about an issue the Republican leadership wants to sweep under the rug: how their fiscal mismanagement is imperiling the Social Security program.

The Federal budget has become an enormous mess. Before the Bush administration took office, independent budget experts were predicting a \$3 trillion surplus over the next 10 years. Now experts are saying that under the President's budget we will have a deficit of over \$2 trillion. This is the largest and most rapid decline in the Federal budget since the Depression. The mismanagement is so egregious it is breathtaking.

Most Americans do not realize how the government pays for the deficit, but here is what happens: The government raids the Social Security trust fund. Let me repeat this. The Federal Government is going to run a deficit of

over \$2 trillion over the next 10 years. And to pay for this deficit, the government is going to borrow over \$2 trillion from the reserves in the Social Security trust fund. They are going to raid your retirement nest egg to pay for subsidies for the energy companies, tax breaks for wealthy corporate executives.

What does this mean to you? If you have a pay stub handy, all you have to do is take a look at the FICA deduction. This FICA deduction is what you pay into Social Security. Over the next 10 years one-third of what you contribute to Social Security through your FICA deductions is going to be borrowed by the government to pay for its operating expenses. That is your money. It is supposed to go into the Social Security trust fund to build up a reserve for when the baby boomers retire, but instead it is going to be squandered to pay for last year's tax cuts and other government spending.

But it gets worse. The Federal Government is supposed to repay everything it borrows from the Social Security trust fund. In fact, the law says the full faith and credit of the United States is backing it. But listen to what Republican leaders are saying about their intent to repay the trust funds. Here is what the Republican majority leader, the gentleman from Texas (Mr. ARMEY) said in a memo to House Republicans last year: "The hard truth is the Social Security trust fund is empty. It is a mere accounting device."

Here is what the President's spokesman said less than 3 months ago: "Employees who contribute to Social Security will get nothing in return."

And here is what Republican Senator PHIL GRAMM said: "There is no Social Security trust fund. It is a total fraud." The Social Security trust fund consists of "worthless IOUs."

The fact is they have no plan to repay the Social Security trust fund. In fact, we cannot even get our act together to pass a budget for next year.

Now, here is a question for my Republican colleagues: As you struggle to deal with the mess you have made of the Federal budget, are you going to repay that Social Security fund? As you force millions of Americans to lend their FICA money to the government, how are you going to keep faith with them? How are you going to pay them back? What is your long-term plan?

Mr. Speaker, I introduced legislation earlier this year with the gentleman from New York (Mr. RANGEL) and the gentleman from California (Mr. MATSUI) which would require that the Federal Government repay Social Security. The bill is H.R. 5252, the Social Security Preservation Act. Not a single Republican Member has co-sponsored that bill. What is happening is a scandal, but my Republican colleagues do not want you to know about it.

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

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