

the Federal Aid Highway Program. By comparison, in the 42 years of the Interstate Highway Program, we invested \$114 billion of Federal funds in the interstate system. It took 42 years because we had a dedicated account, a guaranteed revenue stream.

This breaks that commitment. This resolution draws it all down. We will lose millions, billions of dollars in investments and thousands and thousands of jobs. If you want to come to the desk, I have a list of what each State will lose if this resolution passes.

Mr. HASTINGS of Washington. Mr. Speaker, I would advise my friend I have no further speakers.

Mr. HASTINGS of Florida. Mr. Speaker, I have one final speaker, and I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would simply point out to both of the gentlemen who have just spoken from the Committee on Transportation and Infrastructure that I warned the Committee on Transportation and Infrastructure before the election when we debated this that they were going to be short-sheeted on this continuing resolution, and that has now, unfortunately, come to pass. So I would say that I agree with the observations of the gentleman from Alaska (Mr. YOUNG), all but one of them.

I would also say that it is not true that only highways are being hurt by this continuing resolution. The National Institutes of Health will encounter a severe problem in issuing their grants for the year. Veterans will not be able to have the backlogs dealt with in terms of veterans health care. The Securities and Exchange Commission is not going to be funded at the level that was promised in the authorization bill before the election. We are not going to see the Medicare give-backs that our providers around the country were looking for. There are going to be all kinds of other problems as well as the highway problem. So I think there are a good many reasons, including the highway problem, to vote against this rule and against this resolution.

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

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

The previous question was ordered.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 215, nays 189, not voting 27, as follows:

[Roll No. 472]

YEAS—215

Aderholt	Ballenger	Bereuter
Akin	Barr	Biggart
Armey	Bartlett	Bilirakis
Bachus	Barton	Blunt
Baker	Bass	Boehler

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

NAYS—189

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

Larson (CT)	Napolitano	Shows
Lee	Oberstar	Skelton
Levin	Obey	Slaughter
Lewis (GA)	Olver	Smith (WA)
Lofgren	Ortiz	Snyder
Lowey	Owens	Solis
Lucas (KY)	Pallone	Spratt
Luther	Pascarell	Stark
Lynch	Pastor	Stenholm
Maloney (CT)	Pelosi	Stupak
Maloney (NY)	Peterson (MN)	Tanner
Markey	Phelps	Tauscher
Mascara	Pomeroy	Taylor (MS)
Matheson	Price (NC)	Thompson (CA)
Matsui	Rahall	Thompson (MS)
McCarthy (MO)	Reyes	Thurman
McCarthy (NY)	Rivers	Tierney
McCollum	Rodriguez	Towns
McDermott	Roemer	Turner
McGovern	Ross	Udall (CO)
McIntyre	Rothman	Udall (NM)
McNulty	Roybal-Allard	Velazquez
Meehan	Rush	Visclosky
Meek (FL)	Sabo	Waters
Meeks (NY)	Sanchez	Watson (CA)
Menendez	Sanders	Watt (NC)
Millender	Sandin	Waxman
McDonald	Schakowsky	Wexler
Mollohan	Schiff	Woolsey
Moore	Scott	Wu
Moran (VA)	Serrano	Wynn
Nadler	Sherman	

NOT VOTING—27

Blagojevich	Gutierrez	Neal
Clement	Hinchey	Oxley
Condit	Hooley	Payne
Cubin	Houghton	Rangel
Dingell	Lipinski	Roukema
Doyle	Manzullo	Sawyer
Fattah	McKinney	Strickland
Gordon	Miller, George	Stump
Grucci	Murtha	Weiner

□ 1152

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

Mrs. KELLY and Messrs. HEFLEY, REGULA, QUINN, DOOLITTLE, MICA, LOBIONDO, LATOURETTE, HERGER, YOUNG of Alaska, BAKER, BEREUTER, and PETRI changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MANZULLO. Mr. Speaker, on rollcall No. 472 the bells in my office failed to work. Had I been present, I would have voted "yea."

## 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. 124 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. 124) 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. 124 is as follows:  
H.J. RES. 124

*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 "January 11, 2003"*

SEC. 2. Section 114 of Public Law 107-229 is amended—

(1) by striking "December 31, 2002" and inserting "the date specified in section 107(c) of this joint resolution"; and

(2) by striking the first proviso and inserting the following: "": *Provided*, That grants and payments may be made pursuant to this authority at the beginning of any included quarter or other period of fiscal year 2003, for such quarter or other period, at the level provided for such activities for the corresponding quarter or other period of fiscal year 2002".

SEC. 3. Upon determination by the Secretary of Homeland security that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$500,000,000 of funds made available to the Department of Homeland Security and be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen homeland security requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That during fiscal year 2003, the Office of Management and Budget may transfer not to exceed \$140,000,000 for unobligated balances of appropriations enacted prior to October 1, 2002 for organizations and entities that will be transferred to the new Department for the salaries and expenses associated with the initiation of the Department: *Provided further*, That of amounts authorized for transfer by this section, except as otherwise specifically authorized by law, not to exceed two percent of any appropriation available to the secretary may be transferred between such appropriations: *Provided further*, That not less than 15 days' notice shall be given to the Committee on Appropriations of the Senate and House of Representatives before any such transfer is made: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen homeland security requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by Congress: *Provided further*, That the authority provided in this section shall expire on September 30, 2004.

The SPEAKER pro tempore. Pursuant to House Resolution 602, 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, first let me welcome all the Members back from their election-day activities and suggest that we do have a lot of work to do, especially a lot of appropriations bills that need to be concluded.

Mr. Speaker, this is a continuing resolution to keep the government functioning until such time as all appropriations bills are concluded. It would extend the date of the initial continuing resolution until the 11th of January and includes one additional anomaly that would extend the authorization for the Temporary Assistance for Needy Families, the TANF program, through this same period.

Mr. Speaker, the other anomalies that we had included in the original CRs are all the same, no changes. This is a clean CR. I do not think that there is any real controversy over the content of the CR.

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

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, I think Members will recall when we were sitting around here last February and March waiting for the President to send up the supplemental and talking about starting the appropriations bills after we got back from the spring recess. The dogwoods bloomed and the cherry trees bloomed and, finally, the azaleas; and yet we had no appropriations bills.

So then we had talked about how busy the summer was going to be after we had gotten back from the Memorial Day recess. We had droughts across most of the country. We had forest fires in the West. Tiger Woods won the U.S. Open, and the All Star Game ended in a tie, and nearly three-quarters of the appropriations bills during that time never even got to the House floor.

After all of that transpired, we left for the August recess talking about how impossible the fall would be. We were going to have long nights and late nights, and that was going to be the only way that the House could get its work done before the election. Well, we returned in September and we did not work those long weeks or those long nights. The Republican leadership of the House would not let the chairman of the committee take up the bills that the committee had reported.

And in September we had a continuing of the work style of the previous 3 or 4 months. We would have our first votes occurring on Tuesday evenings for the week, and we would have wheels up at National Airport going back to our districts by noon on Thursday or close to it. And so when we left in October, we had passed only two of 13 appropriations bills. We had funded only one of the 15 departments of the U.S. Government, and not a single domestic agency had a budget for the fiscal year that had already begun.

We left town then for the election, and we said that the lame duck session would be a tough one, that the work load would be enormous, that Congress would be forced to stay in session until Christmas Eve. But guess what? Wrong again. We simply are seeing the magic switch being used one more time. Put the government on automatic pilot and go home.

So what have we accomplished? Well, the Director of the Customs Service will no longer report to an Under Secretary in the Treasury Department. He will report to an Under Secretary in another building in a new bureaucracy. That is our achievement on the Homeland Security front.

I frankly do not think Osama bin Laden will care. He may even realize that all of the moving of desks and phones and computers over the next couple of years in the new Department of Homeland Security is likely to create gaps in our security and give him openings to do his dirty work.

But what will happen to the plan of the Director of the Customs Service to inspect the millions of 40-foot long steel containers that get shipped into the United States each year when they leave Europe or Asia or Latin America? I think Osama will be glad that the Congress did not find time to fund that initiative. What about the money that the FBI Director needs to upgrade his computers, to hire more analysts, to get translators to speak Arabic, Farsi or Pashto. I am sure that Osama will be glad that the Congress did not get around to fixing that problem either.

And how about the money we were supposed to give to local fire and police departments so they could have common communications systems so that the first responders would have protection in dealing with biological and chemical attacks? Well, I guess apparently the judgment of Congress is that that can wait. After all, who knows, maybe the next major attack in this country may not come until next summer or, if we are lucky, even later.

□ 1200

So again, Congress chooses to not deal with the problem.

What about the money for the Public Health Service to buy the anthrax vaccine for first responders and others that would have to cope with an attack? The same answer, no action.

But I guess we need another break. After all, we have had a tough election season. Apparently the Congress has to rest up from all of its recesses and those weeks we had to slave from Tuesday evening through Thursday noon before we went back to our districts. And certainly Congress needs to rest up from all of the promises that it has made during the election, promises about how much we care about the economy and people being squeezed by the economic downturn.

But apparently we are not going to stay here now to deal with the extension of unemployment benefits; we are not going to fix the problems at the National Institutes of Health; we are not going to fix the highway problems; we are not going to fix the problem of the underfunding of the Securities and Exchange Commission. But after all, apparently Members of the House are really worn out from all of the TV ads we all had to run telling our constituents how much we cared for the elderly

and how hard we were going to work to ensure that they got the medical care and the prescription drugs that they needed.

If running those ads had been less arduous, maybe we could have persuaded the majority party to stay around for a few more days to do its work. I know that the chairman of the committee would like to do that, but apparently he has been overruled by his caucus or by his leadership or by the House and Senate leadership combined, if we can call that leadership by walking away from their responsibilities.

Mr. Speaker, I would simply say that this is a pitiful performance by a pitiful Congress walking away from its major responsibility. This Congress has not even found the will to pass the appropriation bills, which is the main job Congress has each year.

I do not know why Members run for reelection for another 2 years if they do not want to do the work that they were elected to do in the previous 2 years. I guess there are a lot of mysteries in this place I do not understand.

This resolution is going to pass. We will come in here on January 7, and we will kick the can down the road again. We will come in long enough to sign up for our new 2-year lease on our paychecks, and then Congress will apparently adjourn again without doing anything to deal with the major problems that Congress is facing on the appropriations side. I guess it is a harbinger of things to come, but it is a disgrace. I for one am not going to vote for this continuing resolution because what it really is is a spectacular abdication of responsibility, which is not worthy of this body.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I misspoke when I said there was only one anomaly or change in this CR because there is one other I should call to the attention of the House, and that has to do with the Department of Homeland Security. In the CR we included a provision which provides transfer authority for the establishment of the Department of Homeland Security and for unforeseen homeland security requirements.

This is basically language that we had agreed to when the Homeland Security bill passed the House earlier this year; because that conference report is expected to hit the floor today we included this appropriations provision in the CR. Here is what it does.

Under this provision, the Secretary of Homeland Security may transfer a total of \$500 million in appropriations for unforeseen homeland security requirements.

In addition, unobligated balances of not more than \$140 million from funds appropriated prior to October 1, 2002, may be transferred for the initiation of the new department.

Now such transfers, Mr. Speaker, may not exceed 2 percent of any appro-

priation between such appropriations. The provision requires that these transfers, and this is important, are subject to current reprogramming requirements. These transfer authorities would be provided until September 30, 2004.

Mr. Speaker, this language was necessary to provide the President of the United States with the ability to move quickly in dealing with homeland security issues. We had some debate on this during the consideration of the homeland security bill. This is an acceptable provision to the appropriators as we protect the responsibilities under the Constitution of the House and the Senate.

So this is not a controversial item in this continuing resolution, but I thought I had better call it to the attention of the membership.

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

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time and for his hard work this year in trying to get these appropriations out.

Many of my colleagues have been local elected officials, and surely they recognize what fix they would be in if their city or county had to run on a day-to-day CR. We cannot pick up garbage on a day-to-day CR. The Federal Government might be able to run HHS or the Department of Labor that way, but I am talking about the Nation's capital, a living, breathing city of 600,000 people which also serves 200,000 Federal workers.

What we are doing with these interminable CRs that puts D.C. right in there, even though there is mostly local money here, what we are doing is crippling good management in the city, which is exactly what the Congress has admonished the District to try to improve.

Major Williams and our City Council deserve a lot better. They have done a spectacular job in renewing city operations. These folks had a balanced budget, and then they had to do a 10 percent cut of the budget raised by local taxes, and they did it in 10 days. Now they are told for an entire quarter they are going to have to live on last year's budget.

Let me give Members two reasons why that is difficult for a city. First, they cannot implement new programs which are necessary. Second, despite the cuts, the District of Columbia has increased its school budget, but since under the CR the city must run at last year's levels, it cannot increase its school budget, and yet that is the budget that Congress has been most concerned about.

Much of that local money would go to special education problems, which are particularly crippling us because we do not have any State to contribute to special education. Indeed, Congress is so concerned about special education

that we got \$14 million in extra Federal money for special education in this budget, but I am not even asking for that, I am just asking for D.C. to be able to spend her own money on her own special education children.

Yesterday I spoke with the President about it, the Mayor spoke with him about it, and subsequently I called his top staff at the White House. Guess what, neither the President nor his top staff seemed to have any objections. The top staff said they would put it before the OMB. The reason that I think the President and his staff did not have particular objection is that apparently what the President and those who are holding the appropriations want is no Federal spending above a certain level. Voila. The money I am talking about is all money raised in the District of Columbia, \$3 billion of it. No Federal spending above a certain level, fits the rule, this money should not even be here in the first place.

If it is here, I would think that there would be some sensitivity to the fact that the city should not be treated as if it were the Department of Labor or some other agency. I had a one-sentence amendment that would have allowed D.C. to spend local taxpayer funds only, leaving all of the Federal money over here.

There are special circumstances in this CR. It is not a clean CR. There are TANF grants and payments, and I thank the leadership. There is an allowance for transfer of \$500 million from other agencies to homeland security.

Mr. Speaker, surely keeping the Nation's capital afloat and well-run is just such a special circumstance. I ask that we take all the action we can after this CR expires to see that this never happens to the city again, and pray for the city during this period.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I first encountered this thing we call a continuing resolution when I was a young officer in the Army working for the Assistant Secretary of Defense Comptroller. I remember how it was explained to me then by the DOD's General Counsel. He said, in effect, the Congress is saying to us we have not got our job done, we are a little embarrassed, so just keep spending money at the level it is being spent until we can catch up and get things done right.

This year, more than any year I have ever seen or known about, we are deficient in doing our job. Eleven out of 13 appropriation bills have not been passed. Let me just pick out four and point out to Members the consequences of having a continuing resolution in lieu of a properly worked appropriation bill.

Veterans medical care. If Members are not aware that veterans are calling their district offices and saying they cannot get an appointment at veterans hospitals in less than 6 months, Members have not been talking to their

staff. The Veterans Administration is overstretched, overcommitted, and we are not in this resolution providing them a dime more than they got last year to deal with a problem that is getting worse all the time.

So Members are turning a deaf ear to the veterans who are calling and saying what good is health care when it needs to be delayed for 6 months. That is the situation that I am finding in my office, and I dare say it is true all across the country, and this resolution turns a deaf ear to the veterans of this country and their pleas for the health care promised them.

Education. Last year the President made a big deal, and rightly so, out of his signature education bill. Democrats in the House and Senate, the gentleman from California (Mr. GEORGE MILLER) and Senator KENNEDY, joined him in inaugurating the bill called Leave No Child Behind. It was a reauthorization of the Elementary and Secondary Education Act.

When we passed that authorization bill in the House, the price tag on it was \$26.4 billion. We said that we recognize that school districts are going to have additional substantial obligations, and we wanted to send money with the mandates we were imposing upon them. We said we need to increase what we are spending on elementary and secondary education so that the school districts will be able to meet their obligations and will be funded at the Federal level for the obligations that the Federal Government is imposing upon them.

Mr. Speaker, 6 weeks later after the authorization had passed, the President sent his budget up and guess what, his budget funded the bill at \$4 billion less, \$19 million less than we were then spending for elementary and secondary education, and that is the way we will leave it if we pass the CR instead of going back to the Labor-Education appropriation bill and properly funding education as we should.

Education will be shorted. We will leave a lot of children behind. \$4 billion would put a lot of our school districts that are already hurting because of statewide budget cuts in dire straits. It is true in my State; I dare say it is true in every State.

Highways. No Member should vote without looking at this list right here. I just looked at it to see what happens to the highway bill, what we will fund compared to what TEA-21 might have provided. South Carolina will get \$49.162 million less than we would otherwise get if we did a proper appropriations bill.

□ 1215

We are a small State. If you are larger than South Carolina, and most of you are, you better check this list because you are going to be surprised at how much you will be shorted in highway funding if you vote for a CR over a proper transportation appropriation bill.

Finally, the SEC. The SEC, the Securities and Exchange Commission, makes money for the Federal Government. The SEC charges fees that amount to about \$1.2 billion every year. It then spends about \$450 million a year, and the \$750 million difference goes into the Treasury. They make money for the Federal Government. If there is one agency of the Federal Government that is challenged right now, if there is one thing we need to do for this economy, to restore confidence in the stock markets and corporate accountability, the SEC has to be the watchdog. They have to do it. They need more money. The man who wrote the bill, Sarbanes-Oxley, said they need \$776 million. You would still have a \$500 million contribution out of their fees to make to the Federal Treasury. Pass this continuing resolution instead of a proper appropriation bill and the SEC will get \$450 million, slightly less than that, in fact. It is not right.

I am ready to stay here and do it right. That is what I submit every Member should do. We can do it. We can do it between now and Thanksgiving. We can do it right. We can take care of highways, we can take care of veterans, we can take care of the SEC. We can do it right. We should do it right and not pass this CR.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, to both of the distinguished gentlemen, the chairman of the Committee on Appropriations and the ranking member, we stand today not wearing any partisan hat on a very crucial element of our responsibilities as the House of Representatives. I have always been taught constitutionally that we have the Committee on Ways and Means, which the Founding Fathers established as the ways and the means to fund our government; and we have the appropriators who are the distributors of important taxpayers' dollars to move the engine of America. And so I am particularly frustrated by what we are facing today.

I want to associate myself with the remarks of my colleague from the District of Columbia, particularly because I think we should look to the issue of national security. And certainly a city, having come from local government as a member of the Houston City Council, it is very difficult to run a government with the ups and downs of no one knows what may occur without having the kind of funding that the Congresswoman is asking for. This resolution does not answer that question.

Then as I have made known to my colleagues, there are some of us who have entities in our district that are literally closing their doors. They are doing good work. They are fiscally conservative and responsible, like the Martin Luther King Jr. Center in my

community that houses homeless women and their children, those children, also separately housed, who come from HIV-infected parents, who have to have separate housing or have to be cared for. Those doors are about to close. Or the increasing rise in America of HIV infection. There are two entities in my congressional district, the Montrose Counseling Center and the Donald Watkins Center, that cater to the needs of individuals in the minority community who are HIV infected.

Then, of course, we with great pride in a bipartisan manner indicated our support for Leave No Child Behind. My school district, one of my school districts, the Houston Independent School District, has been labeled as an exemplary school district; but at the same time there is increasing need for special needs children. Those funds that we so appropriately authorized in Leave No Child Behind are not being funded at the levels that it should. Institutions of higher learning, like Texas Southern University that is branching out to educate as a historically black college those individuals who would not have access to higher learning, are losing programs that are so vital to producing more experts in math and science and the sciences.

And so this CR does more than just respond to maybe someone's viewpoint that we are to harbor our tax dollars and put them off to the side; it hurts people. Particularly, it hurts our community hospitals. We must fund them now. I would only encourage my colleagues by way of thanking them, both the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY), to come together and see how we can resolve these matters; and if the leadership would simply listen to them, we could resolve these matters.

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

Mr. LAMPSON. I thank the gentleman for yielding me this time.

Mr. Speaker, I have a question regarding a visit I had just a few minutes ago from some physicians from the State of Texas asking me about the replacement of the Medicare funding into the CR. We know that on January 1, their Medicare payments, or payments to the doctors for treating Medicare payments, will go away. They will be notified at the beginning of December, we understand on December 1. What the doctors are saying is that they received information from us that we would as a Congress attempt to address this last year. We did not. That we would address it this year. We did not. They are afraid that when those letters in December go out asking those doctors to reup, to agree to continue to see Medicare patients, that the answer is going to be "no way."

We need to address this because it is going to affect an awful lot of people. Can the gentleman from Wisconsin tell

me, or others, whether or not this language will indeed be put into this CR before we vote on it?

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

Mr. LAMPSON. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for raising the point. Unfortunately, that is one of the many items that will not be corrected when this CR passes. You will have those cutbacks go into effect in January. In addition, we lose other items which we cannot reach in our motion to recommit, such as the need to extend unemployment compensation. That is not going to be taken care of, either. This is just another example of the Congress walking away from its responsibilities.

Mr. LAMPSON. Reclaiming the few seconds that I can take on this, it is a travesty to our citizens of this country who are going to need and want treatment within our health care system. If they cannot get access to the care that they need, they will be spending a huge amount of money on themselves, which we will more than likely be picking up as a country later on. My brother is just one of many physicians who will fall into that category. I think that it is terrible that we are having to consider this right now, and I hope and pray that somehow it could be fixed.

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

Mr. Speaker, I would like to ask the distinguished gentleman from Florida a question. As he knows, this committee has been trying to convince the House leadership for months that with a few billion of additional allocation, we could produce appropriation bills that would produce very large bipartisan majority support in both Houses. As he knows, we have been asking for roughly around \$10 billion. I know the gentleman has. We have been told, "Oh, you cannot do that because the Committee on Appropriations is a big spender." But as I understand the rule that just passed, the bill that will follow ours that was approved by the rule will in fact wipe out the requirement to sequester because on the entitlement side of the budget, we see an explosion on the deficit of well over \$100 billion; and when you take into account all of the exemptions that you have from this sequestration requirement, the Congress is in essence saying, "Well, do not worry, it is on the mandatory side. So we will let that \$30 billion expansion of the deficit that would be avoided by sequestration, we will let that go ahead."

These same folks who are attacking this committee for being big spenders are in fact wiping out a requirement to compensate for spending that is more than three times as large as the amount that this committee is asking for to fix the appropriations bills.

Is that not roughly the situation?

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

That is roughly the situation. The gentleman has described a situation that was beyond our control, unfortunately. The budget that was deemed by the House of Representatives included a top-line number that was different from the number used by the Committee on Appropriations in the Senate. And so we did have a difference of numbers. The problem has been all along that we have not had the same numbers as the other body.

But to get to the gentleman's specific point, the PAYGO issue. By the way, the PAYGO is not in this CR. There was an attempt to include it in the CR, but the committee objected to that, because PAYGO deals with mandatory spending. It relates to mandatory spending, of which we have no jurisdiction and no control. But as I have said on this floor many times and as my colleague from Wisconsin has said many times, a dollar is a dollar, it is all the same color whether it is in a mandatory account or whether it is in a discretionary account. The truth of the matter is that our mandatory spending has far exceeded what the Balanced Budget Act would allow for. And the PAYGO scorecard needs to be cleared so that the government does not become in violation of the Balanced Budget Act. Our committee does not deal with mandatory spending, so I did not think we had any obligation or responsibility or jurisdiction to deal with it in this CR.

But again, and the gentleman makes a very good point, spending is spending. And while appropriators are often referred to as the big spenders, we stay within our allocation, the budget numbers. The mandatory spending accounts are the ones that get really out of balance. That is exactly what has happened here. That is why this PAYGO issue will be before the House later today. It is interesting to note that some of those who are most adamant on keeping down discretionary spending, regardless of what it might be for, seem to have no objection to mandatory spending despite the fact that it goes far above the budget, much more so than the appropriations bills. Our committee has been very careful to keep our spending bills within the budget numbers that were set. The same cannot be said for mandatory programs.

So I appreciate the gentleman raising that issue. It is not something that is political. It is not partisan. It is not one party versus the other. It is just a matter of fact. Mandatory spending is spending exactly the same as discretionary spending. The problem is a lot of people do not understand that and they really need to, because mandatory spending is what is causing the biggest part of our budget problems today. That is why we are going to have to deal with a PAYGO bill later on today or tomorrow. I thank the gentleman for raising the issue.

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

Mr. Speaker, what the gentleman's comments come down to is that the same House leadership that has told the Committee on Appropriations that we cannot make these bills healthy enough to pass by adding roughly \$10 billion to them for appropriation bills, the same leadership is asking us to allow the Congress to get out of town with a license to provide spending for more than \$30 billion on the entitlement side. I think that exposes the double standard to which we have been subjected for this entire year.

That is why in my motion to recommit I will have a motion that does the following: it will add \$2.4 billion to veterans medical care to help reduce the backlog that veterans face now when they go into a VA hospital and want to see a specialist. It will add \$2.8 billion to the funding level for the National Institutes of Health so that NIH will be able to proceed to provide its new grants and contracts. Otherwise, they will be in trouble come January. It will provide \$2.6 billion in additional funding to FEMA for State and local first responders grants to help police and firemen get up to speed in dealing with our antiterrorism efforts. And it will add \$300 million to the Securities and Exchange Commission to bring that funding level up to \$776 million, which is the amount that the Congress promised in the authorization that it would provide back when the heat was on when the public was upset about fraud that was going on in many American corporations.

□ 1230

Unfortunately, now this CR will not meet that commitment either. So when the time comes, I will offer that recommit motion and I wanted to, in the interest of saving some time, notify the House of that right now.

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

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

Just a brief closing statement to say, Mr. Speaker, that a continuing resolution is not the best way to fund the government. There is no question about that, and I think most of our colleagues would agree with that. But circumstances today require us to deal with this continuing resolution.

And just a couple of comments on the motion to recommit. These types of decisions should be made in the Committee and on the floor of the House once the Committee has reported the bill. And as the ranking member knows, the Committee on Appropriations in the House has marked up all of its bills but one. So these decisions really have been made in the committee, and once we move the bills many of the concerns that the gentleman from Wisconsin (Mr. OBEY) is concerned about will be taken care of because they are legitimate needs of the government. We do not want to recommit this bill today. We want to pass this bill, get this business behind

us, and get on to the balance of our responsibilities for today and tomorrow, and then we will begin to prepare for the beginning of the next session, and hopefully we will have the appropriations bills for 2003 ready to be completed when the House reconvenes.

So, again, a continuing resolution is not the best way to deal with appropriations issues, but because of today's circumstances this is what is available to us, and, Mr. Speaker, I hope that we would reject the motion to recommit and that we would pass this CR and get on with the rest of our business.

Mr. UDALL of Colorado. Mr. Speaker, passage of this resolution is understandable, but unfortunate. And, louder than any words, it demonstrates the cynicism of the Republican leadership here in the House.

For months, the leadership has refused to allow the House to meet its basic responsibility of considering bills to fund any part of the government besides the Department of Defense. And by passing this continuing resolution, that pattern of dereliction will be continued through the rest of this year.

I do not think this is how we should do our business. I agree with the Rocky Mountain News that we should instead make completion of the appropriations process our top priority.

For the information of our colleagues, I am attaching the News's editorial on this subject.

[From the Rocky Mountain News, Nov. 13, 2002]

#### BUDGET THE TOP PRIORITY FOR CONGRESS

President Bush says the "single most important item" facing the lame-duck Congress is creation of his Department of Homeland Security.

Actually, it's not.

The most important duty of the lame-duck Congress is to pass the Federal budget for fiscal year 2003, which began Oct. 1. Embarrassingly, one two of the 13 money bills needed to complete that budget have been passed. And that alone is why the outgoing Congress had to return to the capital, not homeland security or terrorism insurance or the energy bill.

And the returning lawmakers should pass those bills cleanly and not resort to the desperate solution of other lame-duck Congresses—stuffing all the unfinished budget business into the messy monster called an omnibus reconciliation bill.

Lame-duck Congresses are not the best possible legislative forum. They operate in a tight time frame, knowing they'll be out of business at the end of December. And they include in their ranks retiring and defeated lawmakers who no longer answer to anyone. And this lame-duck session has a novel problem. The Democrats now control the Senate, but only by one vote and only until a new Republican senator arrives in a week or so.

The lame-duck Congress' most important item of business is to pass the budget.

The second most important priority is: Go home.

Ms. TAUSCHER. Mr. Speaker, I rise in opposition to this Continuing Resolution.

People at home send us to Washington to do a job and make tough decisions—not simply kick the can down the street when it's convenient for us to do so.

It is irresponsible to run our government like this—without a budget or any sense of what we can afford to spend money on—especially during times of war.

We have real demands on our shrinking federal budget, and we have tough choice to make.

By passing this Continuing Resolution, we are not only avoiding making those decisions, we are putting our country in jeopardy.

This is the fifth Continuing Resolution we've passed this year that funds all aspects of the federal government at fiscal year 2002 levels, except highway construction—which it cuts by almost \$4 billion. By setting spending at \$27.7 billion instead of the current year level of \$31.8 billion, California will lose over \$261 million, which translates into about 12,400 good paying jobs that will be lost as a result.

This is wrong for California's economy and it's wrong for the highway users who have paid taxes into the highway trust fund.

Investments in highway infrastructure are not only an immediate stimulus to California's economy, but they will help alleviate congestion and reduce air pollution.

Operating under a Continuing Resolution also has a damaging impact on ongoing construction projects at the national laboratories in my district. Without an annual budget, the labs are unable to consent to the large contracts. Contracts like these at Lawrence Livermore National Laboratory are vital to ongoing construction work on the National Ignition Facility and the Terrascale Simulation Facility, both critical elements of the Stockpile Stewardship Program. This not only undermines this important national security program, it also hurts workers because contractors are let go when the labs are no longer able to guarantee payment.

National security work this critical cannot simply be continued piecemeal, and I am concerned that the Continuing Resolution, by driving the costs of construction up, will make it harder to fund these programs that ensure that we have a credible and reliable nuclear deterrent to protect the American people.

And, this Continuing Resolution hurts health care.

Medicare's foundation is crumbling. Medicare payments to physicians and other health professionals will be cut by 12 percent over the next three years, beginning with a 4.4 percent cut on January 1, 2003. More than \$11 billion nationwide is at stake, with each state losing millions in federal health care funds. All of this is in addition to the 5.4 percent cut that was implemented on January 1 of this year.

For Medicare seniors, I strongly urge my colleagues to immediately fix the Medicare physician payment update problem.

Physicians and other health professionals are the very foundation of the medical care system. Without them, patients will not be able to get hospital, nursing home and home health care services, or prescription drugs. It is critical that both the House and Senate stay in session to fix this mistake and avert the impending cuts before patient access is further jeopardized.

In addition to failing our nation's seniors, we are also failing America's children.

The Impact Aid program, which compensates local school districts that enroll "federally connected" children, is also hurt if Congress passes a Continuing Resolution. Most of these children are the sons and daughters of parents who are in the military or live on military bases.

Since Congress has failed to act appropriately, I urge the Office of Management and Budget (OMB) to approve a reasonable apportionment of Impact Aid funds for fiscal year 2003 based on historical obligations. This ac-

tion by OMB will ensure that our schools can continue to meet the needs of our children.

And these problems are just the tip of the iceberg. By keeping funding at 2002 levels, Congress is not providing any money for the Securities and Exchange Commission to beef up its enforcement of corporate crime, and the National Institutes of Health has to cut back on important work.

Congress should not leave town until all the appropriations bills are completed. It is our responsibility to make decisions on how to fund the activities in the federal budget, with a new urgent priority of fighting terrorism abroad and protecting our homeland.

American taxpayers are the victim of Congress' inability to get its work done.

I urge my colleagues to vote against this Continuing Resolution and get back to doing the work we were sent to Washington to do.

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

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

The joint resolution is considered read for amendment, and pursuant to House Resolution 602, the previous question is ordered.

The question is on 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.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the resolution?

Mr. OBEY. I certainly am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill, House Joint Resolution 124, to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendments:

Page 1, line 5, after "2003", insert the following:

"Provided, That in addition to the amounts made available by section 101, \$2,416,000,000 is available for the Department of Veterans Affairs, Veterans Health Administration, Medical Care, for health care for enrolled veterans: *Provided further*, That in addition to the amounts made available by section 101, \$2,800,000,000 is available for the Department of Health and Human Services, National Institutes of Health: *Provided further*, That in addition to the amounts made available by section 101, \$2,600,000,000 is available for the Federal Emergency Management Agency, Emergency Management and Planning Assistance, for State and local first responders: *Provided further*, That notwithstanding any other provision of this joint resolution, \$776,000,000 is available for the Securities and Exchange Commission, Salaries and expenses, and amounts otherwise made available by this resolution for salaries and expenses activities at the Department of Commerce shall be reduced by \$100,000,000 and amounts otherwise made available by this resolution for salaries and expenses activities at the Department of Justice (excluding the Federal Bureau of Investigation and the Immigration and Naturalization Service) shall be reduced by \$200,000,000: *Provided further*, Notwithstanding any other provision of



this joint resolution, in addition to amounts made available in section 101, and subject to sections 107(c) and 108, such funds shall be available to the Securities and Exchange Commission to advance to the Public Company Accounting Oversight Board for necessary start-up costs of the Board: *Provided further*, That upon the collection of fees authorized in section 109(d) of Public Law 107-204, the Securities and exchange Commission shall be reimbursed for any Securities and Exchange Commission shall be reimbursed for any Securities and exchange Commission appropriations advanced to the Public Company Accounting Oversight Board for start-up expenses, as authorized by section 109(j) of Public Law 107-204, resulting in no net impact on appropriations available to the Securities and Exchange Commission in fiscal year 2003."

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes in support of his motion.

Mr. OBEY. Mr. Speaker, this motion will, as I said, provide increases to the following accounts: For veterans medical care it will provide a \$2.4 billion increase; for the National Institutes of Health for bioterrorism and general research it will increase funding by \$2.8 billion; for FEMA for State and local first responders it will increase funding by \$2.6 billion; for the Securities and Exchange Commission for corporate oversight it will increase funding by \$300 million to finally put some teeth back in that agency; and it ensures that the Public Company Accounting Oversight Board has sufficient funding to provide effective oversight of the SEC and corporate accounting standards.

There are other items that I would like to have in the recommit motion, Mr. Speaker, but because of the parliamentary situation, for instance, we are precluded from including items that would include an extension of the unemployment compensation program to long-term unemployed workers. We are precluded from adding funding that was just raised by the gentleman from Texas (Mr. LAMPSON) on the Medicare givebacks for providers, and we have not been able to include funding at this point for additional support for education. That does not mean those items should not also be addressed. They should. But right now we have just been told that the bill that will come up later today will in fact give Congressional blessing to the idea that the deficit will be increased by at least \$30 billion on the mandatory side and yet somehow we are committing a mortal sin if we try to provide more funding for veterans medical care, for medical research, to our local police and firemen to strengthen our response against terrorism, and to the SEC in order to ensure that corporate balance sheets

are actually on the square and legitimate.

I find that kind of logic quaint. I think that each of these items is perfectly defensible. And with that, Mr. Speaker, I would urge a yes vote on the motion to recommit.

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

Mr. YOUNG of Florida. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, I would simply say that the gentleman's motion to recommit addresses a number of important issues, but they are important to the point that they should not be discussed or determined with a 5-minute debate on one side and a 5-minute debate on the other side. These issues are so important they should have considerable debate, and consideration by the committee, and consideration by the House, and because of that, Mr. Speaker, I object to the motion to recommit and ask the Members to oppose it and then vote for the continuing resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes 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 SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 196, nays 216, not voting 19, as follows:

[Roll No. 473]

YEAS—196

Abercrombie  
Ackerman  
Allen  
Andrews  
Baca  
Baird  
Baldacci  
Baldwin  
Barcia  
Barrett  
Becerra  
Bentsen  
Berkley  
Berman  
Berry  
Bishop  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (FL)

Brown (OH)  
Capps  
Capuano  
Cardin  
Carson (IN)  
Carson (OK)  
Clay  
Clayton  
Clement  
Clyburn  
Conyers  
Costello  
Coyne  
Cramer  
Crowley  
Cummings  
Davis (CA)  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutsch  
Dicks

Dingell  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Filner  
Ford  
Frank  
Frost  
Gephardt  
Gonzalez  
Gordon  
Green (TX)  
Gutierrez  
Hall (TX)  
Harman  
Hastings (FL)  
Hilliard  
Hinojosa

Hoefel  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Kucinich  
LaFalce  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Leach  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Markey  
Mascara

Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Millender  
McDonald  
Mollohan  
Moore  
Moran (VA)  
Murtha  
Nadler  
Napolitano  
Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Pallone  
Pascarell  
Pastor  
Pelosi  
Peterson (MN)  
Phelps  
Pomeroy  
Price (NC)  
Rahall  
Reyes  
Rivers  
Rodriguez  
Roemer  
Ross  
Rothman  
Roybal-Allard

Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Schakowsky  
Schiff  
Scott  
Serrano  
Sherman  
Shows  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Solis  
Spratt  
Stark  
Strickland  
Stupak  
Tanner  
Tauscher  
Taylor (MS)  
Thompson (CA)  
Thompson (MS)  
Thurman  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Velazquez  
Waters  
Watson (CA)  
Watt (NC)  
Waxman  
Weiner  
Wexler  
Woolsey  
Wu  
Wynn

NAYS—216

Aderholt  
Akin  
Armey  
Bachus  
Baker  
Ballenger  
Barr  
Bartlett  
Barton  
Bass  
Bereuter  
Biggert  
Bilirakis  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Boozman  
Brady (TX)  
Brown (SC)  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Castle  
Chabot  
Chambliss  
Coble  
Collins  
Combest  
Cooksey  
Cox  
Crane  
Crenshaw  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
Deal  
Delahunt  
DeLay  
DeMint  
Diaz-Balart  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers

Emerson  
English  
Everett  
Ferguson  
Flake  
Fletcher  
Foley  
Forbes  
Fossella  
Frelinghuysen  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goss  
Graham  
Granger  
Graves  
Green (WI)  
Greenwood  
Gutknecht  
Hansen  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hilleary  
Hobson  
Hoekstra  
Horn  
Hostettler  
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  
LaHood  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (OK)  
Manzullo  
McCrery  
McHugh  
McInnis  
McKeon  
Mica  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Moran (KS)  
Morella  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Osborne  
Ose  
Otter  
Paul  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pommo  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Ramstad  
Regula  
Rehberg  
Reynolds  
Riley  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryan (WI)

Ryun (KS) Smith (TX) Upton Gephardt Leach Ros-Lehtinen  
 Saxton Souder Vitter Gibbons Lewis (CA) Ross  
 Schaffer Stearns Walden Gilchrist Lewis (KY) Rothman  
 Schrock Stenholm Walsh Gilchrist Ryan (WI) Roybal-Allard  
 Sensenbrenner Sullivan Wamp Gillmor Linder Ryun (KS) Sabo  
 Sessions Sununu Watkins (OK) Gonzales Saxton Sanchez  
 Shadegg Sweeney Watts (OK) Goode Lowey Schaffer Sanders  
 Shaw Tancredo Weldon (FL) Lucas (KY) Schroek Stupak  
 Shays Tauzin Weldon (PA) Lucas (OK) Sensenbrenner Tauscher  
 Sherwood Taylor (NC) Weller Goss Maloney (CT) Sessions Thompson (CA)  
 Shimkus Terry Whitfield Graham Manuloff Shadegg Thompson (MS)  
 Shuster Thomas Wicker Granger Matheson Shaw Thune  
 Simmons Thornberry Wilson (NM) Graves Matsui Shays Thurman  
 Simpson Thune Wilson (SC) Green (TX) McCarthy (NY) Sherman Tierney  
 Skeen Tiahrt Wolf Green (WI) McCrery Shows  
 Smith (MI) Tiberi Young (AK) Greenwood McCrery Shuster  
 Smith (NJ) Toomey Young (FL) Grucci McInnis Simmons  
 Gutknecht Hansen McKinney Simpson  
 Harman McNulty Skeeon  
 Hart Mica Skelton  
 Hastings (WA) McDonald Smith (MI)  
 Hayes Miller, Dan Smith (NJ)  
 Hayworth Miller, Jeff Smith (TX)  
 Hefley Miller, Gary Souder  
 Hilleary Miller, Jeff Stearns  
 Hilliard Mollohan Stenholm  
 Hobson Moore Strickland  
 Hoeffel Morella Sullivan  
 Hoekstra Murtha Sununu  
 Holden Myrick Sweeney  
 Horn Nethercutt Tancredo  
 Hostettler Ney Tanner  
 Hoyer Northup Tauzin  
 Hulshof Norwood Taylor (MS)  
 Hunter Nussle Taylor (NC)  
 Hyde Ortiz Terry  
 Inslee Osborne Thomas  
 Isakson Ose Thornberry  
 Israel Otter Tiahrt  
 Issa Pastor Tiberi  
 Istook Pence Toomey  
 Jenkins Peterson (PA) Upton  
 John Petri Vitter  
 Johnson (CT) Pickering Walden  
 Johnson (IL) Pitts Walsh  
 Johnson, E. B. Pombo Watkins (OK)  
 Johnson, Sam Pomeroy Watts (OK)  
 Jones (NC) Portman Weiner  
 Kanjorski Pryce (OH) Weldon (FL)  
 Keller Putnam Weldon (PA)  
 Kelly Quinn Weller  
 Kennedy (MN) Radanovich Wexler  
 Kerns Ramstad Whitfield  
 King (NY) Regula Wicker  
 Kingston Rehberg Wilson (NM)  
 Kirk Reyes Wilson (SC)  
 Knollenberg Reynolds Wolf  
 LaHood Riley Wynn  
 Larsen (WA) Rogers (KY) Young (AK)  
 Latham Rogers (MI) Young (FL)  
 LaTourette Rohrabacher

## NOT VOTING—19

Blagojevich Hinchey Payne  
 Condit Hooley Rangel  
 Cubin Houghton Roukema  
 Ehrlich McKinney Stump  
 Fattah Miller, George Visclosky  
 Grucci Neal  
 Hill Oxley

## □ 1304

Mrs. CAPITO, and Messrs. TOM DAVIS of Virginia, KENNEDY of Minnesota, and MORAN of Kansas changed their vote from “yea” to “nay.”

Ms. DEGETTE, and Messrs. PHELPS, COSTELLO, and MEEHAN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DELAHUNT. Mr. Speaker, on rollcall No. 473, the motion to recommit for the bill H.J. Res. 124, my vote was inadvertently recorded as a “no.” I had intended to support the Obey motion to recommit and vote “yes.”

The SPEAKER pro tempore (Mr. LATOURETTE). 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.

## RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 270, noes 143, not voting 18, as follows:

[Roll No. 474]

## AYES—270

Abercrombie Burr DeLay  
 Aderholt Burton DeMint  
 Akin Buyer Deutsch  
 Andrews Callahan Diaz-Balart  
 Armev Calvert Dicks  
 Baca Camp Dooley  
 Bachus Cannon Doolittle  
 Baker Cantor Doyle  
 Ballenger Capito Dreier  
 Barcia Cardin Duncan  
 Bartlett Carson (OK) Dunn  
 Barton Castle Edwards  
 Bass Chabot Ehlers  
 Bereuter Chambliss Ehrlich  
 Berkley Clement Emerson  
 Biggert Coble Engel  
 Bilirakis Collins English  
 Blunt Combest Everrett  
 Boehlert Cooksey Ferguson  
 Boehner Cox Flake  
 Bonilla Cramer Fletcher  
 Bono Crane Foley  
 Boozman Crenshaw Forbes  
 Boucher Culberson Fossella  
 Brady (PA) Cummings Frelinghuysen  
 Brady (TX) Cunningham Frost  
 Brown (FL) Davis, Jo Ann Gallegly  
 Brown (SC) Davis, Tom Ganske  
 Bryant Deal Gekas

Ackerman Doggett Lipinski  
 Allen Eshoo Luther  
 Baird Etheridge Lynch  
 Baldacci Evans Maloney (NY)  
 Baldwin Farr Markey  
 Barrett Filner Mascara  
 Becerra Ford McCollum  
 Bentsen Frank McDermott  
 Berman Gutierrez McGovern  
 Berry Hall (TX) McIntyre  
 Bishop Hastings (FL) Meehan  
 Blumenauer Hill Meek (FL)  
 Bonior Hinojosa Meeks (NY)  
 Borski Holt Menendez  
 Boswell Honda Moran (KS)  
 Boyd Jackson (IL) Moran (VA)  
 Brown (OH) Jackson-Lee Nadler  
 Capps (TX) Jefferson  
 Capuano Capuano Kennedy (RI)  
 Carson (IN) Kaptur  
 Clayton Clay Kildee  
 Clyburn Kilpatrick  
 Conyers Kind (WI)  
 Costello Kleczka  
 Coyne Kolbe  
 Crowley Kucinich  
 Davis (CA) LaFalce  
 Davis (FL) Lampson  
 Davis (IL) Langevin  
 DeFazio Lantos  
 DeGette Larson (CT)  
 Delahunt Lee  
 DeLauro Levin  
 Dingell Lewis (GA)

## NOES—143

Lipinski  
 Eshoo  
 Lynch  
 Maloney (NY)  
 Markey  
 Mascara  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 Meehan  
 Meek (FL)  
 Meeks (NY)  
 Menendez  
 Moran (KS)  
 Moran (VA)  
 Nadler  
 Napolitano  
 Oberstar  
 Obey  
 Olver  
 Owens  
 Pallone  
 Pascarell  
 Paul  
 Payne  
 Pelosi  
 Peterson (MN)  
 Phelps  
 Platts  
 Price (NC)  
 Rahall  
 Rivers  
 Rodriguez  
 Roemer

## NOT VOTING—18

Barr Hinchey Neal  
 Blagojevich Hooley Oxley  
 Condit Houghton Rangel  
 Cubin Jones (OH) Roukema  
 Fattah McCarthy (MO) Royce  
 Herger Miller, George Stump

## □ 1319

Mr. ROTHMAN, Ms. KILPATRICK, Mrs. THURMAN, and Mrs. CLAYTON changed their vote from “aye” to “no.” 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.

### CONFERENCE REPORT ON S. 1214, MARITIME TRANSPORTATION SECURITY ACT OF 2002

Mr. YOUNG of Alaska submitted the following conference report and statement on the Senate bill (S. 1214) to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes:

CONFERENCE REPORT (H. REPT. 107-777)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1214), to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Maritime Transportation Security Act of 2002”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—MARITIME TRANSPORTATION SECURITY

Sec. 101. Findings.

Sec. 102. Port security.

Sec. 103. International seafarer identification.

Sec. 104. Extension of seaward jurisdiction.

Sec. 105. Suspension of limitation on strength of Coast Guard.

Sec. 106. Extension of Deepwater Port Act to natural gas.

Sec. 107. Assignment of Coast Guard personnel as sea marshals and enhanced use of other security personnel.

Sec. 108. Technical amendments concerning the transmittal of certain information to the customs service.