

southeast Florida are all proud Tampa Bay Buccaneers, too. Mr. Glazer is a resident of Palm Beach, so we kind of share the opportunity to have the owner of the team in our county, but we also have a chance now as all Floridians to articulate the kind of excitement we felt that night when the time ran out on the clock and we, in fact, had another Super Bowl championship to put in the case of history.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I am sure that people throughout all America join with our colleagues from Florida in paying tribute to the Tampa Bay Buccaneers. I join with them in their enthusiasm, and urge swift passage of this resolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Ms. BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I was never a football fan until I moved to the Tampa Bay area. I think it was the contagious enthusiasm both from my husband and my grandchildren that converted me to become a Tampa Bay Bucs fan.

I rise today to congratulate the Tampa Bay Buccaneers for their outstanding performance and subsequent victory in Sunday's Super Bowl. The Super Bowl was the most watched Super Bowl ever in history. I do not know whether it is just because every television set in Florida was tuned in or not, but it was the most viewed Super Bowl in history.

The Buccaneers' victory of 48 to 21 over the Oakland Raiders came at long last to very, very patient Tampa Bay Bucs fans such as myself and my family, who endured many, many years of sticking with the Bucs even when they weren't winning. We knew it was just a matter of time, and that time came this past Sunday. The Buccaneer defense scored three touchdowns from five interceptions, and that was a Super Bowl record.

Aside from congratulating the team, I would also like to congratulate John Gruden, the NFL's youngest coach. In his very first year, he took the Tampa Bay Bucs on to victory. We would be remiss if we did not also thank Tony Dungy, the former coach, because he was able to develop that team and develop the team to the point where their defense was so strong.

I would certainly congratulate all of the members of the Buccaneer team and as well to the Oakland Raiders. It was a hard-fought battle. Somebody had to win, and I am just darn glad that it was the Tampa Bay Bucs.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, as a seasoned ticket holder of the Tampa Bay Bucs since the beginning of their creation, I can only tell my colleagues that we are so thrilled over their victory, and I rise to congratulate the world champion Tampa Bay Buccaneers for their extraordinary victory in Super Bowl XXXVII.

This season the Bucs epitomized what Americans admire most in a champion. They won because of an incredible defense and an effective offense, which they built with outstanding talent and refined through extraordinary coaching.

This championship did not emerge overnight. It followed many years of grit and perseverance, during which the Glazer family, general manager Rich McKay, and former head coach Tony Dungy built a winner brick by brick.

Head coach John Gruden brought this sleeping giant to life. Like the leadership of this great body, he united a team of diverse talents and personalities behind his vision, flawlessly executing his championship blueprint through his team's discipline, dedication, and character.

On behalf of the citizens of southwest Florida, I congratulate Coach Gruden and the entire Bucs organization for a job very well done. They have made our Tampa Bay region very proud.

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

As you can see, Mr. Speaker, there is a tremendous amount of pride from the Florida delegation in the Tampa Bay Buccaneers. We certainly are grateful to Tampa's hometown Congressman, the gentleman from downtown Tampa, Florida (Mr. DAVIS), for introducing this resolution. He serves with a great deal of class, just as the Buccaneers were victorious with class, and the fans have celebrated with class.

This team gives back to the community, and the community is rightfully joyful in this celebration today. All of us are so proud of the work the Glazer family and Coach Gruden has done, and so I urge adoption of this resolution.

Mr. BILIRAKIS. Mr. Speaker, I rise today to offer my strong support for this resolution and salute the Tampa Bay Buccaneers for winning Super Bowl 37.

The Buccaneers have proven themselves through the years. From their humbling 0-26 start in 1976 and winless first season and a half, the Bucs have evolved into a force with which to be reckoned—the Champions of Super Bowl 37.

As a Bucs season ticket-holder and longtime resident of the Tampa Bay area, I am proud to have witnessed the years of change and hard work that culminated in Sunday's triumph over the Oakland Raiders.

Former Coach Tony Dungy deserves much of the credit for this victory. He changed the character of the team by instilling in them a focus on community, character, and leadership. His hard work, and that of many other

coaches, players and team staff, created the solid foundation upon which today's Super Bowl Champion Buccaneers stand.

The youngest coach ever to win a Super Bowl, Jon Gruden has built upon that foundation and continued the legacy of hard work and responsibility. I commend him for leading the Bucs to their first-ever Super Bowl appearance and victory. The Buccaneers paid a hefty price for Coach Gruden, but it was a price well worth paying, because football's ultimate treasure, the Lombardi Trophy, is where it belongs—in Tampa Bay.

Certainly, no congratulatory speech would be complete without honoring the players themselves. Coming into the game as the underdogs, the Buccaneers stayed the course and fought hard to secure their championship. An outstanding defensive effort prevented the Raiders from gaining momentum. Tampa's defense returned three of a Super Bowl record five interceptions for touchdowns, dashing any hopes Oakland may have had in winning the title of World Football Champions.

Mr. Speaker, I am proud to represent part of the Tampa Bay area and to be here today to offer my congratulations to Coach Gruden and the players. I urge my colleagues to support this resolution honoring the Buccaneers for their hard work and their well-deserved Super Bowl title.

Mr. PUTNAM. Mr. Speaker, I having no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Florida (Mr. PUTNAM) that the House suspend the rules and agree to the resolution, House Resolution 31.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the motion to go to conference on House Joint Resolution 2, making further continuing appropriations for fiscal year 2003, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.J. RES. 2, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 2) making further continuing appropriations for fiscal year 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the joint resolution, H.J. Res. 2, be instructed to agree to the highest level of funding within the scope of conference (1) for the programs within the jurisdiction of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies, including advance appropriations in the Senate amendment, and (2) for veterans' medical care and to insist that, within the scope of conference, no item requested by the President for homeland security (as identified in the OMB submission titled "Homeland Security Funding") be funded below the level of the President's request.

The SPEAKER pro tempore. Under clause 7 of rule XXII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, Article I of the Constitution states that no money can be drawn from the Treasury except by act of Congress.

□ 1230

That is the essence of the separation and balance of power in this government. It is the core function of this body. It is what makes this a legislative body, not a Soviet-style rubber stamp.

So let me ask what some Members might find to be a somewhat embarrassing question: How did the House of Representatives get through an entire session of Congress last year without ever even calling up for debate Senate appropriation bills that fund more than three-quarters of the government outside of the Department of Defense? Now I am not asking why we failed to pass the bills. There can be numerous answers to that question. I am not asking why we did not complete the conference report. That could easily be blamed on the intransigence or inaction of the other body.

What I am asking is how could we fail to even call up for debate on this floor, on this floor, the basic pieces of legislation to fund the government when that is our fundamental responsibility as an institution.

Mr. Speaker, this is the 108th Congress. This is the 215th year in which this body has gathered to perform our duties under the Constitution. As a result, it is quite difficult to do something in Congress that has never been done before, but I think this body in the last Congress actually succeeded in that respect. The House Republican leadership never even let these bills out of committee, never debated on the

House floor whether the amounts requested or the sums recommended by the committee were too much or too little, never allowed the elected representatives of the American people to vote on any of these matters.

The result, the party that is oh, so noisy in talking about accountability for teachers and schools is oh, so silent when it comes to the accountability of Members of Congress. You cannot be held accountable for the choices you never make, and that is the game that has gone on here for almost a year.

Mr. Speaker, how can there be a more fundamental breakdown of the institution? What a disgrace. What was it that we did all year that was so important we could not at least call these bills up?

I want to make it quite clear, there is one person in this institution who I am not referring to, and that is the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, who has gone to the mat time and time again to try to get this House to meet its responsibilities. He has spoken on the subject often and eloquently, and it is in spite of his very considerable efforts that we find ourselves where we are today.

In my mind there is one issue at the bottom of this: the majority party leadership in this House abandoned its central responsibility under the Constitution and to the American people in order to get political cover on one issue. They love to talk the talk on education, but they are not willing to walk the walk. They are not willing to put their money where their mouths are. Oh, yes, they like to visit schools. They like to read to children when the cameras are around; and oh, they love to make TV ads about how important education is and how much they care about it. They like to vote for big, expensive authorization programs creating new major responsibilities for local boards to meet, and they like to promise huge sums of Federal money to pay for them. They love to do all of those things.

There is only one thing that they apparently cannot and will not do, and that is pay the bill afterwards. Now most people have seen a con artist in action, at least in the movies. They have the capacity to seem in almost every respect to be someone quite different from whom they really are. That is what the majority party has done over the last several years with respect to education. Of course, the only time they get caught at the game is when the appropriations bills are on the floor. That is the one point in time when all of the pretty images fall apart, all of photo ops, press releases and slick TV ads, that is the time when they do not run true; and that is why this day has been delayed for almost 8 months, well after the election, well after the opportunity of the American people to measure whether the rhetoric coming out of the Congress and this administration has anything whatsoever

to do with the reality as far as education is concerned.

Unfortunately, even now we do not have an appropriate bill in front of us. We do not have specific funding levels proposed for specific programs. We have the most confusing hodgepodge of numbers it would be possible to concoct, and a motion to go to conference on those numbers. That is an open invitation to have a small group of people bring back an all-or-nothing omnibus package so big and so complex and so late in the year that we can claim that we just had to vote for it, even though it is on a program-by-program basis 180 degrees at variance with what a large majority of this body claims to support.

Today I want to give this House an opportunity to send a different message to the conference. I want to give Members on the other side of the aisle who truly believe what they say about resources in the classroom, better teachers, small classes, stronger curriculum a chance to stand up and say to Mitch Daniels and their leadership here in the House that they are for real, that they insist on a bottom line that is much higher for education than the numbers that my friend, the gentleman from Ohio (Mr. REGULA), has been given to work with.

Our motion to instruct simply says that the allocation to the bill that contains education funding shall not be smaller when the bill comes back to the House than the sums contained in the Senate bill. If we take all of the increases the Senate says it would like to make in that bill, we find ourselves \$9.55 billion over the level the House has allocated to the Regula bill. Even after we subtract the remarkable across-the-board cuts contained in the Senate package, this bill is about \$5.7 billion above House levels. CBO has not scored it yet, and so we do not have precise numbers; but that is about where we believe the Senate ends up.

We are asking that the House direct its conferees to begin this conference by agreeing with the Senate on that overall funding level. It is not at the level of increase in our schools that we have provided in any of the last 6 years. It would mean that the result of all of the time and debate we spent in enacting No Child Left Behind would be to scale back the funds that we are sending to schools. It is not the level that we can and should provide, but under the rules we are working under it is the best we can do; and it is without any question the least we should do. I would simply note, by the way, that the bludgeoning-nature of the across-the-board cuts provided by the Senate has resulted in unacceptable damage to a number of other crucial activities in areas such as health and science.

There are two other parts to this motion. One is that the level of funds for homeland security activities in this package shall not fall below the levels requested by the President so far as it

is possible within the scope of the conference. Yesterday, I catalogued just how inadequate the President's budget is for homeland security, for port protection, for first responders. But the Senate's across-the-board cuts have taken more than a billion dollars from homeland security activities. Our intent is to restore those funds. It, at the very least, will make clear that the education funds will not be coming from homeland security.

Finally, we have a crisis in veterans' medical care. The across-the-board cuts in the Senate bill significantly exacerbates that crisis. We direct in this motion the conferees to go to the highest possible level for veterans' medical care that is within the scope of the conference.

I will be very blunt about this instruction. If anyone votes for it, they are setting parameters on the conference that do not permit the conference to come back within the allocation that Mitch Daniels and the gentleman from Iowa (Mr. NUSSLE) have established. This motion says to them that the line that they have drawn in the sand for education and other domestic needs is unrealistic. We need to move on and resolve these differences, and we need to support local schools. This is not the end of the process; this is step one.

If a majority of this body votes to agree with the Senate that we need this \$5.7 billion increase for education, and the Congress then agrees to a conference report that rejects the position taken by both Houses, the American people will then know exactly what is going on around here. They are going to know at that point exactly how phony all of these press releases and TV ads on education have been.

Mr. Speaker, no one should vote for this motion if they intend to vote for a later conference report that scales back funding for the very education programs we are trying to protect by this motion. That would be an act of hypocrisy that would be startling even by the standards of this town.

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

Mr. Speaker, I appreciate the effort that the gentleman from Wisconsin (Mr. OBEY) is making here, and I would say that these are some of the items that we will definitely be dealing with as we go to conference.

But for those Members who have followed the budget and the appropriations process for fiscal year 2003, they will recognize that we really have accomplished somewhat of a miracle to be where we are today, ready to appoint conferees so we can go to conference with the Senate.

If we agreed with the bill that the other body has sent to us as an amendment to our continuing resolution, we could just agree to their amendment today and our business for fiscal year 2003 would be concluded, and I would tell Members that I do not think the

gentleman from Wisconsin (Mr. OBEY) and I could be happier if that were the case. But the fact is, as we study that bill, it is not a bill that we can agree with; so it is essential that we go to conference.

The Senate had to reduce the bills that they had reported from their committee by \$9 billion just to get to the top number that a majority of Members have agreed to. In addition to that, they are going to have to make some additional changes because even though they are at the top number, there are many things in the bills that our committee reported that are not in their bill, and they have included things in their bill that were not in our bill, so we have a lot of work to do.

So as we go to conference, we need flexibility. We need to be able to negotiate, to move, to make decisions, and to bring back to this House a responsible omnibus appropriations bill, for fiscal year 2003 and conclude the business for fiscal year 2003 because fiscal year 2004 is approaching us like a runaway train, and thus we will be beginning fiscal year 2004 activities almost immediately.

The gentleman from Wisconsin (Mr. OBEY) does not need to have this motion to instruct conferees. He and I will lead a very strong conference team to meet with our counterparts in the other body. I will be speaking for the majority side, and the gentleman from Wisconsin (Mr. OBEY) will be speaking for the minority side. He and I are partners. We will go into this conference knowing where we want to end up and knowing what we have to do to end up there.

We actually do not need a motion to instruct conferees. If for some reason the conference committee got bogged down, maybe we would need a motion to instruct, but I do not think that is going to happen. I have worked very closely with the chairman of the Senate Committee on Appropriations, and we believe that we have the ability to reach agreements on very difficult decisions. Because of that, I think today is not a good time to instruct conferees. I would say at a later date if that becomes necessary that maybe I would agree to it. Today I ask Members to reject this motion to instruct.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

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

Mr. FRANK of Massachusetts. Mr. Speaker, after listening to the gentleman from Florida (Mr. YOUNG), it sounded like the gentleman was saying that the conferees would be himself and the gentleman from Wisconsin. I want to say if that is the deal, if there are going to be two conferees, the chairman and the ranking minority member of the Committee on Appropriations, I would urge the gentleman from Wisconsin (Mr. OBEY) to withdraw the motion to instruct because if those are the two Members, as the gentleman said, I would have complete confidence

in them. Pending that, if the gentleman would just confirm that he said the conferees will be himself and the gentleman from Wisconsin (Mr. OBEY), I am ready to go home.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. FRANK) for his comments. At one point I actually suggested that we keep our side of the conference very, very small, meaning the gentleman from Wisconsin (Mr. OBEY) and myself, and maybe one other be conferees, but that did not work.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would continue to yield, the "maybe one other" just ruined it.

□ 1245

Mr. YOUNG of Florida. Mr. Speaker, I think I said all that needs to be said, and I would like to advise the gentleman from Wisconsin (Mr. OBEY), my friend, I really do not have any other speakers on the subject; so I am going to reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the hollow promises must end. Last night President Bush said, and I quote, "Whatever action is required, whenever action is necessary, I will defend the freedom and security of the American people." That was correct that he said that. Last year he said, "Whatever it costs to defend our country, we will pay." I think he was right to say that. The late fees, however, on those promises are piling up.

My friends on the other side of the aisle, not, by the way, members of the Committee on Appropriations, and not under the leadership of the gentleman from Florida (Mr. YOUNG), who does an extraordinary job in our committee, but some of my friends on the other side of the aisle are licking their chops at the smorgasbord of tax cuts that would fatten the wealthy and leave scraps for most Americans and force our children to pay the bill. But they do not want to spend resources now that are needed for Federal agencies to respond to terrorist threats. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) tried to bring that to their attention. Nor will they honor the bipartisan pledge to improve our educational system.

Within the limits of parliamentary procedures, we are limited in what can be offered in this motion. However, its purpose is critical. It is time to leave the hot air behind and the rhetoric behind and to live up to our commitment and the expectations of those who sent us here. It is time to live up to our commitment to indeed leave no child behind.

We made a promise to help schools implement reforms to meet higher

standards. We have asked States and local school districts to do the work, and we must show that we were serious, that we meant what we said, that we will put the Nation's money where the Nation's heart is. The House bill is \$5.7 billion less than the other body's funding for the No Child Left Behind Act. If we pursue that number, we will leave millions of children behind.

This is simply inadequate, inadequate to help local school districts meet the new mandates we insisted upon just last year. Title I is intended to help disadvantaged students meet high academic standards, a critical objective. Ten million children are eligible for Title I services. Again, the House only meets two-thirds of the \$16 billion we need. I say to my friends, that is saying to over 3 million children in America there is no room in this rich inn. The other body provides an additional \$500 million, and we ought to give them at least that level so that we leave no child behind.

The other body also provides \$2 billion more in IDEA grants, children with disabilities who seek an education. We promised the States we would participate; \$2 billion light are we. The House level provides less than half of the Federal contribution toward the added cost of special education that is authorized under IDEA. Again, we as the representatives of the American people need to ensure the fact that America lives up to its promises.

We must not forget our veterans either. Over 310,000 veterans are on waiting lists for medical care, and many veterans are waiting as long as 6 months for an appointment to see a doctor. To a person last night we stood and cheered and clapped with respect and appreciation for those who serve us in uniform both here and abroad. Should we do any less for them when they are through their active service but need the health care we have promised? It is an outrage to not do so. Freedom's defenders deserve better. We must fully fund VA medical care. We do not do it.

Finally, with regard to homeland security, the Council on Foreign Relations reported last October that we are "dangerously unprepared to prevent and respond to a catastrophic terrorist attack on U.S. soil." The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) pleaded with the President of the United States to respond to this vulnerability. The cost of addressing our vulnerabilities is a mere fraction of the President's \$674 billion tax cut.

I was elected to State Senate in 1966. Ted Agnew, who was then the county executive of Baltimore County, elected Governor that same year, and in the inaugural address he said this: That the price of progress far exceeds the cost of failure. The billions of dollars that were suggested by the gentleman from Florida (Mr. YOUNG) and by the gentleman from Wisconsin (Mr. OBEY) could save us tens of billions of dollars,

as the President said, in preventing just one catastrophic event.

I hope my colleagues will support this motion. I hope my colleagues will stand and say we promise and we talk, but this motion says we are also prepared to take the walk. I believe Americans are prepared to take that walk as well.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Massachusetts, the new ranking member of the Committee on Financial Services.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me this time. I have to say with respect to the gentleman from Florida (Mr. YOUNG) even if the conference was not just himself and the gentleman from Wisconsin, if it was just himself, many on our side would not be so nervous, but he is for all dedication not autonomous, less autonomous, less nearly autonomous than he used to be under the current regime, and we fear that the instructions he will be getting from the other side of Pennsylvania Avenue will outweigh commitments that we think ought to be made to the people we are here to serve.

I wish we were not dealing with all of these issues in one instruction motion, but it must be repeated again. The way in which this House leadership has chosen to deal with the appropriations process this year has been one of the most thorough degradations of the democratic process I have ever seen. And people have said, well, but the Senate did not pass a budget. What does that have to do with the constitutional right of this body to pass appropriations bills?

We, in fact, passed two appropriations bills for defense. There was no obstacle there, and there was no obstacle with the other appropriations bills except the political reality that by the time you get through financing two wars with three tax cuts, you do not have enough money left to meet fundamental social obligations.

And what the gentleman from Wisconsin is trying to do and he says, in a burst of reasonableness, within the scope of conference, indeed I think that might be the part of it to which the other side objects the most, because staying within the scope of the conference has rarely been their practice in recent years, but the gentleman from Wisconsin has correctly in parliamentary terms framed his motion, and he says we would have liked even more in some of these areas. At least let us go to the level that the Republican-controlled United States Senate voted for.

What happens if we do not do that? Veterans get a good deal of rhetoric from this institution. I wish they got 25 percent as much help as they get rhetoric. In the New England region Category 8 veterans have been shut off altogether because we cannot afford it because we have got to do a big tax

cut, because we have other priorities. The gentleman from Wisconsin's motion is giving a chance to say do that.

I will say this: If people do not vote for the gentleman's motion, and if, as he stressed, even more importantly they do not vote for a conference report that reaches that level, if they vote for a conference report that has less than that, then any of them who then talk about how sorry they are that veterans' medical care is being cut are indeed guilty of the grossest form of hypocrisy, as the gentleman from Wisconsin said.

There are other areas we cannot touch here because of the unwillingness of the majority to let the normal process go forward. The Securities and Exchange Commission even at the Senate level will be substantially below what the President said they should get when he signed the corporate responsibility bill. The last time we debated this, the gentleman from Virginia, who is a subcommittee chairman, said to me, "I am introducing a bill to give them the money." He introduced the bill. It remains introduced. It has not been voted on. It has not been acted on.

Housing is also significantly underfunded, and there will be terrible problems in public housing, in Section 8.

But in the areas of the gentleman's motion, health care for veterans, research at NIH, and education, a failure not simply to vote for this instruction motion, because I am not sure that we may not be able to rope-a-dope here, in which people will vote for an instruction motion and then act contrary to it, and try and get coverage because they voted for the instruction motion, if we do not have an appropriation that at least reaches these levels for the National Institutes for Health, for education, for veterans care, then we will have really thoroughly failed in our obligation to the American people.

We passed an education bill, and we cheered for it, and now we have imposed on the localities without giving them the money. We have done this time and time again. The gentleman from Wisconsin's motion and its being taken seriously by the conference committee is the minimum that decency requires, and I wish I was not skeptical that we will achieve it.

I thank the gentleman for yielding me this time.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong support of the Obey motion because it keeps a promise with the American public. It keeps a promise with America's schoolchildren, and it keeps a promise with the parents of those children and the

teachers that teach them. And that promise was made by the President of the United States, that promise was made by the Congress of the United States, that in the process of enacting the most far-reaching reforms in the Federal role in education in this country, that we would fully fund the means by which the States and localities and school districts could carry out those reforms. But almost before the ink was dry, the President submitted a budget that, in fact, made cuts in that education promise.

Last night the President talked about the accomplishments that he had had. He talked about setting standards and having young children achieve those standards. That is the promise, but it is not happening. It is not happening in this country, and now it is even under greater threat because of the cuts that are taking place in education because of the economic distress in our country and the budgetary distress in our States.

The question for us is whether or not we will help these school districts carry out these reforms so that these children can have a higher level of achievement, a higher level of accomplishment, and a better chance of participating in the American dream. That is what the Obey amendment is about. That is what this vote is about. It is about whether or not this Congress will redeem that promise on behalf of America's schoolchildren.

We cannot have a freeze on those, as the House appropriations bill did. We cannot have the measly increase that the Senate has suggested. What, in fact, we need is to add this additional \$5.7 billion so that the promise of no child left behind is, in fact, a reality. And it is important because States are required under this law to do many things differently, many things better than they have done in the past, and we believe, and most educators believe, that the result will be that America's schoolchildren will have a higher level of accomplishment, will have a higher level of performance. By the same token, those very same independent observers of the American education system understand that if the resources are not there, this promise will be hollow.

□ 1300

The President made the promise, the President should keep the promise, and the Congress of the United States should help him to keep that promise by passing the Obey motion to instruct.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, yesterday this House refused to provide the financial assistance necessary to our local firemen and policemen and other first responders whose responsibility it is to be our first line of defense against terrorist attacks in communities throughout this country.

Today I would hope that the House would not take action to deny the

health care resources that American veterans need and deserve. I would hope we would not deny them the funds that those veterans need in order to avoid the kind of service cutoffs that we have seen the VA announce over recent weeks.

I know the name of the game on the part of the White House and the majority party leadership is to preserve every possible dollar on the table for tax cuts, a huge percentage of which are aimed at the most well-off 1 percent of the folks in our society who make more than \$300,000. I understand that that is the name of the game. But in my view, while I certainly wish those folks well and while I think they ought to share in the same tax cuts provided other people, I think that veterans need VA health care more than someone who is earning \$500,000 a year needs to have an extra jumbo-sized tax cut.

So I would simply ask Members of this House, do not, please, pose for political "holy pictures" by having photo ops at local schools, if the only thing you are willing to send those local schools is a new set of mandates without the money to help pay for them. Do not do that. School districts are in too big a squeeze and State governments with their financial problems are in too big a squeeze already.

All we are asking you to do is, within the possibilities presented by this conference report, we are asking you to vote for the maximum amount possible in order to come closer than we will otherwise come to meeting the promises so far unfulfilled of the No Child Left Behind Act.

I urge a "yes" vote on the motion to instruct.

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

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

Mr. Speaker, I want to make the case very strongly that a "no" vote on this motion to instruct does not deny any of the things that have been discussed today. It does not approve them; it does not deny them. A "no" vote allows us to have total flexibility as the gentleman from Wisconsin (Mr. OBEY) and I lead this conference committee into a final solution for fiscal year 2003.

I listened to the debate, and I have a hard time disagreeing with things that I have heard. But as I said, a "no" vote does not deny any of that.

So, Mr. Speaker, I would ask my colleagues to reject this motion to instruct. Let us go to conference, and let us bring the best bill that we possibly can back here for consideration by the House.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

There was no objection.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the mo-

tion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 200, nays 209, not voting 25, as follows:

[Roll No. 17]

YEAS—200

Abercrombie	Hall	Napolitano
Ackerman	Harman	Neal (MA)
Alexander	Hill	Oberstar
Allen	Hinchey	Obey
Andrews	Hinojosa	Ortiz
Baca	Hoeffel	Owens
Baird	Holden	Pallone
Baldwin	Holt	Pascarell
Ballance	Honda	Pastor
Bell	Hooley (OR)	Payne
Berkley	Hoyer	Pelosi
Berman	Inslee	Peterson (MN)
Berry	Israel	Pomeroy
Bishop (GA)	Jackson (IL)	Price (NC)
Bishop (NY)	Jackson-Lee	Rahall
Blumenauer	(TX)	Rangel
Boswell	Jefferson	Reyes
Boucher	John	Rodriguez
Boyd	Jones (OH)	Ross
Brady (PA)	Kanjorski	Rothman
Brown (OH)	Kelly	Roybal-Allard
Brown, Corrine	Kennedy (RI)	Ruppersberger
Capps	Kildee	Rush
Capuano	Kilpatrick	Ryan (OH)
Cardin	Kind	Sabo
Cardoza	Kleccka	Sanchez, Linda
Carson (IN)	Kucinich	T.
Carson (OK)	Lampson	Sanchez, Loretta
Case	Langevin	Sanders
Clay	Lantos	Sandlin
Clyburn	Larsen (WA)	Schakowsky
Cooper	Larson (CT)	Schiff
Costello	Leach	Scott (GA)
Cramer	Lee	Scott (VA)
Crowley	Levin	Serrano
Cummings	Lewis (GA)	Sherman
Davis (AL)	Lipinski	Skelton
Davis (CA)	Lofgren	Slaughter
Davis (FL)	Lowe	Smith (WA)
Davis (IL)	Lucas (KY)	Snyder
Davis (TN)	Lynch	Solis
DeFazio	Majette	Spratt
DeGette	Maloney	Stark
Delahunt	Markey	Stenholm
DeLauro	Marshall	Strickland
Deutsch	Matheson	Stupak
Dicks	Matsui	Tanner
Dingell	McCarthy (MO)	Tauscher
Doggett	McCarthy (NY)	Taylor (MS)
Dooley (CA)	McCollum	Thompson (CA)
Doyle	McDermott	Thompson (MS)
Edwards	McGovern	Tierney
Emanuel	McIntyre	Turner (TX)
Engel	McNulty	Udall (CO)
Eshoo	Meehan	Udall (NM)
Etheridge	Meek (FL)	Van Hollen
Evans	Meeks (NY)	Velazquez
Farr	Menendez	Visclosky
Fattah	Michaud	Waters
Filner	Millender	Watson
Ford	McDonald	Watt
Frank (MA)	Miller (NC)	Waxman
Frost	Miller, George	Weiner
Gonzalez	Mollohan	Wexler
Gordon	Moore	Woolsey
Green (TX)	Moran (VA)	Wu
Grijalva	Murtha	Wynn
Gutierrez	Nadler	

NAYS—209

Aderholt	Barrett (SC)	Bereuter
Akin	Bartlett (MD)	Biggart
Bachus	Barton (TX)	Bilirakis
Baker	Bass	Bishop (UT)
Ballenger	Beauprez	Blackburn

Blunt	Graves	Oxley
Boehler	Green (WI)	Paul
Boehner	Greenwood	Pearce
Bonilla	Gutknecht	Pence
Bonner	Harris	Peterson (PA)
Bono	Hart	Petri
Boozman	Hastings (WA)	Pickering
Bradley (NH)	Hayes	Pitts
Brady (TX)	Hayworth	Platts
Brown (SC)	Hefley	Pombo
Brown-Waite,	Hensarling	Porter
Ginny	Hobson	Portman
Burgess	Hostettler	Pryce (OH)
Burns	Houghton	Putnam
Burr	Hulshof	Quinn
Buyer	Hunter	Radanovich
Calvert	Hyde	Ramstad
Cannon	Isakson	Regula
Cantor	Issa	Rehberg
Capito	Istook	Renzi
Carter	Janklow	Reynolds
Castle	Jenkins	Rogers (AL)
Chabot	Johnson (CT)	Rogers (KY)
Chocola	Johnson (IL)	Rogers (MI)
Coble	Johnson, Sam	Rohrabacher
Cole	Jones (NC)	Royce
Collins	Keller	Ryan (WI)
Cox	Kennedy (MN)	Ryun (KS)
Crane	King (IA)	Saxton
Crenshaw	King (NY)	Schrock
Culberson	Kingston	Sensenbrenner
Cunningham	Kirk	Sessions
Davis, Jo Ann	Kline	Shadegg
Davis, Tom	Knollenberg	Shays
Deal (GA)	Kolbe	Sherwood
DeLay	LaHood	Shimkus
DeMint	Latham	Shuster
Diaz-Balart, L.	LaTourette	Simmons
Diaz-Balart, M.	Lewis (KY)	Simpson
Doolittle	Linder	Smith (NJ)
Dreier	LoBiondo	Souder
Duncan	Lucas (OK)	Stearns
Dunn	Manzullo	Sullivan
Emerson	McCotter	Sweeney
English	McCrery	Tancredo
Everett	McHugh	Tauzin
Feeney	McInnis	Taylor (NC)
Ferguson	McKeon	Terry
Flake	Mica	Thomas
Fletcher	Miller (FL)	Thornberry
Foley	Miller (MI)	Tiberi
Forbes	Miller, Gary	Toomey
Fossella	Moran (KS)	Turner (OH)
Franks (AZ)	Murphy	Upton
Frelinghuysen	Musgrave	Vitter
Garrett (NJ)	Myrick	Walden (OR)
Gerlach	Nethercutt	Walsh
Gibbons	Ney	Wamp
Gilchrest	Northup	Weldon (FL)
Gillmor	Norwood	Weller
Gingrey	Nunes	Whitfield
Goode	Nussle	Wicker
Goodlatte	Osborne	Wolf
Goss	Ose	Young (AK)
Granger	Otter	Young (FL)

## NOT VOTING—25

Becerra	Hastings (FL)	Smith (MI)
Burton (IN)	Herger	Smith (TX)
Camp	Hoekstra	Tiahrt
Combest	Johnson, E.B.	Towns
Conyers	Kaptur	Weldon (PA)
Cubin	Lewis (CA)	Wilson (NM)
Ehlers	Olver	Wilson (SC)
Gallegly	Ros-Lehtinen	
Gephardt	Shaw	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). The Chair would advise Members that there are 2 minutes remaining on this vote.

□ 1324

Messrs. KINGSTON, TAUZIN, BARTON of Texas, SAXTON, KING of New York, and Mrs. BONO and Mrs. NORTHUP changed their vote from "yea" to "nay."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to recommit was laid on the table.

Stated for:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I was unable to vote on rollcall No. 17, motion to go to conference on House Joint Resolution 2, because I am still recovering from surgery. Had I been present, I would have voted "yea" on rollcall No. 17.

Mr. BECERRA. Mr. Speaker, on Wednesday, January 29, 2003, I was unavoidably detained, and therefore unable to cast my floor vote on rollcall No. 17, the Motion to Instruct Conferees on H.J. Res. 2.

Had I been present for the vote, I would have voted "yea" on rollcall vote 17.

Stated against:

Mr. WILSON of South Carolina. Mr. Speaker, on rollcall No. 17 I was unavoidably detained as my pager did not work.

Had I been present, I would have voted "nay."

Mr. TIAHRT. Mr. Speaker, on rollcall No. 17 I was unavoidably detained and missed the vote.

Had I been here I would have voted "nay."

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. YOUNG of Florida, REGULA, ROGERS of Kentucky, WOLF, KOLBE, WALSH, TAYLOR of North Carolina, HOBSON, ISTOOK, BONILLA, KNOLLENBERG, KINGSTON, OBEY, MURTHA, DICKS, SABO, MOLLOHAN, Ms. KAPTUR, Mr. VISCLOSKEY, Mrs. LOWEY, Mr. SERRANO and Mr. MORAN of Virginia.

There was no objection.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, in light of the fact that both of us are brand new in this job and this is the first time we are doing this, I want the gentleman from Texas (Mr. DELAY) to know that I am pleased to yield to him today and will be pleased to yield to him in days to come. I want him to stay leader; I would just like to change the designation, the adjective, but I yield to the majority leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding to me, and I appreciate his interest in changing my title, but that will not happen for another 2 years, at least.

Before I discuss next week's schedule, I would like to note for the gentleman and other Members of the House a very significant historical event that took place in the House of Representatives during this week back in 1815. Mr. Speaker, the Library of Congress was established back in 1800, and the Library was housed here in the Capitol, as many of us know, until 1814 when the British troops set fire to the building and destroyed most of the books in our collection. Retired President Thomas Jefferson graciously offered his personal library from Monticello as a replacement, and Congress purchased the library 188 years ago today for the sum of \$23,950.

Now, after the job he did in the Louisiana Purchase, one would have

thought Mr. JEFFERSON would have negotiated a little higher price from us, but, in any case, it was a great deal for America and a gracious gesture for our great champion of ideas.

Mr. Speaker, if the gentleman would continue to yield, the House will convene on Tuesday in pro forma session. On Wednesday we hope to consider the conference report on H. Res. 2, which will finish up the 2003 appropriations process. However, if the conference report is not ready for floor consideration, the House will need to consider another continuing resolution on Wednesday.

In addition, we may consider some measure under suspension of the rules. A list will be provided to all offices by Monday evening. There will be no votes in the House before 6:30 p.m. on Wednesday, and on Thursday we expect to consider H.R. 395, the Do Not Call Implementation Act, to restrain rampant telemarketers, and finish with legislative business for the week by 1 p.m.

□ 1330

Mr. Speaker, I am happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for the information he has given to us. I understand we are coming back at 6:30 p.m. on Wednesday and leaving no later than 1 p.m. on Thursday. I know the gentleman's party has its retreat. Ours is this week, as the gentleman knows.

I would ask the leader, Mr. Speaker, he indicates that the conference committee report may come back on Wednesday. If that is the case, does the gentleman have any information as to when the conference might meet?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, parties, both in the minority and the majority in both Houses, are speaking and talking to each other as we meet. Obviously, the chairman of the Committee on Appropriations in the House and the chairman in the Senate will do their own scheduling when the formal conference would be held.

We are hoping that, working with the minority and the ranking Members of both Houses, and working hard through the weekend, as hard as they can, that they will come to some sort of resolution next week. That is the schedule that the House would like to see happen; but we know, as all these things happen, it could leak and we would have to do another continuing resolution for another week. Hopefully, by then all the work would be done.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

Assuming that the conference report would be offered on Wednesday, assuming that work gets done, can the leader give us any information on the kind of rule under which that conference report would be considered? And I say that, Mr. Speaker, to the leader in the context that most members of the Committee on Appropriations, not to mention most Members of the House,