

Lipinski Payne Tiberi
Pascrell Sanchez, Loretta Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to record their votes.

□ 1900

Mr. LARSON of Connecticut, Mr. MENENDEZ, and Ms. JACKSON-LEE of Texas changed their vote from "no" to "aye."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Thursday, February, I was unavoidably detained due to a prior obligation in my district.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted "no" on rollcall No. 27, "yea" on rollcall No. 28, "yea" on rollcall No. 29, "no" on rollcall No. 30, "yea" on rollcall No. 31, and "yea" on rollcall No. 32.

PERSONAL EXPLANATION

Mr. EVERETT. Mr. Speaker, I will be unable to vote during the following rollcall votes this afternoon because I am departing on the Speaker's CODEL to visit our troops in the Middle East. However, if I had been present, I would have voted as indicated below.

Rollcall No. 29 (Motion to recommit H.R. 4, the Personal Responsibility, Work and Family Promotion Act of 2003, with instructions)—"nay"; rollcall No. 30 (Final Passage of H.R. 4)—"yea"; rollcall No. 31 (Motion to recommit H.J. Res. 2, Making Further Continuing Appropriations For The Fiscal Year 2003)—"nay"; rollcall No. 32 (Final Passage of H.J. Res. 2)—"yea".

PERSONAL EXPLANATION

Mr. COLLINS. Mr. Speaker, for security reasons our delegation trip departed prior to the conclusion of legislative business. Had I been present for the conclusion of legislative business, I would have voted "nay" on the Motion to Recommit (rollcall No. 29), and "yea" on Final Passage (rollcall No. 30) of H.R. 4—Personal Responsibility, Work and Family Promotion Act of 2003.

In addition, Mr. Speaker, I would have voted "nay" on the Motion to Recommit (rollcall No. 31), and "yea" on Final Passage (rollcall No. 32) of H.J. Res. 2—the Fiscal Year 2003 appropriations Conference Report.

PERSONAL EXPLANATION

Mr. CAPUANO. Mr. Speaker, due to an official congressional delegation trip to Afghanistan, I was unable to cast votes on rollcall Votes 29, 30, 31, and 32. Had I been present, I would have voted "yea" on rollcall 29, "nay" on rollcall 30, and "yea" on rollcall 31, and "nay" on rollcall 32.

The SPEAKER pro tempore (Mr. THORNBERRY). Pursuant to House Resolution 71, the House is considered to

have adopted House Concurrent Resolution 35.

The text of House Concurrent Resolution 35 is as follows:

H. CON. RES. 35

Resolved by the House of Representatives (the Senate concurring). That, in the enrollment of the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes, the Clerk of the House of Representatives shall make the following correction:

Amend the title so as to read: "Joint Resolution making consolidated appropriations for the fiscal year ending September 30, 2003, and for other purposes."

REQUEST TO DISCHARGE COMMITTEE ON APPROPRIATIONS FROM FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION 23, CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, in order to allow ample time for the House to move this bill now to the Senate and for the Senate to debate it, pass it, and to engross the bills and get them to the President and give him a little time to review this bill, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution, (H.J. Res. 23), making further appropriations for the fiscal year 2003, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to consideration of the joint resolution?

Mr. OBEY. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized under his reservation.

Mr. OBEY. Mr. Speaker, in a democratic institution, when we have nothing else, the only protections that remain for individual Members and for the constituents that we represent lie in the normal processes of the House. We have just passed a bill in which 90 percent of the dollars contained in that bill were dollars that were never debated on their merits on the House floor. For the last year, this House has engaged in a process of refusing to allow the democratic process that is fundamental to this Nation to manifest itself on the floor of this institution. And as a result, we have never had an opportunity to debate the wisdom of, for instance, cutting the first responders below the President's budget or doing a number of other outrageous things that happened in this bill tonight.

Because I take my institutional responsibilities seriously, I, in the end, most reluctantly voted for the bill that just passed, despite the fact that I am outraged by the process that produced it; I am outraged by the rigidity with which the White House has dealt with these issues; I am outraged that the

White House, especially the Office of Management and Budget, have seemed to have determined that it is their way or the highway on all occasions.

I am used to give-and-take and I have had a cooperative relationship, not necessarily a loving relationship, but a cooperative relationship with virtually every President I have served under, including this President's father, and I want to have the same kind of relationship with the White House under these circumstances. But now we are being asked to provide for consideration of a motion tonight which, under the Rules of the House, ought to be brought up tomorrow; and we are being asked to pass a continuing resolution which gives the President more time to consider the very items that we were given no time whatsoever to consider on this floor today. I find that double standard both interesting and quaint and outrageous.

And so I have great respect for the job the gentleman has tried to do, but there are two ways to handle massive legislation like this on the House floor. One is to try to work out differences; and in working out those differences, it is important that one keeps to his or her word. Secondly, the other way to deal with it is just to ram the other side. And in too many instances, including the conference that took place, the full conference that took place the night before last, issues were rammed rather than working out an honest give-and-take arrangement.

So, in my view, if this body believes that the President needs more time to continue to study the document which we were not allowed to study before we voted on it, I am only the ranking Democrat on the committee and I have no idea of the impact of dozens of provisions in this bill; and I simply want to say that because of that, I think that the White House ought to have to exist under the same conditions that we have been forced to exist under. If we have to consider legislation without having an understanding of what is in it, and incidentally I know that Mr. Daniels, the OMB director, told his staff that he was going to be in charge of the conference.

Now, if he has not told the President of the United States what is in this bill, it is a little late, because they have imposed this product on us. So with all due respect, if the House wants to consider a continuing resolution, then it ought to do so under the regular processes of the House by bringing it up tomorrow.

Now, that is going to inconvenience me in a major way. I know it is going to inconvenience a number of my colleagues. But once in a while we have to put duty ahead of convenience, and I intend to do so in this instance.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Now, under my reservation, I am happy to yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding; and

the purpose of my request is to make sure that the bill does not get bogged down administratively between here, the Senate, engrossing the bill, and getting it delivered. That does take some time. And the present CR runs out on February 20. The House will not be in session on February 20.

Mr. OBEY. Mr. Speaker, perhaps it should be.

Mr. YOUNG of Florida. Well, that is a subject for discussion. But as of this moment, the House will not be in session on February 20. All we would ask for in this CR is to go to February 24 to give the President those few extra days. The gentleman has every right to exercise his right to object and if he does, so be it; and then the leadership will determine whether we will be here tomorrow or Saturday or whatever.

Mr. Speaker, I thank the gentleman for yielding.

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

Mr. OBEY. Continuing under my reservation, I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I am puzzled. I thank the gentleman from Wisconsin for standing up for democratic procedures, but as I understand it, we will not be in session. The President does not have an item veto. I am interested to learn that the President is somewhat distrustful apparently of the Republican majority and does not want to sign anything from them without having a chance to hold it up to the light, and maybe he has a point there. But when he reads it if he does not like it, what is he going to do, veto the whole thing? In that case, the CR probably ought to go to March or April.

We are giving the President not much of a choice if we go with a CR to the 24th; we are still not in until the 25th. So if the President does catch you at something, and apparently there may be some things in there he is a little nervous about, what is his remedy? Veto the whole omnibus? I mean, if you had not done it in this way, we would all not be in this bind. But it does not make sense to me that even giving the President these extra few days, he will have no remedy if he does find something he does not like, because if he vetoes this, the CR is out on the 24th, then there is nothing and we do not come back until late on the 25th and you have that thing anyway. So I do not understand what this accomplishes, in any case.

Mr. OBEY. Mr. Speaker, continuing under my reservation, let me just address one bill: the Labor, Health and Human Services and Education bill. That is really the guts of what we do domestically each year.

Now, we have a right to have issues like that debated. We have seen a strategy for the entire previous year which denied the minority the opportunity to even address the substantive issues related to education and health care, worker protection and the like,

because there was a conscious strategy on the part of the majority to deny this House the opportunity to even consider those bills until after the election, because they were devoted to a budget resolution which made no sense and did not reflect what even majority party members would vote for after the election was over. So we were asked for a year to frustrate the ability of this institution to consider those major issues; and then after the election, it is all dumped into this pile, and we are told to vote for it, up or down. That is a fundamental abuse of this institution.

We are in the minority. We do not expect to win votes. You are in the majority; you won it fair and square, I honor you for it, and that means that you have a right to run this institution. But you have to run it in a way, if you are true to the traditions of this place, you need to run this institution in a manner which gives both you and us an opportunity to exercise our responsibilities. We have been denied that opportunity for an entire year. And that means that we cannot fulfill our fundamental responsibility as a minority, which is to offer alternatives on appropriation bills if we do not like the product you bring to the floor. And if you have the votes, you win. If you do not have the votes, then you do not. The problem is, we have never been able to figure out who had the votes, because we have never been able to vote.

So, under those circumstances, we have engaged in a charade for a year, and this is the product of the charade. And there is a lot of garbage in this pile, and I am telling my colleagues that a lot of people who voted for it are going to wish they had not voted for it, and there is a lot of garbage that would not be in this pile if we had been able to consider these bills on an individual basis.

So all I am saying is, after we have seen this total abuse of process for now over a year, we are now asked, once again, to forgo the right of the minority to notice on an issue, again for the convenience of the very people who put us through this in the process. I do not believe in the Bridge on the River Kwai syndrome. I do not believe in cooperating with people who are abusing the process by which this institution is supposed to run. So despite that fact, I have given my cooperation in many instances, as the gentleman knows, procedurally.

But it is very simple tonight. If you want a continuing resolution, I want us to get back to the normal processes, and I want us to deal with people on the basis of those normal processes; and that means that the normal process is if you really want a CR, come in tomorrow and pass it. But I do not intend to give unanimous consent request to consider it tonight.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding, and again I thank him for the cooperation that he has shown. There is no doubt we spent a lot of time putting this bill together. But I think the gentleman and his ranking minority members on all of his subcommittees and their staff would concede the fact that we were totally open and as we went from point to point, issue to point, project to project, that we were open with the minority, the ranking members and their staff. So this should not be a big surprise to anybody that paid attention to their appropriators on either side of the aisle. That was a very open process, a difficult process, one that I hope we never have to go through again, as well as the gentleman from Wisconsin. But we did the best we could with what we had to work with.

I would hope the gentleman would let us do this CR tonight to extend for merely 4 days, just to make sure that this gets to the President and he has time to at least look at it, and I thank the gentleman for yielding.

Mr. OBEY. Mr. Speaker, continuing under my reservation, I would simply say that I think the gentleman has been totally open. I fully agree with that. The problem has not been him.

The problem has been that while he has tried to keep the process open, we have been denied our fundamental right as a minority to even offer amendments to the products that your committee has produced, and then all of the deals are made behind closed doors. If anyone attended the conference two nights ago, one of our members asked Senator STEVENS, he said, what is the process by which we are going to determine the outcome of the items that are still open in conference? And the response he got from the chairman of the conference was, the same process that was used to consider the items that are already closed. That process was simply a process in private where decisions were made by the majority.

Now, in the end, the majority is going to win most of these; I understand that. But we have a right to have honest differences considered, and at least we have the right to have those honest differences addressed in full view of the public and the press so that the public can determine which argument has the better of it, but they have been denied this time and time again, and we are fed up.

□ 1915

I am fed up with it. So I am going to, at every opportunity, take full advantage of whatever rights we have on the floor to try to see to it that we never have happen again in this institution this kind of nonsense because of the denial of the regular legislative process over the course of many months.

So I most regretfully suggest, if the gentleman wants to extend a courtesy to the White House that the majority would not extend to its own Members

and to us, then by all means, I am ready to consider that tomorrow, but not tonight.

Mr. Speaker, if the gentleman does not have any further questions, I regretfully object.

The SPEAKER pro tempore. Objection is heard.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 354, HUMAN CLONING PROHIBITION ACT OF 2003

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of February 24 to grant a rule which could limit the amendment process for floor consideration of H.R. 354, the Human Cloning Prohibition Act of 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 12 noon on Wednesday, February 26.

Members should craft their amendments to the bill as reported by the Committee on the Judiciary on February 12, 2003, which is expected to be filed on Tuesday, February 25. Members are also advised that the text should be available for their review on the Web sites of the Committee on the Judiciary and the Committee on Rules by that time.

Members should use the Office of Legislative Counsel to make sure their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

LAYING ON THE TABLE HOUSE RESOLUTION 48

Mr. DREIER. Mr. Speaker, I ask unanimous consent that House Resolution 48 be laid on the table.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from California?

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 13, 2003.

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

DEAR MR. SPEAKER: Effective February 13, 2003, I hereby take a leave of absence from the Committee on Science due to my ap-

pointment to the Select Committee on Homeland Security.

Sincerely,

SHEILA JACKSON LEE,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

CERTIFICATION REGARDING AUSTRALIA GROUP—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

Consistent with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, adopted by the United States Senate on April 24, 1997, I hereby certify pursuant to Condition 7(C)(i), Effectiveness of the Australia Group, that:

Australia Group members continue to maintain equally effective or more comprehensive controls over the export of: toxic chemicals and their precursors; dual-use processing equipment; human, animal, and plant pathogens and toxins with potential biological weapons applications; and dual-use biological equipment, as that afforded by the Australia Group as of April 25, 1997; and

The Australia Group remains a viable mechanism for limiting the spread of chemical and biological weapons-related materials and technology, and the effectiveness of the Australia Group has not been undermined by changes in membership, lack of compliance with common export controls and nonproliferation measures, or the weakening of common controls and nonproliferation measures, in force as of April 25, 1997.

The factors underlying this certification are described in the enclosed statement of justification.

GEORGE W. BUSH,
THE WHITE HOUSE, February 12, 2003.

HONORING SUSAN B. ANTHONY

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, Saturday, February 15 commemorates the 183rd birthday of one of the true heroines of our country, Susan B. Anthony. Best known for being a pioneer of the women's movement, Ms. Anthony dedicated much of her life to the fight for equal rights between the sexes. However, it would be in error to speak about the life of Ms. Anthony and not to mention her diligence in defending the rights of the unborn.

As a natural outgrowth of her beliefs that all humans deserve equal protection under the law, Ms. Anthony spoke out courageously against abortion. Indeed, she believed that abortion violated the rights of both women and their children, by exploiting women and by denying their unborn children the most precious of our rights, the right to life.

The courage and hard work of Susan B. Anthony has not left one woman in our country untouched. It is my sincere hope as we reflect upon her life and achievements, the women's movement will recognize the need to return back to our roots, to the vision that Susan B. Anthony had for us.

WASHINGTON-LINCOLN RECOGNITION ACT OF 2003

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, I am introducing legislation today that will honor America's greatest presidents, George Washington and Abraham Lincoln. The Washington-Lincoln Recognition Act of 2003 will require Federal Government agencies to call the Federal holiday we will observe this coming Monday by its proper legal name, Washington's Birthday, not President's day.

Second, the bill calls on the President to issue a proclamation each year on the anniversary of the birth of President Abraham Lincoln on February 12. Without this bill there will be no commemoration of Abraham Lincoln's birthday or his accomplishments in preserving the Union and issuing the Emancipation Proclamation.

The big lie of Presidents' Day stems from the 1968 law which shifted the observance of most Federal holidays to Mondays. There would be no United States, no presidency at all without George Washington. What is everybody's business is nobody's business. A generic Presidents' Day diminishes the accomplishments of America's greatest presidents, George Washington and Abraham Lincoln, while rewarding the mediocrity of others.

Mr. Speaker, I urge my colleagues and the American people to support passage of the Washington-Lincoln Recognition Act of 2003.

HONORING SAVANNAH STATE UNIVERSITY

(Mr. BURNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURNS. Mr. Speaker, I rise today to express my support for the newly introduced Rogers' resolution recognizing the contributions of historically black colleges and universities. I am very proud that my own district contains Savannah State University. Founded in 1890, Savannah