people who make those kinds of charges ought to stand down here and tell people what they did when their chance came.

Some of us served. I was not in Vietnam, but I was in the hospitals dealing with people who came back. Everybody in this body ought to go out to Walter Reed and walk around Unit 56 and look at those amputees and talk to them.

SUCCESS STORIES FROM IRAQ

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

Mr. BURGESS. Mr. Speaker, as part of the Committee on Government Reform that took a recent official visit to Iraq, I witnessed what I thought was the true shock and awe story. I saw the progress of a fledgling free nation, and I came away knowing we have every reason to be optimistic in that country.

My disappointment, Mr. Speaker, is that when watching the evening news on my return home, I could scarcely recognize the situation I had just left. In Iraq, General James Conway of the First Marine Expeditionary Force described our efforts there as a vivid success story, both during the major combat phase and since its conclusion. Perhaps most important, he said that most Iraqis were concerned not that we would stay too long, but that they would leave too soon.

As a doctor, I particularly wanted to assess the Iraqi health care system. I knew the difficulties that this system had suffered under Saddam's rule, but I also knew that we were starting to see the decrepit hospitals begin to improve. Most of these hospitals had no nursing staff left at all.

A member of the public health team of the 385th Civil Affairs Brigade, Lieutenant Michael Keller, told me that in the library at the medical school no text had a copyright date later than 1984. Mr. Speaker, on average, Saddam's government spent 50 cents per person on health care. Since the fall of that regime, that amount has increased to $45.

SUPPORT COMPREHENSIVE MANDATORY SECURITY TRAINING FOR FLIGHT ATTENDANTS

(Mrs. LOWEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, I rise to express my support for comprehensive mandatory security training of the Nation's flight attendants. A bipartisan measure included in the FAA reauthorization bills passed by the House and Senate would have required the TSA to establish clear, consistent security training standards for all flight attendants, regardless of airline affiliation.

The agreement would have ensured fight attendants received self-defense instruction as well as training to coordinate effectively with Federal air marshals, closing a glaring gap in the Nation's aviation security program.

Unfortunately, this critical provision was stripped, apparently at the behest of a single carrier, from the final conference report. Under the new language, TSA could, but would not be required to, issue guidelines for flight attendant security training programs. In the absence of a statutory requirement, TSA is unlikely to establish the rigorous training program demanded by flight attendants.

Forcing flight attendants with no prior self-defense training to confront well-armed, suicide terrorists is unfair and unwise. Flight attendants are uniquely capable of disrupting a potentially devastating terrorist attack. The attempted hijacking of a Quantas flight in May is a good example. The incident, which left two flight attendants and two passengers with stab wounds, dramatically illustrates the consequences of inadequate security training.

The Department of Homeland Security's recent warning of another suicide hijacking reminds us of the perils of complacency. I was pleased that the Committee on Rules reported out a resolution recommitting the reauthorization bill to conference. As this legislation is rewritten, I urge my colleagues to support restoration of the original flight attendant training language.

EXPRESSING DISMAY WITH REMARKS OF PRESIDENTIAL CANDIDATE HOWARD DEAN

(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 dismay with the recent remarks made by Presidential candidate Howard Dean. His remarks related to the U.S. role in the Israeli-Palestinian conflict.

Dr. Dean said that it is ''not our place to take sides,'' in this conflict. He could not be more wrong. We must as Americans support the only democracy in the region that deals with the ongoing battle of terror. I was in Israel just last month, and I saw firsthand the death and destruction of Hamas and the suicide bombers. They continue to inflict this tragedy on the country of Israel.

Edmond Burke said that ''all that is necessary for the triumph of evil is for good men to do nothing.'' Dr. Dean would have us do nothing and allow evil to triumph over our friends and our allies.

His comments are out of touch and uninformed. I call on all of my colleagues in this body from both sides of the aisle to denounce his thoughtless words. Truly good men recognize that what he has said is simply wrong and that he should be reminded that it is always the place of the United States to take the side against terror.

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. 69, and that I may include tabular and extraneous material.

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

There was no objection.

CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

Mr. YOUNG of Florida. Mr. Speaker, under the previous order of the House, I call up the joint resolution (H.J. Res. 69) making continuing appropriations for the fiscal year 2004, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 69 is as follows:

H.J. RES. 69

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2004, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for fiscal year 2003 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in fiscal year 2003, at a rate for operations not exceeding the current rate, and for which appropriations, funds, or other authority was made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2003.

(2) The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

(3) The District of Columbia Appropriations Act, 2003.

(4) The Energy and Water Development Appropriations Act, 2003, notwithstanding section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

(5) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2003, notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

(6) The Department of the Interior and Related Agencies Appropriations Act, 2003.

(7) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003.

(8) The Military Construction Appropriations Act, 2003.

(9) The Department of Transportation and Related Agencies Appropriations Act, 2003.

(10) The Treasury and General Government Appropriations Act, 2003.

(11) The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. The appropriations Acts listed in section 101 shall be deemed to include supplemental appropriation laws enacted during fiscal year 2003.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2003.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. (a) The matter under the heading ''Department of Education—Education for the Disadvantaged'' in division G of Public Law 108–7 is amended—

(1) by striking ''$4,651,199,000'' and inserting ''$6,895,199,000''; and

(2) by striking ''$9,027,301,000'' and inserting ''$6,783,301,000''.

(b) The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 107. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) October 31, 2003, whichever first occurs.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 110. Notwithstanding any other provision of this joint resolution, except section 107, for those programs that had high initial rates of operation or complete distribution of fiscal year 2003 appropriations at the beginning of that fiscal year because of distributions of funding to States, foreign countries, grantees or others, similar distributions of funds for fiscal year 2004 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

SEC. 111. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 112. For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2003, and for activities under the Food Stamp Act of 1977, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2003, to be continued through the date specified in section 107(c): *Provided*, That notwithstanding section 107, funds shall be available and obligations for mandatory payments due on or about November 1 and December 1, 2003, may continue to be made.

SEC. 113. Section 1316(c) of Public Law 108–11 shall be applied by substituting the date specified in section 107(c) of this joint resolution for ''September 30, 2003'' each place it appears.

SEC. 114. Activities authorized by section 403(f) of Public Law 103–356, as amended by section 634 of Public Law 107–67, and activities authorized under the heading ''Treasury Franchise Fund'' in the Treasury Department Appropriations Act, 1997 (Public Law 104–208), as amended by section 120 of the Treasury Department Appropriations Act, 2001 (Public Law 106–554), may continue through the date specified in section 107(c) of this joint resolution.

SEC. 115. Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)), the authority of subsections (a) through (c) of section 234 of such Act, shall remain in effect through the date specified in section 107(c) of this joint resolution.

SEC. 116. Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) shall be applied by substituting the date specified in section 107(c) of this joint resolution for ''October 1, 2003''.

SEC. 117. Section 303(g)(2) of the Small Business Investment Act of 1958 (15 U.S.C. 683(g)(2)) is amended by striking ''1.38 percent'' in the last sentence and inserting ''1.46 percent''.

SEC. 118. Collection and use of maintenance fees as authorized by section 4(i) and 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136a–1(i) and (k)) may continue through the date specified in section 107(c) of this joint resolution. Prohibitions against collecting ''other fees'' as described in section 4(i)(6) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a–1(i)(6)) shall continue in effect through the date specified in section 107(c) of this joint resolution.

SEC. 119. The full amount provided under this joint resolution for necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), section 118(f) of the Superfund Amendments and Reauthorization Act of 1986, and section 3019 of the Solid Waste Disposal Act, shall be derived from the general fund.

SEC. 120. National Aeronautics and Space Administration is authorized to implement full cost accounting as of October 1, 2003, in the account structure that is consistent with the President's request for fiscal year 2004.

SEC. 121. Notwithstanding any other provision of this joint resolution, except section 107(c), the limitation on new loan guarantee commitments of the Federal Housing Administration, General and Special Risk Insurance Fund, shall be $3,800,000,000 for the period of applicability of this joint resolution to continue projects and activities under that account: *Provided*, That the Secretary of Housing and Urban Development shall submit daily reports to the Committees on Appropriations of the House of Representatives and the Senate on the total amount of new loan guarantee commitments issued during the period of applicability of this joint resolution.

SEC. 122. For the period covered by this joint resolution, there shall be available, at the current rate of operations for fiscal year 2003, such funds as may be necessary for grants and necessary expenses as provided for, in accordance with, and subject to the requirements set forth in the Compacts of Free Association, as amended, and their related agreements, (sections 211, 212, 213, 214, 215, and 217) as between the Government of the United States of America and the Government of the Republic of the Marshall Islands (signed April 30, 2003), and (sections 211, 212, 213, 214, and 216) as between the Government of the United States of America and the Federated States of Micronesia (signed May 14, 2003); to remain available until expended: *Provided*, That if H.J. Res. 63 of the 108th Congress, or similar legislation to approve the Compacts of Free Association, is enacted, any funding made available in this appropriation shall be considered to have been made available and expended for the purposes of funding for fiscal year 2004 as provided for in such enacted legislation.

SEC. 123. From amounts available to the Bureau of Indian Affairs under this joint resolution, $123,500 shall be available to satisfy the requirements specified in sections 10(f), 11(b)(2), and 11(c) of Public Law 106–263.

SEC. 124. Notwithstanding any other provision of this joint resolution, except section 107(c), the District of Columbia may expend local funds for programs and activities under the heading ''District of Columbia Funds-Operating Expenses'' at the rate set forth for such programs and activities under title II of H.R. 2765, 108th Congress, as passed by the House of Representatives.

SEC. 125. Notwithstanding any other provision of law or of this joint resolution, except section 107, amounts provided in this joint resolution and in prior Appropriations Acts from the Airport and Airway Trust Fund shall be available for fiscal year 2004, at a rate for operations not exceeding the current rate and for which authority was made available under the Department of Transportation and Related Agencies Appropriations Act, 2003, for expenditures to meet obligations, heretofore and hereafter incurred, as paid from the Airport and Airway Trust Fund in fiscal year 2003.

SEC. 126. Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the Federal Highway Administration, for purposes described in 23 U.S.C. 104(a)(1)(A), shall continue to be transferred and credited to the Highway Trust Fund (other than the Mass Transit Account), to be available to the Secretary of Transportation, at a rate for operations not exceeding the current rate and for which authority was made available under the Department of Transportation and Related Agencies Appropriations Act, 2003: *Provided*, That funds authorized under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

SEC. 127. Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the Bureau of Transportation Statistics, in accordance with 49 U.S.C. 111, shall continue to be transferred and credited to the Highway Trust Fund (other than the Mass Transit Account), to be available to the Secretary of Transportation, at a rate for operations not exceeding the current rate and for which authority was made available under the Department of Transportation and Related Agencies Appropriations Act, 2003: *Provided*, That funds authorized under this section shall be available for obligation in the same manner as if the funds were apportioned

under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

SEC. 128. Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the Federal Transit Administration, in accordance with the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, shall continue to be transferred and credited to the Mass Transit Account of the Highway Trust Fund, to be available to the Secretary of Transportation, at a rate for operations not exceeding the current rate and for which authority was made available under the Department of Transportation and Related Agencies Appropriations Act, 2003: *Provided*, That funds authorized under this section shall be available for obligation in the same manner provided under section 5338(g) of title 49, United States Code.

SEC. 129. Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the National Highway Traffic Safety Administration, in accordance with 23 U.S.C. 402, 403, 405, 410 and chapter 303 of title 49, United States Code, shall continue to be transferred and credited to the Highway Trust Fund (other than the Mass Transit Account), to be available to the Secretary of Transportation, at a rate for operations not exceeding the current rate and for which authority was made available under the Department of Transportation and Related Agencies Appropriations Act, 2003: *Provided*, That funds authorized under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 130. Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the Federal Motor Carrier Safety Administration, for purposes described in 23 U.S.C. 104(a)(1)(B), shall continue to be transferred and credited to the Highway Trust Fund (other than the Mass Transit Account), to be available to the Secretary of Transportation, at a rate for operations not exceeding the current rate and for which authority was made available under the Department of Transportation and Related Agencies Appropriations Act, 2003: *Provided*, That funds authorized under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 131. Notwithstanding any other provision of law, amounts shall continue to be appropriated or credited to the Airport and Airway Trust Fund and the Highway Trust Fund after the date of any expenditure pursuant to this Act.

SEC. 132. Notwithstanding rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, the provisions of sections 125 through 130, and section 134, of this joint resolution that would change direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were they included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, and by the Chairmen of the House and Senate Budget Committees, as appropriate, under the Congressional Budget Act of 1974.

SEC. 133. Notwithstanding any other provision of this joint resolution, during fiscal year 2004, direct loans under section 23 of the Arms Export Control Act may be made available for the Czech Republic, gross obligations for the principal amounts of which shall not exceed $550,000,000: *Provided*, That such loans shall be repaid in not more than twelve years, including a grace period of up to five years on repayment of principal: *Provided further*, That no funds are available for the subsidy costs for these loans: *Provided further*, That the Government of the Czech Republic shall pay the full cost, as defined in section 502 of the Federal Credit Reform Act of 1990, associated with these loans, including the cost of any defaults: *Provided further*, That any fees associated with these loans shall be paid by the Government of the Czech Republic prior to any disbursement of any loan proceeds: *Provided further*, That no funds made available to the Czech Republic under this joint resolution or any other Act may be used for payment of any fees associated with these loans.

SEC. 134. The following provisions of law shall continue in effect through the date specified in section 107(c) of this joint resolution:

(1) Sections 9(b)(7), 14(a), 17(a)(2)(B)(i), and 18(f)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(7), 1762a(a), 1766(a)(2)(B)(i), and 1769(f)(2)).

(2) Section 15 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237).

SEC. 135. Section 8144(b) of the Department of Defense Appropriations Act, 2003, Public Law 107–248, is amended by striking ''on September 30, 2003'' and inserting ''October 31, 2003''.

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, September 24, 2003, 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. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, the legislation before the House, H.J. Res. 69, is a continuing resolution for fiscal year 2004, and it would extend until the end of October. Normally we do a 3- or 4- or 5-day CR, but the wiser approach is to do this for the entire month of October because there is considerable work still to do that has not yet been completed. This legislation is needed to continue the operation of the Federal Government for the first month of the new fiscal year.

I think everyone is aware that the Committee on Appropriations continues to work on the fiscal year 2004 bills. The House, as a matter of fact, has passed all of our appropriations bills, we passed three conference reports, and we have two more bills in conference with the other body as we speak today. Yesterday, we passed the conference reports for three very important appropriations bills: the Defense Appropriations bill, the Homeland Security Appropriations bill, and the Legislative Branch Appropriations bill that also included supplemental appropriations for natural disasters and forest fires.

We are continuing to move forward on conferences with the other body. We hope to have the conference reports for Energy and Water and Military Construction ready for House consideration very soon.

As I think we all know, in addition to our regular appropriations bills, we are also in the process of considering an $87 billion budget amendment for the war against terror. Yesterday, we began oversight hearings on this request. There is still a considerable amount of work for our committee to do before we are able to adjourn.

That is the reason for this continuing resolution. Let me now briefly describe the terms and conditions of the continuing resolution. It will continue all ongoing activities at current rates, including supplemental funding, under the same terms and conditions as fiscal year 2003. As in past CRs, it does not allow new starts, and it restricts obligations on high initial spend-out programs so the annualized funding levels in this bill will not impinge on our final budget deliberations.

It includes provisions that allow for the continuation of programs and fee collections that would otherwise expire, for example, entitlement payments under the Food Stamp program, certain child nutrition programs, certain SBA loan programs, and payments to military personnel for imminent danger special pay and family separation allowances. The CR also allows the District of Columbia to spend local funds through the period of the CR at budget levels as passed by the House. The CR ensures that funding is available during the period of the CR to conduct administrative oversight and to pay certain Department of Transportation personnel managing surface and aviation programs in the absence of reauthorizations for such programs.

A provision was also requested by the Administration that is included in the CR that provides legislative authorization to implement a new, no-subsidy $550 million Foreign Military Financing 12-year loan to the Czech Republic for the purchase of 14 of our used F–16 aircraft, weapons, training, and related logistics support from the United States.

Mr. Speaker, I do not think this CR is controversial, and I urge the House to move it to the Senate so the government may continue to operate efficiently and so that we can continue our work to finish the balance of the appropriations bills and the substantial request that we have for the $87 billion war against terrorism.

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

Mr. OBEY. Mr. Speaker, I yield myself 14 minutes.

Mr. Speaker, this continuing resolution will, I assume, be known as the Halloween appropriation bill for the year 2003, because what it does is to extend government activities until October 31 of this coming year. I am looking around the floor, looking for the

chickens, and I do not see any. And I am a little confused by that, because this is the day that the chickens come home to roost. I guess they are invisible, much like much of the truth is in the budget resolution that passed earlier this year. But I think we need to understand how we got to this situation today.

As of today, even though we are supposed to have all 13 appropriation bills passed by October 1, plus any supplementals for that fiscal year, despite that fact, this House has passed only three of the 13 conference reports that it would have to pass on appropriation bills in order to do its work. Now, that is not the fault of the Committee on Appropriations; it certainly is not the fault of the gentleman from Florida. The problem is that we have a budget process which has been stood on its head.

The idea behind the original budget resolution was that it was supposed to force all of the players in the Congress to face reality. Instead, it has been used increasingly each year by the House Republican leadership to assist the House in avoiding reality and ignoring reality.

What happens is this: the budget resolution for the year is produced by a committee that has absolutely no responsibility to implement it. The Committee on the Budget produces unreal numbers; they produce numbers that pretend that this Congress will spend less money than will actually wind up being spent on discretionary appropriations. It pretends in the budget resolution, as it did in April, that budget resolution pretended that we were going to meet the goals that many moderate Republicans had in this House for special education and for the No Child Left Behind Act, for instance. And then as soon as the budget resolution was passed, then the Committee on Appropriations is given the responsibility to deliver reality. And because the majority did not provide sufficient room in the budget resolution for this House to meet the promises that were laid out in the Republican budget resolution, then the Committee on Appropriations is stuck with the job of being the bad guy messenger.

□ 1030

So then poor RALPH REGULA, the chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies, has to come to the floor and say, ''Sorry, boys and girls, we do not have enough room in the resolution to do what we promised we would do just 3 weeks ago.'' So we cannot fund special education the way we were going to fund it, and we cannot keep our promises on title I or the No Child Left Behind Act, and the list goes on and on and on.

So because that budget resolution starts out with an unrealistic set of numbers, then the next 6 months the House and the other body try to get a double hernia trying to lift enough weight in order to get and pack all of these obligations into a tiny overall budget ceiling bag, and they cannot do it because they cannot repeal the basic laws of mathematics.

So now we are here with only three of the 13 appropriation bills passed. Last year when this happened, our friends on the majority side of the aisle blamed the other body because it was under Democratic control. Well, this year that is not the case. This year the Republican Party has all the marbles. They run the House, they run the Senate, they run the White House, and on good days, they even run the Supreme Court. And now what happened is that they do not have anybody to blame anymore. And the fact is, right now the majority Republican Party is having a fight with itself and it cannot win the debate. So it is stuck.

And so the gentleman from Florida (Mr. YOUNG), who has done his job, I mean the gentleman from Florida (Mr. YOUNG) has been a loyal soldier, followed his marching orders, even though the orders produced turkey results. He is a good, loyal soldier, and he has followed them; and so now he has to come to the floor and say, ''Folks, guess what, because the budget resolution was not real, we have not been able to move these bills forward, and so we are stuck way behind on the calendar.'' And that is not the whole story.

In addition, yesterday we had a hearing on the supplemental for Iraq. Now, we were told in March of this year by the wizard who ran OMB for the past 2 years, Mitch Daniels, we were told by the resident wizard over there that Iraq was only going to cost the $60 billion that the White House had already asked for in their first appropriation and there would not be any more need for money for Iraq for this year. They were only off by $87 billion. So now we have got to come in and pass a supplemental, even though the witnesses yesterday did not have a clue, or at least they would not tell us if they did, about what it was going to cost us over the next 5 years to carry out, not our program, but their program in Iraq.

So, very frankly, this Congress has no budget process at this point. The truth is revealed to us on the installment plan by the administration in terms of the cost of the effort for Iraq, and the truth is obscured as far as the domestic budget is concerned in order to maintain the fiction that, even though we have conducted a unilateral war, we can afford to continue to provide $88,000 tax cuts to millionaires in this country, and that is the biggest fiction of all.

So this bill is here trying to put a reality patch on an Alice in Wonderland fairy tale which is what the budget resolution has been. And so I do not blame the press for not covering it. This is too absurd a story to cover, and so we are left here facing inevitability; and we have no choice but to pass this resolution today.

Now, I would like to think that we would see a new sense of reality in the coming months, but I do not think so; and I go back to the conversation that I had years ago with Dick Bolling who served in this House, very distinguished career, and who wrote the Budget Act under which the budget resolution comes to the floor every year. Dick Bolling told me the night before he finalized his recommendations that he had one hard choice to make. He said, ''I do not know whether we should set up the Committee on the Budget so that people who are on the Committee on the Budget are people who represent the power centers in this institution, like the Committee on Appropriations and the Committee on Ways and Means and the other committees with direct spending authority. I do not know whether we ought to require that it be made up of people like that or whether we ought to require that it be made up of independent players appointed by the caucuses without respect to what committees they serve on.'' He decided to do the latter. But when he did, he said, ''If the party leaders do not take this process seriously and if they do not use it to force reality, then,'' he said, ''I will have made a bad mistake. ''

And in fact, I think what has happened is that the majority party leadership has decided to use the budget process, not as an instrument to force Members of Congress to make hard choices but, rather, as an instrument that facilitates the pretense that we can have it all. And so we pretend that we can provide $3 trillion-plus in tax cuts, even though we no longer have the surpluses that we had, that we were expecting when those tax cuts were passed.

We pretend we can fight a war in Iraq and charge every single dime to our grandchildren, and we pretend that that war will not have a consequence in terms of denied opportunities for kids to get a decent education and denied opportunities for people without health care to get some coverage. We pretend there are no consequences to the free-lunch budget that this place has passed. Well, there are in the real world, outside of this Chamber. And in this Chamber, probably the least consequential consequence is that we get stuck with having to pass a CR.

Now, this is not the first time that this has happened, but each year the problem gets worse because each year the Committee on Appropriations is asked to perform an act that is more and more impossible because the budget resolution is less and less responsible and real. And sooner or later we will come to the conclusion that the only way to return credibility to this House on the budget matter is to start with a budget resolution that makes sense and is honest in the first place.

We have not done that in years; and I will readily grant that in some years, when our party was in control, we did not have budget resolutions that were

the finest in the world either. But none of them, none of them departed as much from reality as the budget resolutions the last 3 years in this place; and so that is why we are here today, not because the Committee on Appropriations has not done its work, but because the Committee on Appropriations is asked to perform an impossible act. It is supposed to tell the truth in the context of a budget resolution which is a public lie; and that, no one can do.

So I sympathize with the gentleman from Florida. I will support this resolution because it is the only alternative we have, but the reasons we are here, indeed, do no great credit to this institution.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1 minute.

I want to thank the gentleman from Wisconsin (Mr. OBEY) for pointing out that basically the Committee on Appropriations in the House has done its job. There are other reasons that are beyond our control that require us to have this CR. So I appreciate him pointing that out.

As he speaks to the budget issue, I want to defend the chairman and the ranking member and every member of the Committee on the Budget, but I would join the gentleman from Wisconsin (Mr. OBEY) in not having very complimentary comments about the product that eventually came to us as a budget resolution. It required considerable creativity on the part of the Committee on Appropriations in order to do what we had to do and still comply with the budget; and the fact that we were able to conclude our 13 bills early on is in no small part thanks to the cooperation that the gentleman from Wisconsin (Mr. OBEY) and I had with each other as we proceeded through some of these rocky paths, some of the very difficult differences that we had that we were able to finally work out.

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

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

Mr. Chairman, the gentleman indicated that the budget resolution required a great degree of creativity. I would like to explain to the House what one of those creative measures has been.

Last year, in order to pretend that the budget resolution provided adequate funding for education, the committee provided what was known as ''advance funding'' for education to the tune of $2.2 billion. That meant that, for Enron accounting purposes, that $2.2 billion, which was appropriated last year, was not going to count until the next fiscal year, 2004; but now, guess what. Now we are at the end of fiscal 2003. So nobody is watching what happens to the deficit for 2003 anymore. So what happens instead is that now we get a double reverse because this proposal, this resolution today contains a gimmick that can only be labeled ''Enron accounting 1A'' because what this resolution does now is to move that $2.2 billion back to fiscal 2003.

So you have to play the shell game when they are looking at what happened in 2003, slip the money into the fiscal 2004 budget, and then when people take their eyes off 2003 and now focus on 2004, then you slip the same money into 2003. Great gimmick. It technically works, but if the SEC were supervising this, I think they would have the same kind of questions about our bookkeeping that we have had about Enron.

So that is just one of the creative accounting measures that the committee has been reduced to following. I see the gentleman smiling. He knows what I am talking about.

Mr. Speaker, I yield 7 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I thank the ranking member for yielding me the time, and I agree with everything he said; and I think the chairman agrees with most of what he said.

Usually when we discuss these issues, almost invariably those of us on this side of the aisle rise and first say that we do not hold responsible our chairman for the policies that are being pursued. It is his responsibility, however, to practically try to carry out flawed policies. He does so with a great deal of skill, with eminent fairness and with grace for which all of us who serve on his committee are very thankful.

But, Mr. Speaker, the chairman of the Committee on Appropriations is operating in the context of the most fiscally irresponsible policy that any administration and majority has followed in the history of this country. I pause for emphasis. The children of America, the grandchildren of America are going to be called upon to pay the bill for this irresponsible policy. That is what the ranking member meant when he said that all of the dollars that are being requested to pursue a policy that I supported in Iraq will be paid for by our children and grandchildren.

□ 1045

An irresponsible policy. An unrealistic policy.

And I would recall for Members that just a few months ago, when we adopted that budget resolution, of which the gentleman from Wisconsin (Mr. OBEY) spoke, we adopted it on a Thursday. No Democrats voted for it. Not one. We then, on the Tuesday following that Thursday, had a motion made by the gentleman from South Carolina (Mr. SPRATT), and that motion simply said that we instructed the conference not to do what was in the budget; not to cut veterans by $1.5 billion; not to cut housing, which is in short supply for middle America; not to do many of the things that would have undercut education, health care, and the environment that were proposed in that budget.

And I would further recall for Members, and unfortunately there are no press here, but I recall that the chairman of the Committee on the Budget (Mr. NUSSLE), sitting where the chairman of the Committee on Appropriations now sits, railed for about 29 minutes about how awful the motion to instruct was and how Members ought to vote against it. And then, lo and behold, the majority leader came to the floor, spoke quietly to the gentleman from Iowa (Mr. NUSSLE), and the vote was called.

Many Republicans rushed to the floor to vote against that motion to instruct, and, lo and behold, as the minutes went by, votes were changed. Lo and behold, as the minutes went by, the rhetoric of the gentleman from Iowa (Mr. NUSSLE) was forgotten quickly when the reality of the votes and the necessity to report at home the consequences of those votes was realized by our Republican friends on the majority side. So they changed their votes; or if they had not voted, voted for the motion to instruct offered by the gentleman from South Carolina (Mr. SPRATT). How ironic.

And now the gentleman from Florida (Mr. YOUNG) is confronted with another reality. Last year, we could not pass appropriation bills. Eight of them were passed not only after the fiscal year, but after the Congress had adjourned. Why? Because the gentleman from Florida (Mr. YOUNG) was forced to operate within a context of a totally unrealistic budget. And what did the Republicans say? They said, oh, it is Mr. DASCHLE's fault. It is the Senate's fault. They have not adopted a budget.

Well, now, they control the House, they control the Senate, they control the administration, and as the gentleman from Wisconsin (Mr. OBEY) pointed out, on a good day, they control the Supreme Court. I thought that was a good line and, unfortunately, true at times as well. But the fact of the matter is they control it all. And the lamentation that they put forward last year, the excuse that they put forward last year, the rationalization they pursued last year is not available to them; not to the gentleman from Florida (Mr. YOUNG) but to the majority leadership.

And so we are confronted with, yes, having passed our bills, and I might say some without a single Democratic vote. As a matter of fact, one of the largest bills, one of the most important bills for education of our children, for the health care of our families and citizens, not one Democrat voted for it. Not because we are not for education and health care, but because we knew that bill was an unrealistic bill.

So we are confronted today with a resolution that the gentleman from Florida (Mr. YOUNG) is required to put forward, and acting as he always does, responsibly, he must put forward, and

which I am going to support, as the gentleman from Wisconsin (Mr. OBEY) is going to support. It is the alternative we ought to pursue.

I said the most fiscally irresponsible administration. Why? Because after we adopt this budget or these appropriation bills, which will spend a lesser and lesser percentage of the gross domestic product of our country on discretionary spending that we will make decisions about, we will have created over a $.5 trillion deficit in this single year, more debt than we incurred in the first 90 percent of the days of this Republic, and our children are going to pay the bill. How tragic. How irresponsible.

We passed a bankruptcy bill in which we made it harder to declare bankruptcy, and each of us on the floor said we need to require personal responsibility of those who seek credit. If we applied that same criteria to this administration and to the Congress of the United States, we would fail. We are not exercising personal responsibility. In this instance, we must pass this resolution, and I will vote for it, but I lament the fact that it is passed in the context of the most irresponsible fiscal policy that I have ever seen and this country has ever seen, and which is disadvantaging our country and our ability to invest in the future.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman for yielding me this time, and I wish to associate myself with the comments made by the gentleman from Wisconsin and the gentleman from Maryland.

Mr. Speaker, we have entered into a new era of irresponsibility in government, and this continuing resolution is representative of that. I understand the good work that went into trying to put this effort together, but as a Nation, we have very serious unmet needs: Health care, education, retirement security, and pension reform.

Our States are laboring under the biggest fiscal crises that we have seen since World War II. We have an economy that is faltering. Millions of workers are unemployed. We have nine million workers unemployed and 3.3 private sector jobs gone in the last couple of years. We have 41 million without health insurance and an entire generation on the cusp of retirement.

The people in charge have no plan to deal with these pressing needs, rather we have simply and systematically starved our capacity to do anything by imposing incredibly irresponsible tax cuts that benefit just a few wealthy individuals and special interests.

We come to this piece in the process where we say we have limited resources in order to deal with these very serious unmet needs, but the fact of the matter is we need to deal with the fundamental question of why do we have so few resources? It is because so few in our society are receiving so much. We have 184,000 millionaires in the United States who are going to get a tax cut of $93,000, and yet we cannot do anything about people who make between $10,500 and $26,000 in terms of a child tax credit because we say we do not have the money to do it. With 184,000 people getting $93,000 in a tax break, we have so few getting so much. That is what we ought to be debating on the floor of this House.

This Congress is undermining the capacity and the obligation of government to provide key social support to reflect the values and the issues and the interests of the American people. From prescription drugs to education, from veterans health and housing programs, they are undermining the idea that our society can act with a shared sense of purpose, with a shared sense of responsibility to address the tasks that are before our country.

When we starve the government of the resources to meet its public commitments, in essence, we then are saying that government has no role to play. And while we know and we understand that government cannot play the sole role in people's lives, I believe that all Americans believe that we have, at the State and local and the Federal level, the obligation to assist people in a time of need to face the challenges that they have in their lives.

We cannot remove government from participating in the lives of the American people. We cannot undo our social responsibility. We cannot let it happen. The American people deserve better. And as we strive to finish the remaining appropriation bills, we should remember that this Congress, this House, the people's House, has an obligation to promote the capacity of our country to act together on our shared values. That is what we were elected to do.

Mr. OBEY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, the gentleman from Florida and I are personal friends. And I take some pride in the fact that although this institution has become incredibly political over the last 15 years, and although it has become incredibly partisan, I take some pride in the fact that our friendship has withstood the context in which that friendship operates every day. I think, frankly, that the unreal demands on the part of the power centers in this institution have put greater strains on our friendship than is the case with any other chair and ranking member in the House, and yet we remain good friends. Because I know that the gentleman is trying to do his duty, and I think he understands that I am trying to do mine, and I think we genuinely like each other and respect each other.

But he is given the job of bringing some of the saddest pieces of legislation to this floor of anyone in the House, simply because he is denied the resources to meet our responsibilities to the citizens we represent. We had $6 trillion in surpluses when the majority party 2 years ago started passing out its tax cuts. We are now facing $2 trillion to $3 trillion in deficits over that same time frame. And on top of that, we are going to have to pay for Iraq, which will add a whole lot more than the $87 billion that we have been told about so far.

And so in a rational world, one would think that when conditions change to that degree, assumptions would also change and conduct would change, and we might reconsider some of our past decisions. But that is evidently not going to occur, so we are still going to continue to pretend that we can afford these huge tax cuts that have been passed out to high-income people in this country.

This Congress faces a very simple choice: What kind of country do we want America to be? Are we satisfied with the prospect of having a country which in 10 years will have 50 million people without health insurance, rather than 40? Are we satisfied with the pretensions that we provide equal opportunity for education, when in fact we do not? Are we satisfied with the meager enforcement that protects private pension systems and that protects and enforces honest accounting by corporations so that investors can know what the rules of the game really are? Are we satisfied facing the long-term shortfalls that will occur in Social Security?

I am not satisfied with that prospect, and I do not think most Members of this institution are either. If that is the case, we need to act like it, and we need to have a reconsideration of what the gentleman from Maryland (Mr. HOYER) correctly calls the most colossally, fiscally irresponsible actions on the part of any administration certainly in my lifetime.

□ 1100

Mr. Speaker, having said that, I would simply urge Members for the time being to support this continuing resolution to give the Committee on Appropriations more time to perform its impossible responsibilities, and in hopes that eventually the majority leadership of this House will see the necessity to reconsider some of its most reckless fiscal actions.

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 say that I appreciate more than I can say, the friendship that I enjoy with the gentleman from Wisconsin (Mr. OBEY) and the strong spirit of cooperation, as the leadership of the Committee on Appropriations, and also with the gentleman from Maryland (Mr. HOYER), as we work together to meet our responsibilities to the Congress and to the country. The gentleman from Maryland and I have not only a friendship, but a mutual respect.

But, Mr. Speaker, I think it is fair to point out that we have political and philosophical differences. There is no

doubt about that. That is basically why we have two parties, because one party believes one way and the other party believes another way on many issues. While our appropriations bills have received very large votes on the Republican side as well as the Democratic side, as we prepared those bills, we dealt with a lot of amendments in our committee. Most of those amendments were to increase spending and to increase taxes. Our committee does not have the jurisdiction to raise taxes, and we make that case when necessary in the committee.

If we were to add up all of the amendments offered by the minority party alone in committee, the deficit would really be big. They believe we do not spend enough money in many areas, and we believe that sometimes we spend too much money.

I want to say that I meet with my leadership, with the Speaker of the House and the majority leader, on a very regular basis. In fact, they probably get tired of seeing me, but I would say they are genuine in understanding their responsibility to the country. They are genuine and sincere in having a reasonable, responsible fiscal policy; and they are determined to allow the American workers to keep as much of their own money as they can without passing it on to the Congress.

We are in an unusual time. We have a war going in Iraq and a war going in Afghanistan and to a lesser extent a war going in many other parts of the world against terrorists, against people who are determined to do harm to the American people and to our country.

This did not just start on September 11. On February 26, 1993, terrorists bombed the World Trade Center in New York. Six lives were lost. The response was some harsh words, but basically nothing else.

On June 25, 1996, Khobar Towers in Saudi Arabia which housed our United States Air Force personnel was bombed by terrorists. Nineteen American airmen lost their lives. Again, there were words but no action, no response; and the terrorists grew bolder because they believed if America was not going to fight back, they should continue. So they did.

On August 7, 1998, terrorists bombed American embassies in Kenya and Tanzania, and 259 lives were lost. Well, we took some action then. We fired a couple of cruise missiles into abandoned terrorist training camps in Afghanistan. That was the extent of it.

On October 12, 2000, the USS *Cole*, a Navy warship, was bombed off the shore of Yemen. Seventeen sailors lost their lives, and many others were injured; again, harsh words, but no action.

On September 11, 2001, under a new Administration, a new President, a hijacked plane crashed into the Pentagon, and 189 lives were lost. September 11, 2001, hijacked planes crashed into the World Trade Center Towers, and nearly 3,000 lives were lost. September 11, 2001, a hijacked plane crashes into rural Pennsylvania, and 44 lives were lost. A new Administration, a new President as of September 11, and the words were harsh, the words were threatening; but there was more action. The attack was massive against the terrorist trainers and the terrorist supporters and the terrorist camps in Afghanistan. Further, we sent nearly 200,000 American troops into Iraq to rid the world of a tyrant who supported terrorist activities.

There is a major difference. This President, George Bush, took action to defend America. We have spent a lot of money since September 11, and that is one of the reasons we have a larger deficit. But let me say this to those Members who believe this money is nothing more than a mortgage on the future of our children and future generations. I say it is different. I say what we are doing to fight terrorism, wherever it raises its ugly head, is to secure future generations, to guarantee that our children and our grandchildren and future generations do not have to worry about being on a hijacked airplane or having a building they are inhabiting being attacked by a bomber or a hijacked airplane, or that future generations are going to be as secure as we can make them, to be free from anthrax, to be free from sarin gases, and to be free from nuclear exchanges.

Mr. Speaker, that is what we are doing today. We are spending considerable money to guarantee the future security and safety of Americans; and it is better to do that at the source, beyond the United States boundaries, than to do it here in the streets of Washington, D.C. or to do it in the streets of New York or Pennsylvania or any one of our districts that could be a target.

I say this is the proper philosophy. This is the proper way to secure the future generations, to invest what we must today to eliminate the ability of terrorists to threaten our future generations, our children and our grandchildren and our great grandchildren.

Yes, Mr. Speaker, there are some philosophical differences, some political differences among friends; but this is a brief statement of our position. I urge the passage of this continuing resolution.

Ms. WOOLSEY. Mr. Speaker, I rise today to share my disappointment that the Republican leadership must resort to this resolution to ensure the continuity of our Nation's vital programs. Instead of staying here and finishing the work that needs to be done, the Republican leadership continues to schedule short workweeks. Everyday that they drag their feet is another day our Nation's working families continue to struggle.

Our priorities should be passing a child tax credit that extends to low-income families denied a break in the Republican tax package, and, approving welfare reform that will not only reduce welfare rolls but also reduce poverty.

No person should go a day longer forced to choose between paying their rent and paying for their prescription drugs while a prescription drug plan awaits a final vote by Congress. Sensible and popular initiatives such as education reform, homeland security and affordable housing continue to be either inadequately addressed or drastically underfunded by this leadership.

Mr. Speaker, it is time for the Republican leadership to wake up and put America's priorities first. Our country's working families are working hard everyday to strengthen this nation and we should be working just as hard to support them.

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 the order of the House of Wednesday, September 24, 2003, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 407, nays 8, not voting 19, as follows:

[Roll No. 520]

YEAS—407

Abercrombie	Boozman	Collins
Ackerman	Boswell	Conyers
Aderholt	Boucher	Cooper
Akin	Boyd	Costello
Alexander	Bradley (NH)	Cox
Allen	Brady (PA)	Cramer
Andrews	Brady (TX)	Crane
Baca	Brown (OH)	Crenshaw
Bachus	Brown (SC)	Crowley
Baird	Brown, Corrine	Cubin
Baker	Brown-Waite, Ginny	Culberson
Baldwin	Burgess	Cummings
Ballance	Burns	Cunningham
Ballenger	Burr	Davis (AL)
Barrett (SC)	Burton (IN)	Davis (CA)
Bartlett (MD)	Buyer	Davis (IL)
Barton (TX)	Calvert	Davis (TN)
Bass	Camp	Davis, Jo Ann
Beauprez	Cannon	Davis, Tom
Becerra	Cantor	Deal (GA)
Bell	Capito	DeGette
Bereuter	Capps	DeLauro
Berkley	Capuano	DeLay
Berman	Cardin	DeMint
Berry	Cardoza	Deutsch
Biggert	Carson (IN)	Diaz-Balart, L.
Bilirakis	Carson (OK)	Diaz-Balart, M.
Bishop (NY)	Carter	Dicks
Bishop (UT)	Case	Dingell
Blackburn	Castle	Doggett
Blumenauer	Chabot	Dooley (CA)
Blunt	Chocola	Doolittle
Boehlert	Clay	Doyle
Boehner	Clyburn	Dreier
Bonilla	Coble	Dunn
Bonner	Cole	Ehlers
Bono		Emanuel

Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fletcher
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—8

DeFazio
Duncan
Flake
Ford
Nussle
Paul
Royce
Smith (MI)

NOT VOTING—19

Bishop (GA)
Davis (FL)
Delahunt
Edwards
Eshoo
Frost
Gephardt
Istook
Kucinich
Larson (CT)
Lewis (GA)
Marshall
Oberstar
Pastor
Reyes
Shays
Towns
Watt
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1134

Mr. FRANKS of Arizona and Mr. PEARCE changed their vote from ''nay'' to ''yea.''

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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

Mr. KLINE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1078.

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

There was no objection.

RATIFYING AUTHORITY OF FTC TO ESTABLISH A DO-NOT-CALL REGISTRY

Mr. TAUZIN. Mr. Speaker, pursuant to the previous order of the House, I call up the bill (H.R. 3161) to ratify the authority of the Federal Trade Commission to establish a do-not-call registry, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of H.R. 3161 is as follows:

H.R. 3161

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL DO-NOT-CALL REGISTRY.

(a) AUTHORITY.—The Federal Trade Commission is authorized under section 3(a)(3)(A) of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6102(a)(3)(A)) to implement and enforce a national do-not-call registry.

(b) RATIFICATION.—The do-not-call registry provision of the Telemarketing Sales Rule (16 C.F.R. 310.4(b)(1)(iii)), which was promulgated by the Federal Trade Commission, effective March 31, 2003, is ratified.

The SPEAKER pro tempore. Pursuant to the order of the House, Wednesday, September 24, 2003, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to insert extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, welcome to Groundhog Day, courtesy of a misguided court decision, soon to be overthrown, I believe, were we not acting today, but one that jeopardizes one of the most consumer-friendly regulations ever to come out of Washington in a long time. Just several months ago, President Bush signed the Do-Not-Call Implementation Act into law. That law authorized the funding of the Federal Trade Commission's National Do-Not-Call registry, a concept so embraced by consumers in America that 50 million Americans have now signed up to be on that list since then. And, Mr. Speaker, Congress passes a law, and an agency then implements it. Nothing wrong, right? Wrong. One can imagine our surprise when we found out yesterday morning that a Federal court in Oklahoma, not California, Oklahoma, invalidated the FTC's do-not-call registry. And even more surprising was the judge's basis for the decision. He found the FTC did not have the statutory authority to create a national do-not-call list.

Nothing could be further from the truth. As I mentioned in February of this year, Congress passed the Do-Not-Call Implementation Act. Obviously, Congress would not have funded something that it thought was unauthorized. Indeed, back in 1994, Congress passed the Telemarketing Fraud and Abuse Prevention Act, which gave the FTC power to regulate abusive telemarketing practices. Certainly, allowing consumers to sign up for a do-not-call list, to essentially opt out of an abusive telemarketing practice, is well within the mandate given to the FTC.

Make no mistake. The judge in this case is dead wrong, and I am sure his decision will, in turn, be overturned. In an abundance of caution, however, and I make perfectly clear to any and all who may have doubts, today we consider H.R. 3161. This bill specifically authorizes the FTC to create a national do-not-call list and explicitly ratifies the FTC's actions over the past year to implement that list. We should probably call the bill ''This Time We Really Mean It Act'' to cure any myopia in the judicial branch.

The bill leaves no doubt as to the intent of Congress. The FTC wants this list. The President of the United States wants this list, and more importantly, 50 million Americans, who are growing impatient about being interrupted at mealtime by unwanted and unnecessary harassing telemarketing calls,