Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—26

Aderholt
Berman
Deal (GA)
DeGette
DeMint
Doolittle
Filner
Granger
Green (TX)
Hulshof
Israel
Jones (OH)
Linder
Majette
McInnis
Meehan
Nethercutt
Reyes
Rodriguez
Sanders
Scott (GA)
Shadegg
Shimkus
Smith (MI)
Stearns
Tauzin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1643

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 176, I was attending to official business in my Congressional District, and I missed the vote. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

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

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of May 17 to grant a rule which could limit the amendment process for floor consideration of H.R. 4200, the National Defense Authorization Act For Fiscal Year 2005. The Committee on Armed Services ordered the bill reported yesterday, May 12, and is expected to file its report in the House tomorrow, May 14.

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 5 p.m. on Monday, May 17.

Members should draft their amendments to the text of the bill as reported by the Committee on Armed Services which should be available tomorrow for their review on the Web site of both the Committee on Armed Services and the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the distinguished majority leader for the purposes of informing us of the schedule for the week to come.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, I would like to make all the Members aware that the House has completed voting for the day and the week.

Regarding next week's schedule, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m.

For Tuesday and the balance of the week, we may consider additional legislation under suspension of the rules. We also plan to consider several bills that would amend the Occupational Safety and Health Act of 1970: H.R. 2728, the Small Business Day in Court Act; H.R. 2729, the Review Commission Efficiency Act; H.R. 2730, the Independent Review of OSHA Citations Act; and H.R. 2731, the Small Employer Access to Justice Act. In addition, we expect to consider H.R. 2432, the Paperwork and Regulatory Improvements Act; and H.R. 4200, the National Defense Authorization Act For Fiscal Year 2005.

Finally, I would like to make all Members aware that we plan to consider H.R. 4359, the Child Credit Preservation and Expansion Act, which would make the full $1,000 per child credit permanent and expand the number of families eligible for the credit.

I will be happy to answer any questions the gentleman may have.

Mr. HOYER. On the last issue, the Child Credit Preservation and Expansion Act to which the gentleman referred, and he indicates that it will expand the number of families eligible for the credit, we had discussed this last week. Am I correct in presuming that that means that those under $26,000 will be covered as well as those over $26,000. As was the case with the Senate amendment that came over to the House?

Mr. DELAY. I really hesitate to comment on what the content of the bill will be as we bring it to the floor next week. My understanding, as I have been advised, is the child tax credit that was to be given in 2006 will be accelerated to 2005, so that should cover the gentleman's concerns.

□ 1645

Mr. HOYER. Mr. Speaker, reclaiming my time, if it does we will be pleased, and I presume the Senate would be ready to approve that, assuming that it is paid for.

Under the procedures of these bills, in terms of the OSHA legislation and the paperwork reduction, can the gentleman tell us under what procedures they will be considered, and will substitute amendments be allowed?

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman's yielding.

The chairman of the Committee on Rules has just made announcements for the four OSHA bills, the regulatory accounting bill, and I believe the DOD authorization bill. So on these I believe the Committee on Rules is inclined to make multiple amendments in order for those bills.

Mr. HOYER. I am sorry. Declined or inclined?

Mr. DELAY. Inclined.

Mr. HOYER. I thank the gentleman. I was not quite sure whether it was an "in" or a "de."

Mr. DELAY. Mr. Speaker, will the House be in order? The gentleman cannot hear.

Mr. HOYER. The articulation I missed. That was the problem.

With respect to the budget, do we expect to see a budget next week? It is not on the list, and I know we have been waiting with bated breath for many weeks now for the budget, as has the leader. Can the leader comment on the status of the budget?

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I know the gentleman has been waiting with bated breath, and I know he checks every day to see the status of the budget, and I appreciate his concern for getting this budget to the floor. I wish I had more news than I did last week. There continues to be discussions between the two bodies, and I hope and expect to have a conference report ready for the House to consider sometime next week.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information. Clearly, all of us know that the pay-as-you-go provision has been apparently the stumbling block in the reaching of an agreement between the two Houses. There was, as I understand it, our expectation was that there would be a freestanding bill coming to the floor on the pay-go issue. Can the leader tell us whether that is still contemplated or whether we might see that at any time in the near future?

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman's yielding. Yes, we do have a bill that was marked up in the Committee on the Budget that we are looking forward to considering in

the near future. There has been a lot of discussion about that bill. The process by which we would consider it has been widely discussed. However, I believe that the chairman of the Committee on the Budget would prefer to wait until the budget resolution conference report has been completed and passed before we consider that bill. So it is very difficult for me to give the gentleman any sort of time frame, but as soon as the budget is passed, I think we can anticipate within a matter of weeks the Budget Enforcement Act coming to the floor.

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

If one assumes that perhaps we do not adopt a budget resolution, would it still be the intent of the majority to bring forth an enforcement bill, the one that has been considered in committee, or is it a condition for that bill coming to the floor that the budget pass?

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman's yielding. I just speak for this gentleman that I would like to see a Budget Enforcement Act come to this floor. I think it is vitally needed for fiscal discipline in this Congress, and I would anticipate, whether the budget passes or not, that we would see a budget enforcement bill come to the floor.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information. I share his view on that issue that whether or not we have a budget or not, the enforcement bill ought to come to the floor.

Can I ask him another question about that particular bill? Would the gentleman know or be inclined to assure us that we would have an alternative? As he knows, the dispute on the pay-as-you-go is whether it affects taxes as well as spending. We believe that is a very substantive issue that ought to be considered and voted upon by all the Members. Would the majority leader be inclined to ensure that that alternative will be in order for us to offer at the time, if it is not included in the bill that is reported out of committee, at the time it is considered on the floor?

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman's yielding to me.

I think it is way too early in the process on this particular bill to be talking about even process or amendments or substitutes or even trying to speculate what the Committee on Rules would do. We do not even know what form the bill would come out of the Committee on Rules at this particular time. There is a lot of work that is being done on the bill. But I can assure the gentleman that we would give his side of the aisle every consideration for amendments and/or substitutes to this very important bill.

Mr. HOYER. Mr. Speaker, I thank the leader for that representation.

Lastly, Mr. Speaker, we passed some weeks ago the transportation reauthorization bill. I think both sides feel that is a critical piece of legislation. We have noted that there seems to be some disagreement between the White House and the House and the Senate on this piece of legislation, but we are very concerned that it has not moved forward. We believe that this is, as the gentleman knows, the single most important piece of jobs legislation that we have under consideration by this Congress. And I am wondering if he can give us some thought as to when that bill may come to the floor and under what form it will come to the floor. We would very much like to see it on the floor, and we think, frankly, that given the votes on the bill as it passed the House, with well over 300 voting for it and with a very substantial vote in the other body, that clearly we have the votes to pass a bill, whether it is at 275, 318, or, frankly, the gentleman from Alaska's (Mr. YOUNG) 375.

But I would like to have some information because we think this is, and I know the gentleman does as well, a very critical piece of legislation which is now 6 months, 7 months, 8 months, I guess, past the date that we hoped to pass it on and we are in 60-day extensions, which we have a very distinguished Governor on the floor. I do not know whether I am in order by saying this, but I am going to say it anyway. I want to acknowledge the presence of our former colleague, Governor Ehrlich, on the floor, but I know he is very concerned about it because he and I have worked on a lot of transportation issues in our State, and I am sure that as soon as we finish the colloquy, he would like to talk to the gentleman about this bill.

I yield to the gentleman on his response to where the bill is.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman's yielding to me. And I am looking forward to talking to the Governor of Maryland, a former very distinguished member of this body, Bob Ehrlich. He is a very close friend of ours, and we are very glad to see him, but he also knows the rules of the House, that one cannot lobby on the floor House, because he served here.

As to the highway bill, the gentleman is very correct. This is a very important jobs bill. It is very important to all of us here in the House. It is very important to us because it is not just the most important jobs piece of legislation, it is a vital part of our economic agenda, along with tax relief and our 21st century careers initiative and competitiveness packages and all the other things that we are trying to do, energy bills. So we really want to see this bill, and we want to see it enacted into law. We are having a little trouble with the other body. The other body has repeatedly asked to go to conference. Unfortunately, there is a group over there that will not let them go to conference, and we are having a difficult time in the other body going to conference. We can always go to conference here, but we would like to see the Senate go to conference first so that we can get the process moving.

Mr. HOYER. Mr. Speaker, reclaiming my time, I appreciate the leader's observation. It is my understanding that the Senate, certainly on the minority side, will agree to go to conference as soon as we are given a number as to what we are going to conference. My understanding is, however, that the gentleman's side of the aisle cannot agree with the White House on what that number ought to be. So in fairness, there seems to be a disagreement on the number that the President will sign, and, I think accurately, that is the reason for the hold-up because I think, frankly, the Senate could agree to the 318 and I would hope we can agree to the 318. I would be for a higher number personally, but I would hope that we could agree to that. The problem is, I understand, the executive does not.

But I would suggest to the leader, with all due respect, that this body can and should act independently and send the legislation that it deems to be appropriate and if the executive disagrees, he has the option of vetoing that bill and sending it back to the House. As one of the Senators on the gentleman's side of the aisle observed, that is the way the process is supposed to work. And I would think, because we share the view that this is very important, we believe it is a jobs bill, that we could pass a bill relatively easily with overwhelming votes and certainly votes significant enough to show the President that at least two-thirds of the Members of this body and the other body believe it is an appropriate bill to pass forthwith.

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. His understanding may be a little late because as of almost over a week now, both the Republicans in the House and the Republicans in the Senate have given up trying to come up with a number agreed to by the President and have decided to go to conference. The minority on the Senate side has been informed of that fact. We are ready to go to conference to work out whatever the number may be within conference, to work out all the other disagreements between the two bodies, and they are ready to go to conference. I do not want to speak for the other body, but it is the minority that is refusing to allow the majority over there to go to conference.

Mr. HOYER. Mr. Speaker, reclaiming my time, quoting the majority leader of last week, I do not see it that way. Clearly, as the gentleman has just pointed out, there is not agreement. I think we could get agreement if we could allow the minority to have some

sense that they knew the parameters of where we were going, and I think that is all the minority is asking for. I think that is a fair request. But in any event, I think we ought to move this bill, and the gentleman's side is in charge and we would hope that would happen.

Mr. DELAY. If the gentleman would yield, we can move this bill and move to conference as quickly as we want to. Unfortunately, in the other body, the minority wants certain concessions before they even go to conference. The reason for conference is everybody getting in a room between the two bodies and work out their differences, not make side deals or those kinds of deals outside the conference before they allow their body to go to conference. So when the minority decides to go to conference over in the Senate, we will go to conference and we will have a highway bill.

Mr. HOYER. Reclaiming my time, I want the leader to know how happy I am to hear that that is the purpose of conferences and that nobody would want to reach outside deals outside of the configuration of a conference. He will recall, I think, we had months of discussion about the prescription drug conference to which no Democrats on this side were invited. That is the concern. Mr. DASCHLE was not invited. Mr. REID was not invited. Other Members were not invited. There were a couple of people who participated. But that is our concern. We could go back and forth.

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, on that point I would just say this is a different issue. Both Democrats and Republicans want this highway bill, and in the case of the Medicare bill that the gentleman describes, the names that he listed, none of those names wanted the Medicare bill.

Mr. HOYER. Reclaiming my time just for a minute for accuracy's sake, all of them wanted a Medicare prescription bill. They wanted a different kind of bill. That is what he says conference is trying to iron out. That is my point. I think he makes it.

Mr. DELAY. They wanted a bill that was impossible to pass, and there was no use in wasting our time.

Mr. HOYER. As was yours almost, as I recall.

Mr. DELAY. Ours passed.

Mr. HOYER. The hope is that we will, in fact, move this piece of legislation and that there will be a bipartisan attempt made to move this legislation which is critical to our country, and a bipartisan agreement would be reached, as the leader points out, with the minority, giving them confidence that they will play a full role in the conference. I am hopeful that that happens.

I thank the gentleman for his observations.

□ 1700

ADJOURNMENT TO MONDAY, MAY 17, 2004, AND HOUR OF MEETING ON TUESDAY, MAY 18, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, May 17, 2004, for morning hour debate and further, when the House adjourns on that day, it adjourn to meet at 9 a.m. Tuesday, May 18, for morning hour debate as though after May 31, 2004, thereafter to resume its session at 10 a.m.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF MEMBERS TO MEXICO–UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276h, the order of the House of December 8, 2003, and clause 10 of rule I, the Chair announces the Speaker's appointment of the following Members of the House to the Mexico-United States Interparliamentary Group:

Mr. KOLBE, Arizona, Chairman

Mr. BALLENGER, North Carolina, Vice Chairman

Mr. DREIER, California

Mr. BARTON, Texas

Mr. MANZULLO, Illinois

Mr. WELLER, Illinois

Mr. STENHOLM, Texas

ADVICE FOR WHITE HOUSE ON CREATING JOBS

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

Mr. BROWN of Ohio. Mr. Speaker, last week, President Bush came to Ohio, my home State, to try to defend his economic policies, a State that has lost 222,000 jobs since he took office. One out of every six manufacturing jobs in the State has disappeared since he took office. We have lost almost 200 jobs every single day of the Bush administration.

Yet the President's answer, again and again and again, is more tax cuts for the wealthiest people in this country, with the hopes that maybe it will trickle down and provide a few jobs, which it has not, and more NAFTA-like trade agreements, which continue to hemorrhage jobs, continue to shift jobs overseas.

The White House, instead of those two failed attempts at creating jobs and building our economy, the White House should support extending unemployment benefits to those 50,000 Ohioans who have seen their benefits expire, should pass Crane-Rangel legislation, bipartisan legislation that will give incentives for American companies to manufacture in this country, instead of giving incentives, as the Bush administration does, to the largest companies in the country that continue to export jobs overseas.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

ORGANIZING THE UNITED STATES GOVERNMENT TO HANDLE POST-CONFLICT AND STABILITY OPERATIONS

The SPEAKER pro tempore (Mr. CHOCOLA). Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, even as jubilant Berliners chipped away at the Berlin Wall 15 years ago, many Americans saw the end of the Cold War as an opportunity for the United States to cut its military forces, reduce the number of American troops deployed overseas and divert the monies saved, the so-called peace dividend, to address priorities here at home.

In the wake of the heady days of November 1989, few American policymakers were concerned about the civil war that was raging in Afghanistan, which the Soviet Army had quit 9 months earlier. As the Soviet armor rumbled north across the Afghan border, we closed the book on our deep involvement in the landlocked South Asian state.

Humanitarian and demining aid still flowed to Kabul, but the United States effectively left the heavily armed warring factions to battle each other, setting the stage for the rise of the Taliban. Eleven years later, on September 11, we paid dearly for our reluctance to get involved in helping to bring peace to Afghanistan and to stabilize and disarm the warring factors in the aftermath of the Soviet departure from the country.

Much of this failure can be attributed to an aversion to the kind of post-conflict nation-building operation that might have created a different Afghanistan in the 1990s. These operations are expensive, they are dangerous, they require an extended commitment of our national resources and our attention, and they impose a heavy burden on the military.