

Mr. AKIN. Mr. Speaker, on rollcall No. 7 I am not recorded. I would have voted "yea."

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 7, apparently the card did not register a "yes" vote. Let the RECORD show had the machine recorded the vote, I would have voted in the affirmative.

#### PERSONAL EXPLANATION

Mr. WOLF. Mr. Speaker, I was unavoidably detained this afternoon at a news conference reporting on my recent fact-finding trip to Ethiopia to observe the famine conditions and did not vote on rollcall Nos. 6 and 7. Had I been present, I would have voted "nay" on the motion to recommit S. 23, and "yea" on final passage of S. 23, to extend unemployment insurance benefits.

#### PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 1 AND HOUSE JOINT RESOLUTION 2, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 15 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 15

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 1) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 15 is a closed rule providing for the consideration of two continuing resolutions, H.J. Res. 1 and H.J. Res. 2, both of which make further continuing appropriations for fiscal year 2003. The rule provides that

H.J. Res. 1 will be debatable in the House for 1 hour, equally divided and controlled by the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY).

The rule waives all points of order against consideration of H.J. Res. 1, and it provides one motion to recommit the underlying measure. H.J. Res. 15 also provides that H.J. Res. 2 will be debatable in the House for 1 hour, equally divided and controlled by the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY).

The rule waives all points of order against consideration of H.J. Res. 2. It provides one motion to recommit.

As we start this year's legislative session, I urge my colleagues to join me in supporting this rule so we may proceed to consideration of the two underlying continuing resolutions, both of which will allow the Federal Government to remain open until the end of this month. Failure to pass these measures would mean the government, outside of the defense and military construction appropriations bills, would have to shut down on midnight this Friday, January 10. We simply cannot allow that to happen to the American people.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I cannot think of a good reason, other than nostalgia, to explain why we are still trying to complete our work from 2002. The rest of America has already celebrated the new year. They have already started to write 2003 on their checks. But for the House of Representatives, the calendar year has not turned.

Every year this House has the responsibility to pass the 13 appropriation bills that keep this government running.

□ 1345

Funding for education, health care, environmental protection, homeland security, national defense all must originate here. The scorecard from the last Congress shows that the majority could only pass 2 of these 13 bills. So we are here today to consider a sixth continuing resolution to keep the government open and running. We are here for one simple reason: The majority party in this House has failed. They did not do their job, and the American people deserve to know that.

Members of this House get up all of the time and give great speeches about how much they value education, about how no child should be left behind. But when it comes to actually funding education, the majority says maybe we will get to it later.

I just met with leaders from hospitals and home health care agencies and nursing homes in Massachusetts

that are struggling just to hold on. They need relief and they need it now; but when it comes to actually funding our health care system, the majority says maybe we will get to it later.

Where is our commitment to our police, our firefighters and other first responders? Where is our commitment to environmental protection, and funding for our transportation and infrastructure needs? Certainly not in this bill.

Mr. Speaker, later is not good enough. We need to act now on the issues that matter to the American people. Indeed, we should have acted yesterday. As even senior Republican appropriators have pointed out, we are leaving ourselves extremely underfunded in the area of homeland security. Take a look at port security, for example. Right now 21,000 shipping containers arrive in U.S. ports every day, each one big enough to carry a weapon of mass destruction, but less than 2 percent are actually screened.

As the Washington Post has reported, Customs Commissioner Robert Bonner has said there is virtually no security for what is the primary system to transport global trade.

Worse yet, the rule before us prevents Democrats from even offering amendments to correct that mistake and provide that critical funding. Somehow, the majority found time last year to pass huge tax breaks for the wealthiest Americans, but not much else. We hear a lot of talk about homeland security, but we are not funding our homeland security needs.

This is a time for New Year's resolutions. I hope my colleagues on the other side of the aisle will resolve to bring our appropriation bills to the floor in a timely manner and let the House work its will, vote and move on. The American people deserve a House of Representatives that functions, that does the job given to it by the Constitution, and I hope that we can at least achieve that much during this new year.

Mr. Speaker, there will be a vote on the previous question, and I urge my colleagues to vote no on that previous question. A no vote will allow Democrats to offer important amendments to fund some of our vital interests.

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

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

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, of course the CR before us is not supposed to have items that raise the cost of government, nor agreement on what the cost should be. There is a sleeper item in this CR that Members need to know about because it certainly raises the cost of government a great deal and a great deal more than was necessary.

We are treated in this CR to a lease. That is I must say an unprecedented circumvention of the committee process. Perhaps that could be justified

under some circumstances. There are three hugely negative consequences for doing so today. We have raised the price of the interim headquarters for the Homeland Security Department. We have disrespected the committee which was in a position to help mitigate the price and the length of the lease, and we have undermined the economy of the Nation's capital. Let me say a word about each of those.

First, raise the price. What we have here is something that gives every appearance of a sweetheart lease. It was supposed to be 5 years, it is 10 years, which is more than is necessary because this is an interim headquarters. This is not the headquarters. It cannot be cancelled. It is for \$250 million, a quarter of a billion dollars for a 10-year lease. After 10 years, we could have bought a building. Why would we lease a building for 10 years at a time when we are cutting appropriations to smithereens.

We disrespected the committee to the detriment of this lease because the committee had ideas about how to meet the deadline without signing such a long lease that in effect bought the building, but at the end of 10 years taxpayers will have nothing to show for a 10-year lease. A quarter of a billion dollars is the least of it. We are going to have to add millions more to enhance the security of this leased building, this building we do not own. We could have built this building.

Finally, we have undermined the economy of the Nation's capital. What has been done is the Federal Government has taken all of the most valuable land in the District of Columbia off for yourself. Having done that, all we get in return are Federal jobs. We cannot tax the people who come in here for their Federal jobs, but at least they can leave their disposable income here. Now we will not even have that.

Mr. Speaker, according to a survey that we had done, a study that we had done, the cost to the District of Columbia over 10 years is a loss of \$342 million. We cannot replace that money. Under the Constitution, there are only two sectors in the Nation's capital, government and tourism. We are leaving the Nation's capital without an economy. We had no fair chance to compete for the interim headquarters.

Mr. Speaker, sadly the District of Columbia had no fair chance to even compete for the interim headquarters. That is clear if we review the language of the request for proposal. They preselected the suburbs from the beginning. The language gave it away. They might as well have said, "We want to locate this in Northern Virginia." What they said instead is we want an office park setting. Give me a break. We do not have office parks in big cities.

They took out what is standard in all RFPs for Federal sites, and that is that there be access to a Metro. That means that the residents of the District of Columbia, those particularly in the lower

levels, do not have any way to get there from here. This is a heartless thing to do to the Nation's capital, but that is what has been done.

Let me put Members on notice, all the District of Columbia asks is not that we get a site, but that we have a fair chance to get a site. This administration did not give us a fair chance to get the interim headquarters. We will not allow the Homeland Security Department to be the only department other than the Pentagon whose headquarters are located outside of the District of Columbia. The Pentagon had to be located out of the District of Columbia because there was not enough room for it. There is enough room for the Department of Homeland Security in the Nation's capital. We insist that the permanent headquarters be located here, and I ask Members of this body to assist us in making sure that happens.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I have been in this body for 10 years, and each year we have had continuing resolutions, both when I served in the minority and also in the majority. They are always unfortunate because it holds up the work of this House.

I would say to my colleagues a little lesson in history, in the 107th Congress the House passed 58 bills, 58 bills that the other body refused to either take up or pass. They gridlocked them. I would say that this body did its work. We passed bills. And regardless of the gridlock in the other body, we did many things together, Republican and Democrats, that helped the American people. I worked with many of my colleagues on both sides of the aisle, including the gentleman from Wisconsin (Mr. OBEY), whom I serve with on the Committee on Appropriations.

Mr. Speaker, we intercepted a memo from James Carville, a political partisan, Democrat operative, and it was entitled, "It's the Economy, Stupid," and he recommended two things to the other body, one that they not pass a budget. Why? Because a good example is prescription drugs. The House did its work. We passed prescription drug legislation two times in this body. The last time was for \$350 billion, more than the other side of the aisle requested during the first go-round, yet it did not satisfy them. Carville and the other body, they requested \$1.3 trillion for prescription drugs in their first go-round. Why? So they could bad mouth Republicans to specific interest groups. And in the 13 appropriations bills if Democrats do not have a budget, they can put a trillion here and a trillion there. In Labor-HHS, for example, over time it was \$278 billion more, yet they talk about being fiscal conservatives and it just does not add up.

Yes, we did not pass the appropriations bills as the gentleman talked about, but we chose to wait and see what we could do to work it together.

But with the Senate not passing its bills, it made it more and more difficult.

The second portion of the Carville memo recommended that the Senate not pass any of the House bills, which they did. They held 58 of them up during that time, bills that would help the American people, such as the energy bill, and I can tell Members California is very strapped for energy and the need for infrastructure. Yet the other body, upon recommendation, held that bill up.

The economic stimulus package, we all know that the economy, a lot is based on the stock market. We had bills that we passed in this body that would help people regain confidence in the stock market so that the people like from Enron that invested their life savings in a retirement plan would not have some CEO take the whole bundle of wax and leave them with nothing. We heard testimony of a lady that had over \$200,000 in her retirement account. After Enron, she had like \$15,000 in her retirement account. The gentleman says we did not do our work, but the Senate refused to take up legislation. They refused to take up an energy bill.

Mr. Speaker, I would tell Members yes, we did not pass appropriations bills, but we were not going to play the Carville game.

Secondly, when the Democrats had majority in this place, we remember in 1993 when they said they were going to help the middle class. They increased the tax on the middle class, after months and months of the then-majority leader saying that they were going to cut taxes on the middle class. They increased the tax on Social Security. That is because they had a President in the White House that would sign it. They increased the tax on gas. They even had a retroactive tax. They took every dime out of the Social Security Trust Fund. They cut veterans' COLAS and military COLAS, and this is when they had control. They passed it because they had large numbers in the majority in the other body.

In the other body, we have a 2-vote margin. We do not have 60 votes to pass things in the Senate. They are not like the House where it is a simple majority. Yes, in the future there is also going to be gridlock from the Senate because the same partisan Democrats that held up legislation in the Senate when they were in the majority are going to hold up legislation on the Senate side.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise Members not to make improper references to the Senate or characterization of Senate action or inaction.

Mr. CUNNINGHAM. Mr. Speaker, there are a lot of things that we can come together on in this House over the next 2 years; but, if we look at the pending bill, all I have heard so far is vitriolic, partisan points at the Republican Party. That is not going to get

Members anywhere; it just makes us madder, like it makes the other side of the aisle madder when they do not get their way.

There is a lot of things we can do together, which we do within the committees themselves. But when it comes to the leadership of the Democrat Party, that is their goal, to gridlock, to hold things up like over the past 2 years.

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

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

□ 1400

Mr. OBEY. Mr. Speaker, let me just point out, the name of our party is not the Democrat Party. It is the Democratic Party. We would appreciate it if we would at least be called by our proper name, okay?

Mr. CUNNINGHAM. I yield to the gentleman and my friend from Wisconsin. The Democratic Party. I meant nothing by that and the gentleman knows that. But there are a lot of things we can do and most of these freshmen that came have ideals, actually sitting down and working together. Unfortunately, we have got a Presidential election, and there is a lot at stake for the parties. Myself, I am a fighter. The gentleman knows me by now, over 10 years. But I would much rather sit down with the gentleman from Wisconsin and with the leadership of the Democratic Party and work out these things instead of this bickering. It hurts all of us.

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

I just want to say to the gentleman from California that I am sorry that my comments made him mad, but I will restate my position, that I believe that the majority party failed to do its job in the last Congress. You are in charge. You have the majority. You are supposed to pass these 13 appropriations bills and you failed to do so. As a result, here we are talking about our sixth continuing resolution; and we are underfunding education, we are underfunding health care, we are underfunding environmental protection, we are underfunding homeland security; and I think the American people are furious over the inability of the leadership of this Congress to lead. That is your job.

I would also simply point out to the gentleman that rather than adjourning early to get an early jump on Christmas shopping, we should have remained in session and worked out the differences with the other body; and we should have stayed here, remained here until we did our work.

Mr. Speaker, I yield 9 minutes to the gentleman from Wisconsin (Mr. OBEY).

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

Mr. Speaker, what is happening here today is that the democratic processes in the institution that is supposed to represent the finest of democratic tra-

ditions in the world are being mutilated, and I want to explain what I mean by that.

The majority party for the last year has been able to prevent this House from making any significant decisions whatsoever on 90 percent of the domestic budget. They have succeeded in preventing the education, health and labor bill from coming to the floor for a vote. They succeeded in preventing the science budget, the housing budget, the veterans budget and others from coming to the floor.

And now that we are past the election, they are now doing two things. By this resolution before us today, they are making it possible for the House to consider two resolutions, both of which will be sent to the Senate. The first resolution will continue the authority to keep the government open for 1 month, and the second resolution will be used as a vehicle to which the Senate will then attach all of the remaining appropriation bills as they have been worked out in the Senate. It will be attached to that vehicle and then sent back here for an up-or-down vote, and no Member will have any opportunity to affect that package in any way whatsoever. That will mean that we will have gone an entire year without any degree of accountability for the actions of either the majority party or the minority party. Our last opportunity to affect the content of that budget comes today on these resolutions. We are being denied again an opportunity to provide any meaningful alternative to the proposition that is being put together by the majority party.

The House rules say that if the Committee on Appropriations has not passed what is called a 302(b) allocation under which it takes its spending authority and allocates that authority to the 13 different subcommittees, if the committee has not done that, then the rules of the House say that the House cannot consider an appropriation bill. The Committee on Rules agreed to waive that provision for the majority, so they are allowing the majority to bring a bill to the floor allowing for a huge amount of spending, but they did not afford the same privilege to the minority. That means that we cannot offer any meaningful amendment to the funding level being provided by the majority.

There are reasons for rules. Whether you are talking about a New York Giants-San Francisco 49ers game or whether you are talking about the House floor, the purpose of rules is to see to it that everybody is treated the same. What this rule in essence says is that there is only one team that can even touch the ball; that is, the Republican majority team. And it says the Democratic team can have no opportunity whatsoever to have any impact on the outcome. That destroys the ability of this place to be a legitimate representative body.

After the election, I was watching McNeil-Lehrer, and I noticed in the

panel that they had, the moderator asked the panel, what were the roles going to be for the Republican and Democratic Party after the election. When they discussed the Democratic Party, Tom Oliphant, the distinguished columnist, said, "Well, they are now the minority party and so it is their responsibility to offer alternatives to the majority party's propositions." That is correct. But we are being denied by this rule by the majority party the opportunity to offer meaningful alternatives. That is bad for us, but it is also bad for the majority party because it means that there is no way to hold the majority party accountable for its decisions and there is no way to judge whether their decisions or ours are better, or more in tune with the country's needs. That is a disastrous result in what is supposed to be the most representative body on the face of the Earth.

If we had not been boxed out by the illegitimate action of the Committee on Rules, what we wanted to do is to offer a simple amendment which would put the House on record supporting expenditures which the majority party has already voted for on the supplemental. We wanted to make certain that the \$2.5 billion in homeland security items, for port security, for border security, for FBI computers, et cetera, we wanted to make certain that those contingent appropriations which were frozen by the President, we wanted to give the House an opportunity to say that those items should be provided in this continuing resolution. The President has stonewalled on those \$2.5 billion worth of items.

And we also wanted the House to reaffirm its support for \$275 million of additional veterans medical care, for \$200 million additional funding to fight terrorism in the Middle East, which we would have provided to Israel. The election reform money which both parties posed for political holy pictures about early on, we wanted to provide that. And we are being denied the opportunity to provide all of it. None of that adds to the spending level of the Republican-approved budget resolution. It does add to the level in this bill, but this bill is substantially below that resolution. Yet we are being denied the opportunity to strengthen the homeland security of this country because of the partisan needs of the majority party. I think that is illegitimate.

The other thing we wanted to do is to see to it that the Securities and Exchange Commission is funded at the level promised in the Sarbanes-Oxley bill so that we could in fact put our money where our mouth is and afford investors decent protection from corporate fraud in their balance statements and in their accounting. We are being denied by the Republican majority the opportunity to do that as well.

That is why we are going to be asking this body to vote against the previous question on the rule so that we

can in fact offer this legitimate amendment, to offer these items which all of you, at least 90 percent of you on the majority party side of the aisle have already voted for. The items I am asking people to allow have already been supported by 90 percent of the Republicans and Democrats in the Senate and the House. I do not think that would be too much to ask if this House were a legitimate democratic body, which apparently the House is not. Democracy in this House is being shredded. The Republican Party is simply afraid to vote on these issues because they know that they would either lose the vote or else have a substantial segment of the American people saying to them, "What in God's name were you thinking when you turned those items down?" This is an illegitimate action, an illegitimate, arrogant and anti-democratic, small "d," operation, and the majority party ought to be ashamed of themselves.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I too rise in opposition to the rule. By prohibiting a motion to strike the imprudent and fiscally irresponsible language in the continuing resolution concerning the housing of the new Department of Homeland Security, this rule circumvents fair, deliberative legislative process. This language in the CR authorizes the government to enter into a long-term lease for a building in Virginia to house some of the employees of the new department. The Bush administration and the House Republican leadership have thereby created a Department of Homeland Security that itself is not secure. This was a back-door deal done without participation from House Democrats, and frankly very little participation by House Republican leadership and members on the Committee on Transportation and Infrastructure.

Here is how: the CR says that the prospectus to lease the property is deemed approved by the Committee on Transportation and Infrastructure. We have not even considered it. We have not even seen it in open committee hearing process. In fact, it was not approved by our committee or any other relevant committee of either the House or the Senate. We did not have a chance to meet and discuss it. The prospectus was signed on Christmas Eve and delivered through the mail slot in our door the day after Christmas when people were on leave. The new department and the security of the people who work there, frankly, are far too important for this kind of gimmickry; and in the process, the Committee on Transportation and Infrastructure has been marginalized and trivialized.

This secretive process avoids answering questions by the administration, such as does the commercial office space that they have chosen meet basic security standards, such as a 100-foot setback to protect against truck bombs? Does it have shatterproof windows? Neither of these issues is addressed in the prospectus, nor in the CR.

At the signing of the Homeland Security Act, President Bush said, "Our objective in creating this department is to spend less on overhead and more on protecting neighborhoods, borders, waters and skies from terrorists." Well, this lease is going to cost the government a quarter of a billion dollars over 10 years, and in addition the government is going to have to spend tens of millions of dollars to make necessary security enhancements to the building. That is not keeping overhead costs down. Furthermore, they have got a leased building. After investing all the money, the Bush administration is clearly prepared to walk away from that investment and stick the taxpayers with the bill. A better solution is for the Federal Government to build a new facility to house the department. We proposed that solution last year in committee. The House passed it in July as part of the Homeland Security Act. It did not continue in the final legislation, but nonetheless there is a long-standing provision of Federal law that requires Cabinet-level offices to be built in the District of Columbia.

□ 1415

Common sense tells us it is better to own your house than rent it, and this building is not going to hold the 17,000 employees of the new department headquarters. At most it is going to hold 2,200 people on a 10-year lease that if they try to cancel they are going to pay a huge price. This is fiscally irresponsible. It is a disrespect to the people, it is a disrespect to the public discussion and legislative process, and under the rubric of security, secretive process is not appropriate.

Vote against the rule and against the CR.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, let me just say that my major concern is that we need not continue this abdication of our responsibility to the Senate. This is the second bill in a row that we have said let the Senate take care of it. The people of this country elected us in the House of Representatives to take care of some business as well.

The other point is that I would like to have a voice before we cut education, which this will do. I would like to have a voice before we cut veterans care and appropriations for our veterans who served in our wars, and particularly low income energy assistance,

particularly at this time of cold weather. We will have none of that, none of that if we move in this direction. We cannot start this year by consistently setting a pattern of abdicating our responsibility here in the House of Representatives and keep saying let the Senate do it. Is that what we are going to do when we go back and we campaign and when the people ask "What did you do on that vote? Did you have a say?" No, we just voted to extend the shell, let it go over there to the Senate, let them do the work, and then they just pass it back.

So I urge the Members to let us take another look at this and let us do the will of the people and let this House of Representatives stand up and be the House that we are out there on the campaign trail telling people send me to the House of the people and let me do the people's will. Not one time did we say send me to the House and I will abdicate and let the Senate do our will.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). The Chair would respectfully remind the gentleman, as he previously reminded the other Member, to refrain from improper references to the Senate.

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

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, there is a close contest as to which aspect of this bill is more outrageous, its terribly deficient substance or its antidemocratic procedure. As to the substance, as the gentleman from Wisconsin just mentioned, this bill continues the Republican position of complete and total hypocrisy with regard to corporate accountability. When the Sarbanes-Oxley bill was signed, the President quite proudly cited this as an example of his concern for increased corporate accountability. A key piece of that bill which the President signed called for an increased appropriation for the Securities and Exchange Commission so it could do the large number of new responsibilities it is given by Sarbanes-Oxley. Consistently since the passage of this bill at every budget opportunity, the Republican majority in this House has refused to make one penny of that available so that none of the additional responsibilities of Sarbanes-Oxley have been funded. This bill continues the pattern of hypocrisy, of having called for and signed into law funding for Sarbanes-Oxley to the SEC and not providing it. The President has sent up before that for fiscal 2004. Of course given this Committee on Appropriations and this House's track record, fiscal 2004 will not be passed until late in 2004, but even if it were to be in an unprecedented way passed on time, it will have been over a year and a half between the signing of the bill and its funding.

Similarly, let me warn Members that when they go back from here, they will be told by public housing authorities if they have them in their district and people who administer section 8 that this appropriation substantially underfunds both, public housing authorities for a combination of reasons, including the incompetence which has kept the bill from being passed in a timely fashion and the priorities of an administration that is in power. Public housing authorities will not be given enough operating money to run their budgets.

When the Republican majority at the President's behest abolished the drug elimination program by which public housing authorities fought drug use, they were told, well, that is okay, they can fund it out of their regular operating budget, but now comes the second part of that. They have underfunded the operating budget. So first they say fund that \$300 million program nationally out of their operating budgets and then they cut the operating budgets by hundreds of millions more so there will be no chance of doing that.

So the Sarbanes-Oxley bill is rendered once again a nullity under this in substantial part. The public housing authorities are given too little money to do their basic operations, and there is not enough money to continue the existing section 8 contracts, and as I guess as an admission of the indefensibility of this bill, the Republicans have of course come up with the most anti-democratic procedure imaginable so that no amendment addressing any aspect of what I have just talked about will be in order. So we have I guess a synergy, a terrible bill which can only be put forward with an outrageous procedure.

Mr. Speaker, I would just repeat because people ought to understand that there is a synergy here. It is a bill so deficient in its substance that it can only be brought to the floor under an antidemocratic procedure that presents the substance from being addressed. And let me say Members of this body who vote for this rule and prevent any amendment, when they go back to their districts and talk about their support for public housing authorities that are in trouble, the elderly housing with the drug problems that they want to fight, talk about their commitment to Sarbanes-Oxley, will be telling people things that will be in direct contrast to their actions. Vote for this rule and you vote to keep the funding needed to make Sarbanes-Oxley a reality, you vote against allowing the public housing authorities to meet their basic operating needs so that when elderly people complain to you about the problems of heat, the problems of law enforcement, the problems of maintenance, understand that voting for this rule makes you responsible for that.

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

Mr. McGOVERN. Mr. Speaker, may I ask the gentleman if there are any requests for time on his side?

Mr. LINDER. Mr. Speaker, I have no more requests for time.

Mr. McGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I thought we had a double-header here, but apparently we have a trifecta. Not only do we have a bill that is lousy in its substance and indefensible so that procedurally no amendment can be offered, but it is in both cases so bad that the majority will not even explain or defend it. So the procedure is bad, the substance is worse, and the majority confirms that by refusing quite sensibly to try to say a word in its defense.

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

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

Let me close for our side by again expressing our frustration on this side of the aisle that we are still dealing with last year's work. The fact that we are dealing with the six continuing resolutions before us today I do believe is a failure of the majority party's leadership in the last Congress, and it continues in this Congress. As we bring this bill to the floor, we continue to undercut and underfund education and health care and transportation needs as speaker after speaker has already said.

We are going to call for a vote on the previous question, and I am going to urge people to vote no on the previous question. This rule is unfair, it is undemocratic, it is arrogant, and this is an issue of fairness. The majority has waived the budget rules for themselves, but they have not waived those rules for the minority. This is another abuse of power, and maybe in his closing statement the gentleman from Georgia (Mr. LINDER), my friend, can explain why one set of rules applies to the majority and a different set applies to the minority in dealing with an issue of this importance. By defeating the previous question, we will restore some fairness to this debate, to this process, by applying the waiver of budget rules to the motion to recommit so that we can offer a meaningful motion to recommit and we can provide the funding, as the gentleman from Wisconsin (Mr. OBEY) said earlier, to the SEC so that it gets the proper funding as authorized by the Sarbanes-Oxley bill. It also can provide much needed moneys for homeland security which, for all of our talk about homeland security, we continue to underfund important needs. It provides important moneys for veterans medical care. Everybody talks about how we are committed to veterans, and yet here we are again moving forward on a bill that underfunds veterans medical care and we are not even being allowed an opportunity to correct this. So I would urge all of my colleagues to vote no on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD just prior to the vote.

The SPEAKER pro tempore. Is there objection to the request by the gentleman from Massachusetts?

There was no objection.

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

In closing, I would say to the gentleman from Massachusetts (Mr. FRANK), who worried about the fact that the Republicans were not defending the bill during the discussion on the rule, under the regular order during the discussion of the 1-hour debate on the rule, we should be discussing the rule. We will be delighted to defend the substance of our bills in the subsequent debate on the bills.

The material previously referred to by Mr. McGOVERN is as follows:

AMENDMENT TO H. RES. 15 OFFERED BY MR. McGOVERN

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 1) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

Sec. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

Sec. 3. During consideration of House Joint Resolution 1 and House Joint Resolution 2, points of order against amendments for failure to comply with section 302(c) of the Congressional Budget Act of 1974 are waived.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. McGOVERN. 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5

minutes the time for electronic voting, if ordered, on the question of adoption of the resolution.

Members will be reminded that the Chair will strictly enforce the 15-minute rule.

The vote was taken by electronic device, and there were—yeas 225, nays 198, not voting 10, as follows:

[Roll No. 8]  
YEAS—225

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

NAYS—198

Abercrombie	Baird	Berman
Ackerman	Baldwin	Berry
Alexander	Ballance	Bishop (GA)
Allen	Becerra	Bishop (NY)
Andrews	Bell	Blumenauer
Baca	Berkley	Boswell

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

NOT VOTING—10

Delahunt	Kilpatrick	Towns
Greenwood	Kind	Whitfield
Houghton	Nethercutt	
Inslee	Pickering	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON) (during the vote). The Chair advises Members that approximately 2 minutes remain on the 15-minute clock.

□ 1447

Messrs. ISRAEL, DAVIS of Tennessee, HOYER, GORDON, KANJORSKI, and EVANS changed their vote from “yea” to “nay.”

Mr. GREEN of Wisconsin changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KIND. Mr. Speaker, today, January 8, due to family considerations, I unfortunately was not able to vote on several rollcall votes. Had I been present, I would have voted “no” on rollcall No. 5. I also would have voted “no” on rollcall No. 6, “yes” on rollcall No. 7, and “no” on rollcall No. 8.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1448

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

NATIONAL FLOOD INSURANCE PROGRAM REAUTHORIZATION ACT OF 2003

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11) to extend the National Flood Insurance Program.

The Clerk read as follows:

H.R. 11

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Flood Insurance Program Reauthorization Act of 2003”.

SEC. 2. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—The National Flood Insurance Act of 1968 is amended—

(1) in section 1309(a)(2) (42 U.S.C. 4016(a)(2)), by striking “December 31, 2002” and inserting “December 31, 2003”;

(2) in section 1319 (42 U.S.C. 4026), by striking “after” and all that follows through the period at the end and inserting “after December 31, 2003.”;

(3) in section 1336(a) (42 U.S.C. 4056(a)), by striking “ending” and all that follows through “in” and inserting “ending December 31, 2003, in”;

(4) in section 1376(c) (42 U.S.C. 4127), by striking “December 31, 2002” and inserting “December 31, 2003”.

(b) EFFECTIVE DATE.—The amendments made by this section shall be considered to have taken effect on December 31, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

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

Mr. Speaker, I want to alert my colleagues that this is not the Ohio State resolution. That comes next.

GENERAL LEAVE

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