

Diaz-Balart, M. Kelly  
 Doolittle Kennedy (MN)  
 Dreier King (IA)  
 Duncan King (NY)  
 Dunn Kingston  
 Ehlers Kirk  
 Emerson Kline  
 English Knollenberg  
 Everett Kolbe  
 Feeney LaHood  
 Ferguson Latham  
 Flake LaTourette  
 Fletcher Leach  
 Foley Lewis (CA)  
 Forbes Lewis (KY)  
 Fossella Linder  
 Franks (AZ) LoBiondo  
 Frelinghuysen Lucas (OK)  
 Gallegly Manzullo  
 Garrett (NJ) McCotter  
 Gerlach McCrery  
 Gibbons McHugh  
 Gilchrest McClinnis  
 Gillmor McKeon  
 Gingrey Mica  
 Goode Miller (FL)  
 Goodlatte Miller (MI)  
 Goss Miller, Gary  
 Granger Moran (KS)  
 Graves Murphy  
 Green (WI) Musgrave  
 Greenwood Myrick  
 Gutknecht Nethercutt  
 Harris Neugebauer  
 Hart Ney  
 Hastings (WA) Northup  
 Hayes Norwood  
 Hayworth Nunes  
 Hefley Nussle  
 Hensarling Ose  
 Herger Otter  
 Hobson Oxley  
 Hoekstra Paul  
 Hostettler Pearce  
 Houghton Pence  
 Hulshof Peterson (PA)  
 Hunter Petri  
 Hyde Pickering  
 Isakson Pitts  
 Issa Platts  
 Istook Pombo  
 Janklow Porter  
 Jenkins Portman  
 Johnson (CT) Pryce (OH)  
 Johnson (IL) Putnam  
 Johnson, Sam Quinn  
 Jones (NC) Radanovich  
 Keller Ramstad

NOT VOTING—7

Bishop (UT) Lewis (GA) Watson  
 Dingell Osborne  
 Gephardt Pastor

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (Mr. GOODLATTE) (during the vote). There are 2 minutes remaining in this vote.

□ 1439

Mr. JONES of North Carolina changed his vote from “yea” to “nay.” Mr. BURR changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 371, nays 56, not voting 7, as follows:

[Roll No. 517]

YEAS—371

Abercrombie Allen  
 Ackerman Andrews  
 Aderholt Baca  
 Alexander Bachus

Regula Ballenger  
 Rehberg Barton (TX)  
 Renzi Bass  
 Reynolds Beaprez  
 Rogers (AL) Becerra  
 Rogers (KY) Bell  
 Rogers (MI) Bereuter  
 Rohrabacher Berkley  
 Ros-Lehtinen Berman  
 Royce Biggart  
 Ryan (WI) Bilirakis  
 Ryun (KS) Bishop (GA)  
 Saxton Bishop (NY)  
 Schrock Blackburn  
 Sensenbrenner Blumenauer  
 Sessions Blunt  
 Shadegg Boehlert  
 Shaw Boehner  
 Shays Bonilla  
 Sherwood Bonner  
 Shimkus Bono  
 Shuster Boozman  
 Simmons Boswell  
 Simpson Boucher  
 Smith (MI) Boyd  
 Smith (NJ) Bradley (NH)  
 Smith (TX) Brady (PA)  
 Moran (KS) Smith (TX)  
 Souder Soudier  
 Stearns Stearns  
 Sullivan Sullivan  
 Sweeney Brown, Corrine  
 Tancredo Brown-Waite,  
 Tauscher Ginny  
 Tazewell Burns  
 Taylor (NC) Burr  
 Terry Burton (IN)  
 Thomas Buyer  
 Thornberry Calvert  
 Tiahrt Camp  
 Tiberi Cannon  
 Toomey Cantor  
 Turner (OH) Capito  
 Upton Capps  
 Vitter Capuano  
 Walden (OR) Cardin  
 Walsh Cardoza  
 Wamp Carson (IN)  
 Weldon (FL) Carson (OK)  
 Weldon (PA) Carter  
 Weller Case  
 Whitfield Castle  
 Wicker Chocola  
 Wilson (NM) Clay  
 Wilson (SC) Clyburn  
 Wolf Cole  
 Young (AK) Collins  
 Young (FL) Conyers  
 Cooper

Ballenger  
 Barton (TX)  
 Bass  
 Beaprez  
 Becerra  
 Bell  
 Bereuter  
 Berkley  
 Berman  
 Biggart  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Blackburn  
 Blumenauer  
 Blunt  
 Boehlert  
 Boehner  
 Bonilla  
 Bonner  
 Bono  
 Boozman  
 Boswell  
 Boucher  
 Boyd  
 Bradley (NH)  
 Brady (PA)  
 Brady (TX)  
 Brown (OH)  
 Brown (SC)  
 Brown, Corrine  
 Brown-Waite,  
 Ginny  
 Burns  
 Burr  
 Burton (IN)  
 Buyer  
 Calvert  
 Camp  
 Cannon  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Cardin  
 Cardoza  
 Carson (IN)  
 Carson (OK)  
 Carter  
 Case  
 Castle  
 Chocola  
 Clay  
 Clyburn  
 Cole  
 Collins  
 Conyers  
 Cooper  
 Cox  
 Cramer  
 Crane  
 Crenshaw  
 Crowley  
 Cubin  
 Culberson  
 Cummings  
 Cunningham  
 Davis (AL)  
 Davis (CA)  
 Davis (FL)  
 Davis (IL)  
 Davis (TN)  
 Davis, Jo Ann  
 Davis, Tom  
 Deal (GA)  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 DeLay  
 Deutsch  
 Diaz-Balart, L.  
 Diaz-Balart, M.  
 Dicks  
 Dooley (CA)  
 Doolittle  
 Doyle  
 Dreier  
 Dunn  
 Edwards  
 Ehlers  
 Emanuel  
 Emerson  
 Engel  
 English  
 Eshoo  
 Etheridge  
 Evans  
 Everett

Markey  
 Marshall  
 Matheson  
 Matsui  
 McCarthy (MO)  
 McCarthy (NY)  
 McCallum  
 McCotter  
 McCrery  
 McDermott  
 McGovern  
 McHugh  
 McInnis  
 McIntyre  
 McKeon  
 McNulty  
 Meehan  
 Meek (FL)  
 Meeks (NY)  
 Menendez  
 Mica  
 Michaud  
 Millender-  
 McDonald  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Mollohan  
 Moore  
 Moran (VA)  
 Murphy  
 Murtha  
 Musgrave  
 Nadler  
 Napolitano  
 Neal (MA)  
 Nethercutt  
 Neugebauer  
 Ney  
 Northup  
 Norwood  
 Nunes  
 Oberstar  
 Obey  
 Olver  
 Ortiz  
 Ose  
 Otter  
 Owens  
 Oxley  
 Pallone  
 Pascrell  
 Payne  
 Pearce  
 Pelosi  
 Peterson (PA)  
 Pickering  
 Pombo  
 Pomeroy  
 Porter  
 Portman  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Quinn  
 Radanovich  
 Rahall  
 Rangel  
 Regula  
 Rehberg  
 Renzi  
 Reyes  
 Reynolds  
 Rodriguez  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Ros-Lehtinen  
 Ross  
 Rothman  
 Roybal-Allard  
 Ruppberger  
 Rush  
 Ryan (OH)  
 Ryun (KS)  
 Sabo  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sanders  
 Sandlin  
 Saxton  
 Schakowsky  
 Schiff  
 Schrock  
 Scott (GA)  
 Scott (VA)  
 Serrano

Sessions  
 Shaw  
 Sherman  
 Sherwood  
 Shimkus  
 Shuster  
 Simmons  
 Simpson  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Solis  
 Souder  
 Spratt  
 Stark  
 Stenholm  
 Strickland  
 Stupak  
 Sullivan

Sweeney  
 Tanner  
 Tauscher  
 Tauzin  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiahrt  
 Tierney  
 Towns  
 Turner (OH)  
 Turner (TX)  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velazquez  
 Vislosky  
 Vitter

NAYS—56

Akin  
 Barrett (SC)  
 Bartlett (MD)  
 Berry  
 Burgess  
 Chabot  
 Coble  
 Costello  
 DeMint  
 Doggett  
 Duncan  
 Flake  
 Fossella  
 Franks (AZ)  
 Garrett (NJ)  
 Goode  
 Gordon  
 Graves  
 Green (TX)  
 Green (WI)  
 Gutknecht  
 Hefley  
 Hensarling  
 Hoekstra  
 Hoolley (OR)  
 Hostettler  
 Jones (NC)  
 Kennedy (MN)  
 Kind  
 King (IA)  
 Kline  
 Kucinich  
 Lofgren  
 Miller (FL)  
 Moran (KS)  
 Myrick  
 Nussle  
 Paul  
 Pence  
 Peterson (MN)  
 Petri  
 Pitts  
 Platts  
 Ramstad  
 Rohrabacher  
 Royce  
 Ryan (WI)  
 Sensenbrenner  
 Shadegg  
 Shays  
 Smith (MI)  
 Stearns  
 Tancredo  
 Taylor (MS)  
 Tiberi  
 Toomey

NOT VOTING—7

Bishop (UT) Gephardt  
 Dingell Lewis (GA)  
 Feeney Osborne

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1447

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GOODLATTE). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion 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 later today.

EXTENDING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM

Mr. HERGER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3146) to extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3146

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

**TITLE I—FAMILY ASSISTANCE PROVISIONS**

**SEC. 101. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM THROUGH MARCH 31, 2004.**

(a) IN GENERAL.—Activities authorized by part A of title IV of the Social Security Act, and by sections 510, 1108(b), and 1925 of such Act, shall continue through March 31, 2004, in the manner authorized for fiscal year 2002, notwithstanding section 1902(e)(1)(A) of such Act, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority for carrying out such activities during the first two quarters of fiscal year 2004 at the level provided for the first two quarters of fiscal year 2002.

(b) CONFORMING AMENDMENTS.—

(1) SUPPLEMENTAL GRANTS FOR POPULATION INCREASES IN CERTAIN STATES.—Section 403(a)(3)(H) of the Social Security Act (42 U.S.C. 603(a)(3)(H)) is amended—

(A) in the subparagraph heading, by striking “OF GRANTS FOR FISCAL YEAR 2002”; and

(B) in clause (ii)—

(i) by striking “2003” and inserting “March 31, 2004”; and

(ii) by striking “2001” and inserting “fiscal year 2001”.

(2) CONTINGENCY FUND.—Section 403(b)(3)(C)(ii) of such Act (42 U.S.C. 603(b)(3)(C)(ii)) is amended by striking “2003” and inserting “2004”.

(3) MAINTENANCE OF EFFORT.—Section 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is amended—

(A) in subparagraph (A), by striking “or 2004” and inserting “2004, or 2005”; and

(B) in subparagraph (B)(ii), by striking “2003” and inserting “2004”.

**SEC. 102. EXTENSION OF THE NATIONAL RANDOM SAMPLE STUDY OF CHILD WELFARE AND CHILD WELFARE WAIVER AUTHORITY THROUGH MARCH 31, 2004.**

Activities authorized by sections 429A and 1130(a) of the Social Security Act shall continue through March 31, 2004, in the manner authorized for fiscal year 2002, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority for carrying out such activities during the first two quarters of fiscal year 2004 at the level provided for the first two quarters of fiscal year 2002.

**TITLE II—TAX PROVISIONS**

**SEC. 201. DISCLOSURE OF RETURN INFORMATION TO CARRY OUT INCOME CONTINGENT REPAYMENT OF STUDENT LOANS.**

(a) IN GENERAL.—Subparagraph (D) of section 6103(l)(13) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking “September 30, 2003” and inserting “December 31, 2004”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to requests made after September 30, 2003.

**SEC. 202. EXTENSION OF INTERNAL REVENUE SERVICE USER FEES.**

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

“SEC. 7528. INTERNAL REVENUE SERVICE USER FEES.

“(a) GENERAL RULE.—The Secretary shall establish a program requiring the payment of user fees for—

“(1) requests to the Internal Revenue Service for ruling letters, opinion letters, and determination letters, and

“(2) other similar requests.

“(b) PROGRAM CRITERIA.—

“(1) IN GENERAL.—The fees charged under the program required by subsection (a)—

“(A) shall vary according to categories (or subcategories) established by the Secretary,

“(B) shall be determined after taking into account the average time for (and difficulty of) complying with requests in each category (and subcategory), and

“(C) shall be payable in advance.

“(2) EXEMPTIONS, ETC.—

“(A) IN GENERAL.—The Secretary shall provide for such exemptions (and reduced fees) under such program as the Secretary determines to be appropriate.

“(B) EXEMPTION FOR CERTAIN REQUESTS REGARDING PENSION PLANS.—The Secretary shall not require payment of user fees under such program for requests for determination letters with respect to the qualified status of a pension benefit plan maintained solely by 1 or more eligible employers or any trust which is part of the plan. The preceding sentence shall not apply to any request—

“(i) made after the later of—

“(I) the fifth plan year the pension benefit plan is in existence, or

“(II) the end of any remedial amendment period with respect to the plan beginning within the first 5 plan years, or

“(ii) made by the sponsor of any prototype or similar plan which the sponsor intends to market to participating employers.

“(C) DEFINITIONS AND SPECIAL RULES.—For purposes of subparagraph (B)—

“(i) PENSION BENEFIT PLAN.—The term ‘pension benefit plan’ means a pension, profit-sharing, stock bonus, annuity, or employee stock ownership plan.

“(ii) ELIGIBLE EMPLOYER.—The term ‘eligible employer’ means an eligible employer (as defined in section 408(p)(2)(C)(i)(I) which has at least 1 employee who is not a highly compensated employee (as defined in section 414(q)) and is participating in the plan. The determination of whether an employer is an eligible employer under subparagraph (B) shall be made as of the date of the request described in such subparagraph.

“(iii) DETERMINATION OF AVERAGE FEES CHARGED.—For purposes of any determination of average fees charged, any request to which subparagraph (B) applies shall not be taken into account.

“(3) AVERAGE FEE REQUIREMENT.—The average fee charged under the program required by subsection (a) shall not be less than the amount determined under the following table:

Category	Average Fee
Employee plan ruling and opinion ..	\$250
Exempt organization ruling .....	\$350
Employee plan determination .....	\$300
Exempt organization determination.	\$275
Chief counsel ruling .....	\$200.

“(c) TERMINATION.—No fee shall be imposed under this section with respect to requests made after December 31, 2004.”

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 77 of such Code is amended by adding at the end the following new item:

“Sec. 7528. Internal Revenue Service user fees.”

(2) Section 10511 of the Revenue Act of 1987 is repealed.

(3) Section 620 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is repealed.

(c) LIMITATIONS.—Notwithstanding any other provision of law, any fees collected

pursuant to section 7528 of the Internal Revenue Code of 1986, as added by subsection (a), shall not be expended by the Internal Revenue Service unless provided by an appropriations Act.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to requests made after the date of the enactment of this Act.

**TITLE III—TRADE PROVISIONS**

**SEC. 301. EXTENSION OF COBRA FEES.**

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by striking “September 30, 2003” and inserting “March 31, 2004”.

**TITLE IV—MEDICARE COST-SHARING PROVISIONS**

**SEC. 401. EXTENSION OF MEDICARE COST-SHARING FOR CERTAIN QUALIFYING INDIVIDUALS.**

(a) EXTENSION OF SUNSET.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended—

(1) by striking subclause (II);

(2) beginning in the matter preceding subclause (I), by striking “ending with December 2002” and all that follows through “for medicare cost-sharing described” in subclause (I) and inserting “ending with March 2004) for medicare cost-sharing described”; and

(3) by striking “, and” at the end and inserting a semicolon.

(b) TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(c) of the Social Security Act (42 U.S.C. 1396u-3(c)) is amended—

(1) in paragraph (1)(E), by striking “fiscal year 2002” and inserting “each of fiscal years 2002 and 2003”; and

(2) in paragraph (2)(A), by striking “the sum of” and all that follows through “1902(a)(10)(E)(iv)(II) in the State; to” and inserting “the total number of individuals described in section 1902(a)(10)(E)(iv) in the State; to”.

(c) SPECIAL RULE FOR FIRST QUARTER OF 2004.—Section 1933 of the Social Security Act (42 U.S.C. 1396u-3) is amended by adding at the end the following:

“(g) SPECIAL RULE.—With respect to the period that begins on January 1, 2004, and ends on March 31, 2004, a State shall select qualifying individuals, and provide such individuals with assistance, in accordance with the provisions of this section as in effect with respect to calendar year 2003, except that for such purpose—

“(1) references in the preceding subsections of this section to ‘fiscal year’ and ‘calendar year’ shall be deemed to be references to such period; and

“(2) the total allocation amount under subsection (c) for such period shall be \$100,000,000.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HERGER) and the gentleman from Maryland (Mr. CARDIN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HERGER).

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

Mr. Speaker, I rise in support of H.R. 3146, which extends various government programs beyond the September 30 end of the fiscal year. Within the jurisdiction of the Committee on Ways and Means, this includes certain tax and trade programs, as well as a simple 6-month extension of key parts of the Nation’s welfare system.

The historic 1996 welfare reform law has been an unparalleled success. Nearly three million children have been

lifted from poverty. Record shares of current and former welfare recipients are working, and welfare dependence has been cut in half.

Despite the challenges facing our country, these welfare reforms continue to benefit families with children by promoting work by low-income parents. Unless we act, the authorization for key welfare programs will expire on September 30, 2003. H.R. 3146 will continue current funding for these programs through March 31, 2004.

Earlier this month, a bill to reauthorize and improve our Nation's welfare program was reported out of committee in the Senate. This extension will provide the Senate more time to consider this bill and pass a broad welfare reauthorization bill.

Members will recall that the House passed a broad 5-year welfare reauthorization bill in 2002. This bill was a product of intensive research and evaluation, including more than 20 hearings in the House. Key provisions focused on achieving more work, less poverty, and stronger families. However, the Senate did not act on that bill before the 107th Congress adjourned.

In February 2003, the House again acted on a full 5-year welfare reform reauthorization bill and approved H.R. 4, an updated version of its 2002 bill. We continue to wait for a consensus on a long-term reauthorization of our Nation's welfare programs. In the meantime, we continue to see evidence that welfare reform continues to work.

A report released in August presented key indicators of well-being for America's children that once again show positive results for our children. Birth rates for unmarried teenagers have dropped considerably since 1994. The poverty rate for children raised by single moms also has declined markedly.

However, there is still more progress to be made. Today, fewer children live in married-couple families. We have seen a steadily growing stream of evidence that children do best when raised by married-couple families. That is why the House-passed welfare reform bill provides flexibility to States to promote marriage and strong families. States and families would be on the receiving end if we reach agreement on a long-term reauthorization bill.

Unfortunately, the improvements included in H.R. 4 will continue to remain on hold while we pass short-term placeholder extensions.

In addition to funds to promote strong families, H.R. 4, as passed by the House, also provides at least \$2 billion in added child care funds over 5 years, along with more flexibility in spending cash welfare funds on child care and other needs.

So long as we continue to extend our Nation's welfare system on a short-term basis, States cannot take advantage of these additional dollars or improved flexibility. The means low-income families will not see the benefits of the improvements we have proposed

for the program. Ultimately, the success of the 1996 law reforms may begin to erode as well. Recognizing the importance of continuing these programs, the House and Senate have agreed to four short-term extensions of our Nation's welfare programs. However, I hope that in the next 6 months we get a comprehensive welfare reform bill to the President's desk for signature.

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

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

Mr. Speaker, I rise also in support of the legislation and urge my colleagues to support it. I agree with the gentleman from California (Mr. HERGER), the chairman of the subcommittee, regarding the need to enact this legislation. However, I want to make it clear I disagree with my subcommittee chairman on many of the statements made as to the reason why we are at this point, why we need to enact a temporary extension of our TANF law rather than a permanent extension.

This bill is important because it allows our States to know that for the next 6 months they will have uninterrupted Federal funds to continue their work on dealing with the people who are the most vulnerable, that we are trying to get off of cash assistance, into real jobs.

However, we have made that task more difficult because we cannot pass a long-term reauthorization, and we cannot pass a long-term reauthorization because this body, in passing its bill, did not do what our chairman asked us to do, and that is to reach a consensus to try to work together as Democrats and Republicans to build upon the success of 1996. Instead, we had a very partisan bill that passed this body and that has made it very difficult to reconcile with the other body.

We passed a bill that was opposed by our Governors, by our mayors, by State welfare administrators, by poverty experts and advocates for low-income families; and the reason, quite frankly, is because it did not reauthorize TANF and take us to the next level, which would be to get families not just off of cash assistance but out of poverty. Instead, the bill that passed this body created what is known as "make-work" opportunities rather than real jobs. It provided mandates on our States without providing the funds to deal with it. It made it more difficult for people who are the most in need of training and education to get the training and education they need in order to succeed in the workforce. It discriminated, and continues the discrimination, against legal immigrants.

For all these reasons, the bill that passed this body made it more difficult for us to reconcile differences with the other body and to enact reauthorization of TANF that we all could be very proud of.

Mr. Speaker, I hope we use this opportunity, the next 6 months, to sit down together and listen to each other,

listen to our mutual objectives as to what we are trying to achieve in welfare reauthorization, so that we can pass a bill that we will be proud of that will take us to the next plateau and allow us to move families out of poverty and not just off of cash assistance.

I might point out that this legislation extends the traditional Medicaid that continues families with health insurance after they have left the welfare rolls. That is a very important program. It also extends the IRS user fees for certain advanced rulings and allows the IRS to continue to share information with the Department of Education to administer the student loan programs; custom user fees will be extended for 6 months; Medicare premiums for low-income seniors, that program that pays those premiums would be extended. There is a lot in this bill that we have to make sure is accomplished before the expiration at the end of this fiscal year, and I encourage my colleagues to support this bill.

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

Mr. HERGER. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a member of the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for yielding me this time and for all of his efforts on behalf of those who are in the welfare system, and I also thank the gentleman occupying the chair, the gentleman from Virginia (Mr. GOODLATTE), for his long and successful efforts to reform the welfare system.

Mr. Speaker, since we first overhauled this country's failed welfare system back in 1996, some three million children have risen out of poverty. Today I rise to support this legislation as an important transition to the full reauthorization of those important reforms.

According to the U.S. Department of Agriculture, the number of American children experiencing hunger has plummeted to half its number of what it was in 1995. When States and local governments shifted their focus from writing checks to encouraging work, welfare case loads fell by 60 percent, as we predicted. As a result, 3.5 million fewer Americans live their lives in poverty than was the case back in 1995 when this process started. However, some 2 million recipients remain dependent on welfare assistance, and many still do not participate in work or in training programs.

□ 1500

While the success of past welfare reform initiatives are inspiring, and give lie to some of the claims we heard when we went through this process made by the other side, it is obvious that more work still needs to be done.

The House has passed the right kind of reauthorization of welfare reform boosted by tougher work requirements and reinvigorated work incentives for

States and welfare recipients. Full check sanction, marriage promotion, and other enhancements will only make welfare reform more effective.

We realize that some have come to oppose this legislation, some that had been listed on the other side of the aisle. But, in our view, we are going to stand fast to see this reform through.

Some opponents of welfare reform clearly are trying to run out the clock on this reauthorization so they can turn back the clock to the days of dependence. We will resist their efforts. These opponents of effective social policy have essentially filibustered our efforts to fight poverty and support economic independence for America's poor.

I am, Mr. Speaker, very encouraged by the Senate Committee on Finance's recent approval of TANF reauthorization, and I now implore the Senate to work toward final passage of this crucial legislation.

We have an opportunity to write a final chapter on welfare reform, the most successful social reform of the latter part of the 20th century. And much of the credit I want to give today goes to the gentleman sitting in the Chair, the gentleman from Florida (Mr. SHAW).

Mr. CARDIN. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan (Mr. LEVIN), the person who is the author of provisions that would enforce a real work requirement on our States by rewarding those States who find real jobs for people who leave cash assistance.

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

Mr. LEVIN. Mr. Speaker, I thank the gentleman from Maryland (Mr. CARDIN) for all of his work.

Like the gentleman from Maryland, I favor this extension. The good news is that it is not a step backward. We are going to continue State flexibility, we are going to continue the focus on work. We are going to continue provisions for child care and health care and transportation, but I want to take this opportunity, as Mr. CARDIN did, to put this into perspective. I am glad the gentleman from Pennsylvania (Mr. ENGLISH) is still here.

We worked hard in 1995 and 1996 on welfare reform. It was not a partisan effort. It was an effort with a Democratic President and with substantial work from Democrats in the House and in the Senate. Significant changes were made from the bill originally vetoed by President Clinton. Adequate child care, adequate health care, those were placed into the bill before it became a law.

This time around what the Republican majority in the House decided to do was to proceed, as Mr. CARDIN has said, on a very partisan basis. There was no effort to sit down as was true in 1995 and 1996, eventually, to see if we could work out together Welfare Reform II.

So, on a very partisan vote, the first vote was 229 to 197, the bill was passed and was sent to the Senate. Sad it is to say that since that time, and it has been a year and a half ago, there has been zero effort by the majority in this House to sit down with a number of us who were involved in 1995 and 1996 and those who have been active since and try to work out a bill on a bipartisan basis.

We have urged that welfare reform be continued and really improved, improved by more adequate child care, improved by more adequate health care. The data is pretty clear that many people who are moving from welfare to work are losing their health care after a year. Welfare reform should be improved by maintaining State flexibility and also by helping those who move from welfare to work to work out of poverty and to work into a decent and adequate wage.

So why not sit down and talk about these improvements in welfare reform? Well, the Republican majority here has done on welfare reform what they have done on most important issues: Ram it through, thumb their nose at the minority, including those who very much want to work on an issue, and send it over to the Senate. And like other products here on a very partisan basis, it runs into trouble in the Senate.

And so what is said by the majority here? Oh, it is the Senate's fault, when it was really the failure of the Republican majority here to start welfare reform on a proper, appropriate, and effective track.

Mr. Speaker, the good news is that the extension for 6 months will keep the better part of the welfare reform programs: health care, day care, State flexibility, and the focus on work. The bad news is that we have lost the opportunity to improve, to build on welfare reform, to have a sharper focus on movement of those who leave work out of poverty. Instead, the focus in their bill is really those who stay on welfare being kept busy.

That is not the wise focus for welfare reform in 2003 as it was not in 2002, and I hope 2004 will see their reaching out a hand to talk these things over. If not, I am afraid we will be back here with another extension, and you will point to the Senate controlled by the same party as you are a Member of and will blast the Senate. But that is not very constructive. It is not very useful.

So do not talk about all the hearings you have held, all the witnesses you have heard. Talk about how many minutes you have spent sitting down with the gentleman from Maryland (Mr. CARDIN), who is our ranking member, and the rest of us on the subcommittee to see if we could work out a bill. Tell us how many minutes. The answer is zero.

I say this not really to castigate, but to urge that you give the process a chance. Welfare reform deserves an effort to build a bipartisan and better product. I deeply believe that. So I

urge that we vote for this extension, and I also urge that the extension be followed by a true effort at finding a good product for the next phase of welfare reform.

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

Let me just say in closing, with what the gentleman from Michigan (Mr. LEVIN) said, I concur. I urge my colleagues to support this legislation. Let me just underscore the point, though, in 1996 we got it right. We got it right because we listened to each other, and we listened to the needs, and we realized by doing that we could transform the old welfare system into a system that encourages people to get off of cash assistance and to be employed.

The bill that passed this body is a step backwards. My friend from Pennsylvania said we will not take a step backwards. The legislation that passed that body did that. It was one size fits all. In 1996 we said we would trust local governments, our States, to craft the programs necessary to meet their constituency. Now we are going back, according to what passed this body, to one size fits all from Washington. That is inconsistent with what we did in 1996, which was the right way to go.

Secondly, we said in 1996, let people who are on welfare, on cash assistance, get the education and job training they need in order to get permanent employment. The legislation that passed this body takes a step backwards on that, restricting the ability of the States to allow welfare recipients to get the necessary education and training that they need. In 1996 we said they cannot do this unless they provide child care to the States so they could provide help to take care of the children. That is what we said in 1996. And yet in the bill that passed this body, we did not recognize that. Instead, we put unfunded mandates on the States and did not provide the necessary resources for child care. So I would hope that we will use the next 6 months to correct this.

Let me just say in the backdrop, as we are debating this today, the poverty rates in this Nation are actually increasing among children. Our States, almost all have cut their child care money because of their budget problems. The needs for us to act now is greater than it was a year ago when we originally passed the bill in this body. So I would hope that we would look at the current situation. Our States are spending more of their TANF funds every year than they are receiving in the annual authorization. The needs are there.

Yes, let us step up to the plate like we did in 1996. Let us work together in a bipartisan way. Let us be committed to get families not just off of cash assistance, but out of poverty, and if we will sit down and talk together, I am sure in the next 6 months we can come up with a bill we all can be proud of that will be supported by our States. If not, I am afraid the gentleman from Michigan's (Mr. LEVIN) prediction will

come true, and we will be again looking at another short-term fix.

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

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

This is indeed a very important piece of legislation which keeps welfare programs that promote work and independence operating from coast to coast. It is important that those programs continue to be funded beyond their current September 30 expiration date. It is unfortunate that we have not yet reached a deal on a full 5-year welfare reform reauthorization bill that promises many improvements to the welfare reform policies now in place. The House welfare bill includes an additional \$2 billion for child care so that more parents can work and more flexibility for States to spend their welfare funds, but until we get agreement on such a broader bill, we need to keep today's program operating. That is what this bill does.

I urge all Members to support this legislation.

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

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the bill, H.R. 3146, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

### SURFACE TRANSPORTATION EXTENSION ACT OF 2003

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3087) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, as amended.

The Clerk read as follows:

H.R. 3087

*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 "Surface Transportation Extension Act of 2003".

#### SEC. 2. ADVANCES.

(a) IN GENERAL.—The Secretary of Transportation shall apportion funds made available under section 1101(c) of the Transportation Equity Act for the 21st Century (112 Stat. 116), as amended by this Act, to each State in the ratio that—

(1) the State's total fiscal year 2003 obligation authority for funds apportioned for the Federal-aid highway program; bears to

(2) all States' total fiscal year 2003 obligation authority for funds apportioned for the Federal-aid highway program.

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) PROGRAMS.—Of the funds to be apportioned to each State under subsection (a),

the Secretary shall ensure that the State is apportioned an amount of the funds, determined under paragraph (2), for the Interstate maintenance program, the National Highway System program, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, the recreational trails program, the Appalachian development highway system program, and the minimum guarantee.

(2) IN GENERAL.—The amount that each State shall be apportioned under this subsection for each item referred to in paragraph (1) shall be determined by multiplying—

(A) the amount apportioned to the State under subsection (a); by

(B) the ratio that—

(i) the amount of funds apportioned for the item to the State for fiscal year 2003; bears to

(ii) the total of the amount of funds apportioned for the items to the State for fiscal year 2003.

(3) ADMINISTRATION OF FUNDS.—Funds authorized by the amendment made under subsection (d) shall be administered as if the funds had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code; except that the deductions and set-asides in the following sections of such title shall not apply to such funds: sections 104(a)(1)(A), 104(a)(1)(B), 104(b)(1)(A), 104(d)(1), 104(d)(2), 104(f)(1), 104(h)(1), 118(c)(1), 140(b), 140(c), and 144(g)(1).

(4) SPECIAL RULES FOR MINIMUM GUARANTEE.—In carrying out the minimum guarantee under section 105(c) of title 23, United States Code, with funds apportioned under this section for the minimum guarantee, the \$2,800,000,000 set forth in paragraph (1) of such section 105(c) shall be treated as being \$1,166,666,667 and the aggregate of amounts apportioned to the States under this section for the minimum guarantee shall be treated, for purposes of such section 105(c), as amounts made available under section 105 of such title.

(5) EXTENSION OF OFF-SYSTEM BRIDGE SET-ASIDE.—Section 144(g)(3) of title 23, United States Code, is amended by inserting after "2003" the following: "and in the period of October 1, 2003, through February 29, 2004,".

(c) REPAYMENT FROM FUTURE APPORTIONMENTS.—

(1) IN GENERAL.—The Secretary shall reduce the amount that would be apportioned, but for this section, to a State for programs under chapter 1 of title 23, United States Code, for fiscal year 2004, under a law reauthorizing the Federal-aid highway program enacted after the date of enactment of this Act by the amount that is apportioned to each State under subsection (a) and section 5(c) for each such program.

(2) PROGRAM CATEGORY RECONCILIATION.—The Secretary may establish procedures under which funds apportioned under subsection (a) for a program category for which funds are not authorized under a law described in paragraph (1) may be restored to the Federal-aid highway program.

(d) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1101 of the Transportation Equity Act for the 21st Century (112 Stat. 111-115) is amended by adding at the end the following:

"(c) ADVANCE AUTHORIZATION.—

"(1) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 2003 \$13,483,458,333 for the period of October 1, 2003, through February 29, 2004.

"(2) SPECIAL RULE.—Funds apportioned under section 2(a) of the Surface Transpor-

tation Extension Act of 2003 shall be subject to a limitation on obligations for Federal-aid highways and highway safety construction programs.

"(3) CONTRACT AUTHORITY.—Funds made available by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code."

(e) LIMITATION ON OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), for the period of October 1, 2003, through February 29, 2004, the Secretary shall allocate to each State for programs funded under this section and section 5(c) an amount of obligation authority made available under an Act making appropriations for the Department of Transportation for fiscal year 2004 that is—

(A) equal to the greater of—

(i) the State's unobligated balance, as of October 1, 2003, of Federal-aid highway apportionments subject to any limitation on obligations; except that unobligated balances of contract authority from minimum guarantee and Appalachian development highway system apportionments for which obligation authority was made available until used shall not be included for purposes of calculating a State's unobligated balance of apportionments for this clause; or

(ii)  $\frac{1}{2}$  of the State's total fiscal year 2003 obligation authority for funds apportioned for the Federal-aid highway program; but

(B) not greater than 75 percent of the State's total fiscal year 2003 obligation authority for funds apportioned for the Federal-aid highway program.

(2) LIMITATION ON AMOUNT.—The total of all allocations under paragraph (1) and allocations, for programs funded under sections 4, 5 (other than subsection (c)), and 6(a) of this Act, of obligation authority made available under an Act making appropriations for the Department of Transportation for fiscal year 2004 shall not exceed \$14,101,250,000; except that this limitation shall not apply to \$266,250,000 in obligations for minimum guarantee for the period of October 1, 2003, through February 29, 2004.

(3) TIME PERIOD FOR OBLIGATIONS OF FUNDS.—A State shall not obligate any funds for any Federal-aid highway program project after February 29, 2004, until the date of enactment of a multiyear law reauthorizing the Federal-aid highway program.

(4) TREATMENT OF OBLIGATIONS.—Any obligation of an allocation of obligation authority made under this subsection shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 2004 for the purposes of the matter under the heading "(LIMITATION ON OBLIGATIONS)" under the heading "FEDERAL-AID HIGHWAYS" in an Act making appropriations for the Department of Transportation for fiscal year 2004.

#### SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.

(a) IN GENERAL.—In addition to any other authority of a State to transfer funds, for fiscal year 2004, a State may transfer any funds apportioned to the State for any program under section 104(b) (including amounts apportioned under section 104(b)(3) or set aside, made available, or suballocated under section 133(d)) or section 144 of title 23, United States Code, before, on, or after the date of enactment of this Act, that are subject to any limitation on obligations, and that are not obligated, to any other of those programs.

(b) TREATMENT OF TRANSFERRED FUNDS.—Any funds transferred to another program under subsection (a) shall be subject to the provisions of the program to which the funds are transferred, except that funds transferred to a program under section 133 (other