

CONTINUING APPROPRIATIONS
FOR FISCAL YEAR 2005

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 802, I call up the joint resolution (H.J. Res. 107) making continuing appropriations for the fiscal year 2005, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 107 is as follows:

H.J. RES. 107

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2005, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for fiscal year 2004 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in fiscal year 2004, at a rate for operations not exceeding the current rate, and for which appropriations, funds, or other authority was made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004.

(2) The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

(3) The District of Columbia Appropriations Act, 2004.

(4) The Energy and Water Development Appropriations Act, 2004, notwithstanding section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

(5) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004, notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

(6) The Department of Homeland Security Appropriations Act, 2004.

(7) The Department of the Interior and Related Agencies Appropriations Act, 2004.

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004.

(9) The Legislative Branch Appropriations Act, 2004.

(10) The Military Construction Appropriations Act, 2004.

(11) The Transportation, Treasury, and Independent Agencies Appropriations Act, 2004.

(12) The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004.

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

SEC. 103. The appropriations Acts listed in section 101 shall be deemed to include miscellaneous and supplemental appropriation laws enacted during fiscal year 2004.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2004.

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

SEC. 106. Activities authorized for 2004 by sections 1902(a)(10)(E)(iv) and 1933 of the Social Security Act shall continue through the date specified in section 107(c) of this joint resolution: *Provided*, That for purposes of the budget scoring guidance in effect for the Congress and the Executive branch respectively, and notwithstanding rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217, the provisions of this section shall be deemed to be direct spending.

SEC. 107. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) November 20, 2004, whichever first occurs.

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

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

SEC. 110. Notwithstanding any other provision of this joint resolution, except section 107, for those programs that had high initial rates of operation or complete distribution of fiscal year 2004 appropriations at the beginning of that fiscal year because of distributions of funding to States, foreign countries, grantees or others, similar distributions of funds for fiscal year 2005 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

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

SEC. 112. Activities authorized by section 403(f) of Public Law 103-356, as amended by section 632 of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199, division F), and activities authorized under the heading "Treasury Franchise Fund" in the Treasury Department Appropriations Act, 1997 (Public Law 104-208, division A, section 101(f)), as amended by section 123 of the Treasury Department Appropriations Act, 2003 (Public Law 108-7, division J), may continue through the date specified in section 107(c) of this joint resolution.

SEC. 113. The authority provided by section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of

Public Law 108-136; 117 Stat. 1723) shall continue in effect through the date specified in section 107(c) of this joint resolution: *Provided*, That such authority shall not be available until after the date on which the Secretary of Defense submits all of the quarterly reports required for fiscal year 2004 under subsection (d) of such section 2808.

SEC. 114. Notwithstanding any other provision of this joint resolution, except sections 107 and 108, amounts are made available for the Strategic National Stockpile ("SNS") at a rate for operations not exceeding the lower of the amount which would be made available under H.R. 5006, as passed by the House of Representatives on September 9, 2004, or S. 2810, as reported by the Committee on Appropriations of the Senate on September 15, 2004: *Provided*, That no funds shall be made available for the SNS to the Department of Homeland Security under this joint resolution: *Provided further*, That amounts made available to the Department of Homeland Security under this joint resolution are reduced by the amount otherwise attributable to funding for the SNS: *Provided further*, That the terms and conditions of H.R. 5006 shall apply to funds made available under this section.

SEC. 115. Section 503(f) of the Small Business Investment Act of 1958 (15 U.S.C. 697(f)) shall be applied by substituting the date specified in section 107(c) of this joint resolution for "October 1, 2004".

SEC. 116. The authorities provided by sections 344, 1023, and 1306 of Public Law 108-136, sections 1318 and 1319 of Public Law 108-11, and section 302j(a) of title 37, United States Code, shall continue in effect through the date specified in section 107(c) of this joint resolution or the date of enactment into law of a defense authorization Act for fiscal year 2005, whichever is earlier.

SEC. 117. Section 6 of Public Law 107-57, as amended by section 2213 of Public Law 108-106, shall be applied by substituting the date specified in section 107(c) of this joint resolution for "October 1, 2004", and sections 508 and 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (Public Law 108-199, division D), as made applicable to fiscal year 2005 by the provisions of this joint resolution, shall not apply with respect to Pakistan through the date specified in section 107(c) of this joint resolution.

SEC. 118. Programs, activities, eligibility requirements, and advisory committees authorized under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) through fiscal year 2004, shall remain in effect through the date specified in section 107(c) of this joint resolution.

SEC. 119. (a) Section 616(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (Public Law 108-199, division D) shall apply to funds made available by this joint resolution pursuant to section 619(a) of such Act: *Provided*, That for purposes of funds made available by this joint resolution that are used to carry out section 616(d) of such Act, a candidate country is a country that satisfies the requirements of subparagraphs (A) and (B) of section 606(a)(2) of such Act.

SEC. 120. Notwithstanding any other provision of this joint resolution, except section 107, the District of Columbia may expend local funds for programs and activities under the heading, "District of Columbia Funds—Operating Expenses" at the rate set forth for such programs and activities under title II of H.R. 4850 of the 108th Congress, as passed by the House of Representatives: *Provided*, That section 2302 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11) shall be applied by substituting the date specified in section 107(c) of this joint resolution for "September 30, 2004".

SEC. 121. Section 1302 of the Panama Canal Act of 1979 (22 U.S.C. 3712) is amended by adding the following new subsection at the end:

“(e)(1) The Panama Canal Commission and the Office of Transition Administration (described in section 3504 of Public Law 106-65) shall terminate on October 1, 2004.

“(2) Upon termination pursuant to paragraph (1), the Panama Canal Revolving Fund shall be transferred to the General Services Administration (GSA). GSA shall use the amounts in the Fund to make payments of any outstanding liabilities of the Commission, as well as any expenses associated with the termination of the Office of Transition Administration and the Commission. The fund shall be the exclusive source available for payment of any outstanding liabilities of the Commission.”.

SEC. 122. (a) Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the following operating administrations shall be available to the Secretary of Transportation out of the Highway Trust Fund (other than the Mass Transit Account) at a rate for operations not exceeding the current rate and for which authority was made available under the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004:

(1) Federal Highway Administration, for purposes described in 23 U.S.C. 104(a)(1)(A);

(2) Bureau of Transportation Statistics, in accordance with 49 U.S.C. 111;

(3) National Highway Traffic Safety Administration, in accordance with chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code;

(4) National Highway Traffic Safety Administration, in accordance with 23 U.S.C. 402, 403, 405, 410 and chapter 303 of title 49, United States Code; and

(5) Federal Motor Carrier Safety Administration, for purposes described in 23 U.S.C. 104(a)(1)(B):

Provided, That funds authorized under this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code: *Provided further*, That paragraphs (1), (2), and (3) of this subsection shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(b) Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, shall be available to the Secretary of Transportation out of the Mass Transit Account of the Highway Trust Fund at a rate for operations not exceeding the current rate and for which authority was made available under the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004: *Provided*, That funds authorized under this subsection shall be available for obligation in the same manner provided under section 5338(g) of title 49, United States Code.

(c) Notwithstanding any other provision of law or of this joint resolution, except section 107, such amounts as may be necessary for the Federal Motor Carrier Safety Administration to make grants to and enter into contracts with States for personnel costs for implementation of 49 U.S.C. 31102, commercial driver's license program improvements, border enforcement operations, and section 210 of Public Law 106-159 shall be available to the Secretary of Transportation out of the Highway Trust Fund (other than the Mass Transit Account) at a rate not exceeding the

current rate and for which authority was made available under the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004: *Provided*, That funds authorized under this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(d) For purposes of the budget scoring guidance in effect for the Congress and the Executive branch respectively, and notwithstanding rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217, the provisions of subsections (a), (b), and (c) with regard to contract authority shall be deemed to be direct spending.

(e) Notwithstanding any other provision of law, amounts shall continue to be appropriated or credited to the Highway Trust Fund after the date of any expenditure pursuant to this joint resolution.

SEC. 123. Notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq, subject to the regular notification procedures of the Committees on Appropriations, through the date specified in section 107(c) of this joint resolution.

SEC. 124. Notwithstanding any other provision of this joint resolution, and notwithstanding the language in the paragraph under the heading “Housing for Persons With Disabilities” in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2004, the Secretary of Housing and Urban Development shall make \$14,610,000 from amounts appropriated under such heading in fiscal year 2004 available for amendments to existing tenant-based assistance contracts entered into prior to fiscal year 2004 pursuant to section 811 of the Cranston-Gonzalez National Affordable Housing Act (with only one amendment authorized for any such contract).

SEC. 125. Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) shall be applied by substituting the date specified in section 107(c) of this joint resolution for “September 30, 2004”.

SEC. 126. For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2004, and for activities under the Food Stamp Act of 1977, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2004, to be continued through the date specified in section 107(c): *Provided*, That notwithstanding section 107, funds shall be available and obligations for mandatory payments due on or about November 1 and December 1, 2004, may continue to be made.

SEC. 127. Notwithstanding section 101 of this joint resolution, amounts are provided for “Special Supplemental Nutrition Program for Women, Infants and Children (WIC),” at a rate for operations not to exceed \$5,087,000,000.

SEC. 128. Notwithstanding section 101 of this joint resolution, amounts are provided for “Election Assistance Commission—Salaries and Expenses”, at a rate for operations not to exceed \$7,800,000: *Provided*, That such amounts may be apportioned to reflect the agency activities associated with a Federal election.

SEC. 129. Funds available under this joint resolution for “Bureau of Indian Affairs—In-

dian Land and Water Claims Settlements and Miscellaneous Payments to Indians” shall be available for payments by the United States pursuant to the settlement of *Seneca Nation of Indians v. State of New York*.

SEC. 130. Amounts available under this joint resolution to carry out subtitle D of title XXXVI of Public Law 106-398 shall be deemed to include transfers of funds from other accounts made during fiscal year 2004 to carry out the purposes of the subtitle and the amounts available under this joint resolution for the accounts from which funds were transferred shall be adjusted for the transfer.

SEC. 131. For the purposes of the Ricky Ray Hemophilia Relief Fund Act of 1998 (Public Law 105-369), the term “expended” in section 101(d) of such Act and the term “payment” in section 103 of such Act shall mean “delivered orders-obligations unpaid” as defined in the United States Standard General Ledger Accounts and Definitions.

SEC. 132. Notwithstanding any other provision of this joint resolution, except section 108, for expenses necessary to carry out the Presidential Transition Act of 1963, \$2,500,000.

SEC. 133. Title II of Public Law 108-106 is amended under the heading “Iraq Relief and Reconstruction Fund” by—

(1) striking “\$3,243,000,000” and inserting “\$5,090,000,000” for security and law enforcement;

(2) striking “\$1,318,000,000” and inserting “\$1,960,000,000” for justice, public safety infrastructure, and civil society;

(3) striking “\$5,560,000,000” and inserting “\$4,455,000,000” for the electric sector;

(4) striking “\$1,890,000,000” and inserting “\$1,723,000,000” for oil infrastructure;

(5) striking “\$4,332,000,000” and inserting “\$2,361,000,000” for water resources and sanitation;

(6) striking “\$153,000,000” and inserting “\$845,000,000” for private sector development; and

(7) striking “\$280,000,000” and inserting “\$342,000,000” for education, refugees, human rights and governance.

SEC. 134. Title II of Public Law 108-106 is amended under the heading “Iraq Relief and Reconstruction Fund”—

(1) in the sixth proviso, by striking “\$29,000,000” and inserting “\$119,000,000”; and

(2) in the seventh proviso by—

(A) striking “Coalition Provisional Authority” and inserting “United States Agency for International Development”; and

(B) striking “to fully pay for its” and inserting “for”.

SEC. 135. Sections 569 and 574 of H.R. 4818, as passed by the House of Representatives on July 15, 2004, are hereby enacted into law: *Provided*, That not to exceed \$360,000,000 of the funds made available by Public Law 108-106 under the heading “Iraq Relief and Reconstruction Fund” may be made available for the purposes of such section 569.

SEC. 136. During the portion of fiscal year 2005 covered by this joint resolution, the Corps of Engineers shall continue work on all uncompleted projects underway in fiscal year 2004, notwithstanding budget proposals to withhold funding for shore protection and certain construction projects, and shall not divert funds into any reserve fund not specifically authorized by an Act of Congress.

The SPEAKER pro tempore. Pursuant to House Resolution 802, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am doing something today that I had hoped throughout the year could have been avoided, and that is a continuing resolution because the Congress has not completed all of its appropriations bills. Before I get into that, though, I think it is important that I say just a brief word about the Committee on Appropriations in the House and the House of Representatives.

The House Committee on Appropriations reported every one of its bills by July 22. Today is September 29. The House has passed 12 of those bills, and all of those bills have been at a level within the budget resolution, the budget resolution which in fact we do not really have. We did not pass a budget resolution this year, and finally about 6 weeks after we should have passed it, we passed a deeming resolution that did allow us to set a 302(a) allocation and our 302(b) allocations.

□ 1500

The House has done a good job. Unfortunately, only one of those bills has actually become law because the House and the Senate must agree on legislation before it can be sent to the desk of the President for his signature. That has only happened on one bill, despite the fact the House has passed 12 appropriations bills and several supplementals.

This continuing resolution would keep the government functioning at existing levels until November 20, 2004. This will allow Congress to recess for a brief period of campaigning for the election which happens on November 2. But we will be back. We will be back the week of November 15 in order to conclude the balance of the appropriations bills.

The Senate has passed a total of six appropriations bills. We will have one of those in conference, hopefully tomorrow, the homeland security bill. There are four other bills that we believe we can conference and report to the House sometime next week before we adjourn for the election. In the meantime, an omnibus bill is going to be necessary. Between the October 8 recess and November 15, the appropriations committees in both Houses will work to conclude the work on an omnibus bill so the Members will have a chance to vote on it prior to sine die adjournment.

The CR includes a continuation of funding for all agencies except those included in the Defense appropriations bill because it has already been enacted into law. We are continuing to work on the other bills, as I mentioned.

Let me say something about what is included in this CR, because there are some anomalies that are time sensitive that must be taken care of. As I said, the CR will go to November 20. As in past continuing resolutions, it does not permit any new starts, and it restricts obligations on high initial spend-out programs so the annualized funding levels in this bill will not impinge on our final budget deliberations.

It includes provisions that allow for the continuation of programs and fee collections that would otherwise expire, such as entitlements under the food stamp program, Medicare part B premium assistance, certain child nutrition programs, the WIC program, and certain SBA loan programs.

The CR also allows for continuation of Department of Defense authorities that expire on September 30. We have worked with the Committee on Armed Services to ensure that these authorities are extended through the period of the CR, and they include something very important to the families of those of our military who were wounded in Iraq, Afghanistan and who are in hospitals or in VA hospitals getting treatment for their wounds. The authority to pay for travel and transportation benefits for those family members and clothing allowances for the military personnel injured during these operations would expire on September 30, tomorrow, at midnight. We provide a correction for that by extending that provision for the period of this CR.

We also extend the authority to provide prepaid phone cards to all of our troops in certain combat zones. Also authority for bonuses and special pay for certain military personnel is extended. Authority for DOD to use funds available for drug interdiction and counterdrug activities to provide assistance to the government of Colombia in support of ongoing counterterrorism efforts is extended. And also authority for a chemical weapons destruction facility in Russia is extended.

A provision is also included that re-allocates funds provided under the Iraq Relief and Reconstruction Fund in response to the request submitted to the Congress by the Secretary of State on September 14, 2004, and through a re-allocation of existing funds provides sufficient funding for operating costs of the Agency for International Development, continuation of oversight and Iraq debt forgiveness.

The CR also allows the District of Columbia to spend local funds through the period of the CR at the budget levels passed by the House. The CR ensures that funding is available to conduct administrative oversight and to pay certain Department of Transportation personnel managing surface programs in the absence of reauthorizations for such programs. It also ensures sufficient funding for the Election Assistance Commission and funding for Presidential transition staff, if necessary, to be available immediately following the Presidential election.

Mr. Speaker, I do not think this is a controversial CR at all, but it does include these important items that I mentioned. But it is important because tomorrow at midnight, the government runs out of money, so it is important to pass this continuing resolution, get it to the other body, and get it to the President. I hope we can pass this expeditiously.

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

Mr. OBEY. Mr. Speaker, I yield 5½ minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I rise to express some concerns about the provisions in the continuing resolution allowing for the reprogramming of \$3.46 billion in Iraq reconstruction funds.

I would first like to take a moment to express my appreciation and respect for all military, civilian, and contractor personnel stationed in Iraq today. They are working to bring democracy and stability to Iraq in an atmosphere of extreme danger, and I have great admiration for their courage. We owe them a great deal for their sacrifices.

This bill addresses the administration's request to shift \$3.46 billion within the \$18 billion Congress approved for the reconstruction of Iraq. This shift moves funds away from essential rebuilding efforts in the water and electricity sectors to deal with the deteriorating security situation in Iraq and the upcoming elections. The bill specifies new amounts for the various sectors of reconstruction assistance while retaining the underlying set of requirements for congressional notification and reporting.

I have great respect for General Petraeus and his staff who have put together this new plan. I am hopeful that the reprogramming will help address the dire security situation that has hindered much of our reconstruction work. But if we examine the facts, we find that since the start of combat operations in Iraq, 1,050 soldiers have been killed, 7,532 wounded; and since the end of major combat operations which the President declared on May 1, 2003, 909 have been killed and 6,990 wounded.

The statistics on the security situation are equally as staggering. In March of this year there were an average of 20 insurgent engagements per day. By September that number had increased more than fourfold, to 87 per day.

President Bush said earlier this month, and I quote, "What is critical is that the President of the United States speak clearly and consistently at this time of great threat in our world, and not change positions because of expediency or pressure." We have given the President what he requested because we need to move aggressively to address the security situation. However, the administration must be honest with the American people.

Before the war, we had the distinct impression from both the President and Vice President that the length of U.S. deployment and the cost of reconstruction would be minimal. Their assessments were hopelessly naive and ignored the lessons of history. Today, 1 year after Congress provided the \$18 billion in reconstruction funds, only slightly more than \$1 billion has been spent. The insecure environment has

slowed the pace of reconstruction to a crawl. It has become crystal clear that we have no coherent plan to win the peace.

The administration claims that there are 100,000 Iraqi security forces trained and operating in Iraq today and that 145,000 will be trained by January. The facts are that 22,700 security personnel have received enough basic training to make them minimally effective at their tasks. Only 8,200 police have even received a basic 8-week training course. At the current pace of training, we will not have the current 90,000-man force trained until February 2006. Today, only 4,800 Iraqi Army personnel have been trained and equipped. By mid-October we may reach 8,000. Only eight of the 45 existing Iraqi National Guard battalions have reached initial operating capability. No border enforcement personnel have received centralized training.

Despite administration claims to the contrary, Iraq is becoming less secure. The difficulties in training and recruiting Iraqi security forces means even these modest goals will be difficult to attain. Holding elections in January has become a cornerstone of the President's plan to democratize Iraq and has been a critical factor in gaining support across Iraqi society for the interim government.

However, a stalemate between the Electoral Commission and the Ministry of Finance has meant that the commission has received only \$7 million of the \$232 million in Iraqi funds set aside for them. Many of the critical elements for conduct of the elections, such as procurement of vehicles, voting equipment and ballots are incomplete and voter lists have not even been created yet. No actual parties have formed. There is no process in place for that to happen. The U.N. has yet to deploy enough people to Iraq to supervise the process. We all know of the necessity of these promised elections, but many obstacles remain.

Beneath these numbers is the sad fact that overhead costs on all reconstruction activities in Iraq are now ranging between 30 and 50 percent. This means that for every dollar we appropriate for reconstruction, we only get 50 cents' worth.

We need to get this right. The battle for global stability and security is larger than Iraq. If American strategists cannot outsmart the terrorist insurgents, if we let them derail the bright future we have promised the Iraqi people, there will be serious consequences for U.S. national security objectives.

I hope that this shift in funds helps to win the peace in Iraq and that this plan will succeed where others have failed. I remain firmly committed to bringing stability to Iraq and fighting terror. American lives are at stake. But we must be honest with each other about the pace at which progress can occur and stop the deliberate distortions.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentleman

from Arizona (Mr. KOLBE), the distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me this time, and I do rise in support of House Joint Resolution 107 to provide continuing resolutions for the operations of the United States Government. A number of sections in this continuing resolution do apply to the foreign operations appropriations and many of these items have a direct bearing in our war on terrorism.

Section 117 allows Pakistan, our vital ally in the war on terror, to continue to be eligible for U.S. assistance during the period of the CR. As we know, Pakistan's active participation in the war on terror is critical to U.S. efforts in Afghanistan. Section 119 allows the Millennium Challenge Corporation to offer a limited assistance to those countries that meet some of the criteria for MCC assistance but cannot yet get over the threshold of the criteria that is required for that. The administration is working more slowly than I think a lot of us would like to establish which countries would be eligible for this additional special assistance.

Section 123 allows the Overseas Private Investment Corporation to follow through on transactions to promote the private sector and greater employment opportunities for Iraqis during the period of the CR. Ideally, these transactions will help create some of the preconditions for stability as Iraq moves towards elections in January.

The heart, Mr. Speaker, is section 133. This will enable the Secretary of State to rebalance the assistance in the Iraq Relief and Reconstruction Fund with a significantly greater amount, \$1.8 billion, going to train and equip Iraq's security forces. The legislative change is necessary because the supplemental enacted last November allocated funding for specific sectors with flexibility for transfers between sectors. This sectoral allocation was intended to provide transparency and to improve oversight of the use of the funds.

However, due to circumstances that have developed on the ground, the flexibility in current law is insufficient to allow the State Department to provide significantly greater funding for security and employment activities, and I think we all understand that security must be the top priority.

□ 1515

Section 134 provides the Agency for International Development with the authority to use \$90 million from within already appropriated amounts for the costs of operating its assistance programs in Iraq. Effective implementation of these programs is important if we are to help Iraq's economic and political systems evolve.

Finally, section 135 allows the U.S. to continue its leadership in pushing for

reduction of Iraq's debt. It provides former Secretary of State James Baker with the tools for upcoming debt negotiations in the Paris Club this fall. It would enable the U.S. to forgive nearly \$4 billion of debt owed by Iraq, thus spurring vastly greater amounts of debt forgiveness by Iraq's other creditors. This section also makes the modest technical changes to allow the Secretary of State to take responsibility for future reports to Congress on Iraq's reconstruction and to enable greater congressional oversight over the use of agency administrative expenses in Iraq.

On balance, I think this is a good bill and provides some important considerations to keep the foreign policy of the United States moving forward. I urge my colleagues to support this joint resolution.

Mr. OBEY. Mr. Speaker, I yield 6½ minutes to the distinguished gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, today, our Republican friends are waving a white flag, announcing what has become so obvious to so many, that they have surrendered to their own intransigence, that they cannot get their work done.

The sad fact is that the gentleman presenting this bill is not responsible for this failure. In fact, his leadership of the committee was consistent with doing our work on time. But his colleagues did not assist him in that effort.

This continuing resolution is nothing less than an admission of failure by the House Republican leadership. But it is a fitting capstone to the least productive session of Congress that I have been a part of since I was elected to this body in 1981.

We are setting a record today, Mr. Speaker, but not a record that any of us can be proud of. So far, and all of my colleagues ought to listen to this, so far in this second session of the 108th Congress, we are on course to work fewer days, 93 as of today, than any other single session since 1948; 1948 was the famous "Do Nothing Congress." This Congress is doing even less than the "Do Nothing Congress."

Yet while this Republican Congress keeps banker's hours, it has failed to enact a budget. It has failed to enact a comprehensive energy bill. It has failed to enact intelligence reform. It has failed to enact a bill to eliminate European Union trade sanctions on American manufacturers. And it has failed to enact and pass a highway bill, a reauthorization which would create 42,000 American jobs for every \$1 billion spent on repairing and building highways, repairing and building bridges, and fixing and providing for mass transit systems in America so that commerce and people could move effectively.

And now, now, this Republican leadership must pass this continuing resolution because it has enacted only one

of 13 appropriation bills within the time frame established for it. This is the leadership that said in the Contract with America that we are going to bring efficiency and effectiveness to the management of the House of Representatives.

Joe Scarborough the other day said in an article, "We said all this and we lied." Joe Scarborough, conservative Republican from Florida.

I intend to vote, of course, Mr. Speaker, for this continuing resolution, as the chairman will, because it is necessary and responsible to do so. But let no one be mistaken, this CR is far more than a mere formality. The Republicans' failure to pass appropriation bills on time has real-world consequences to real people, to States, localities, municipalities and every individual.

Because they failed to enact the Homeland Security bill, critical funding for the SAFER program is not available, money to hire additional firefighters and emergency response teams. That means fire departments across the Nation will be delayed in their efforts to hire, recruit and retain firefighters.

Because they have failed to enact the Transportation-Treasury bill, nearly \$1 billion in airport improvement grants is not available. That means airport security fencing and the construction of airport rescue and firefighting stations will be delayed. Because they failed to enact the Commerce, Justice, and State bill, \$658 million in worldwide security upgrades at U.S. facilities, for instance, in Kabul, Afghanistan, are not available.

Mr. Speaker, the list goes on. The majority's failure to pass appropriation bills on time will delay funding for everything from construction at Veterans' Administration facilities to humanitarian assistance to the victims of genocide in Sudan, to additional funding for food safety inspections here at home.

Mr. Speaker, in February, former House majority leader, the majority leader in the last Congress, commented "Republicans own the town now." What he meant was Republicans control the presidency, the House and the Senate. Democrats cannot stop and, frankly, cannot get it to go so that the failure lies solely at the desk and feet of the Republican leadership in both Houses. But everyone can see today their record is not an enviable one, notwithstanding the fact that they own the town. It is an embarrassment. The American people deserve better.

Mr. Speaker, as I said, I will vote for this continuing resolution. It was originally scheduled to be until October 8. The gentleman from Texas (Mr. DELAY) and I have a colloquy at the end of every week, and in that colloquy last week, I asked the gentleman from Texas (Mr. DELAY) how long this CR was going to be. He said he did not know specifically but he thought October 8. But they have decided, no, it will

be November 20, after the election, after the American people will be able to make a judgment on what they are really going to do. How sad. How failing in our responsibility to this institution, to the American people and to our Nation.

And I thank the gentleman for yielding me this time.

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

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, the basic job of Congress is to pass the annual budget and appropriation bills in order to keep the government running and to fund the most important functions of government. To do that under our processes, we are first supposed to pass a budget resolution which sets the outline for spending for the coming year, and then we are supposed to follow that on by passing 13 appropriation bills which fill in the blanks in detail.

This continuing resolution is here because, on the domestic side of the budget, none of that has happened. We have passed only one of the 13 appropriation bills that were supposed to pass by the end of the fiscal year. That is for the Department of Defense. But even other national security bills have not been passed, and certainly, nothing has been passed that meets our obligations on the domestic side of the ledger.

The majority party controls this body by a very narrow margin. Ordinarily, if this institution were being run in a rational way, that would mean that the majority leadership would try to reach out, broaden its base of support for basic legislation by making an occasional compromise here and there so that we can broaden the number of people who are willing to support whatever products they bring to the floor. That has not happened either.

When I chaired this committee, we had a bipartisan allocation between the 13 subcommittees. Both parties agreed on how much should go into each of those 13 appropriation bills. That is why we were able that year to finish every single appropriation bill by the end of the fiscal year. The minority has not been afforded that opportunity this year because the majority leadership has been held captive by the most extreme members of the majority party caucus. As a result, they have produced highly ideological appropriation bills which have provided little incentive for other members of their own party to support those bills.

The domestic appropriations have been so stingy in the area of education, in the area of health care, in the area of veterans' health, in the area of law enforcement, and in the area of transportation that their Republican counterparts in the Senate have not wanted to pass those bills. If we take a look at the appropriation bills that have passed the Senate, those bills contain about \$7 billion more on the domestic side of the ledger than the appropria-

tion bills in this House. We could probably have reached bipartisan agreement if that \$7 billion had been made available here. But oh, no, it was so necessary for the majority party to preserve every single dollar to provide \$128,000 tax cuts for people who make a million bucks a year that they were not willing to provide additional funding in the area of health and education and the like.

So now we have what I call a duck-and-run approach to governance. The majority party does not want a vote on the level of veterans' health care funding, so the veterans' appropriation bill is not even coming to the floor. And the majority party is avoiding having to choose between the wishes on the Senate side and the wishes on the House side by simply going to a continuing resolution which ducks all of these questions until after the election. This strategy is being followed either by design or as the result of sheer incompetence, and I am not sure which.

I want to make it clear, as did the minority whip, that that does not apply to the gentleman who chairs the committee. He got every single bill out of his committee on time and passed them out of the House except for VA/ HUD, and even though they were extremely short on necessary funding, on the minority side, we indicated that even though we strenuously objected to the stringent limitation of funding in a number of areas, we still procedurally cooperated with the majority party to toss those bills over to the Senate in the hopes that rationality would prevail and we would wind up with a product that could be supported when those bills came by the conference.

□ 1530

But at this point, I guess the bill that passed the House last week is a perfect metaphor for this session, because there was an internal triangular fight within the majority party in this House on that transportation bill, and, as a result, we passed a transportation bill that had been stripped of aid to states for highways, it had been stripped of the mass transit programs, it had been stripped of the funding for airport construction and development. So the only thing left in the transportation bill was the title of the bill.

If you take a look at other legislation, national parks, the President made a promise when he campaigned 4 years ago that he would send down a 5-year plan to attack the maintenance backlog in our national parks. Well, it is 4 years later, folks, and what has happened? The President and this Congress have provided only 12 percent of the funding needed to meet those backlog needs.

As the gentleman from Maryland indicated, we have done nothing to deal with the problems of 45 million Americans who have no health insurance. We have done nothing to expand Pell grants, even though the President in

his spectacularly disingenuous performance at the Republican Convention told the world that we needed more money for Pell grants, even though his administration has blocked the increase in Pell grants for the last 2 years.

So, Mr. Speaker, the fact that this continuing resolution is here today is a monument to ideological zealotry. It is also a monument to institutional failure. This Congress is failing to meet even the most basic and minimal expectations that the country has for it by way of doing our routine business. This is governing in a pitiful way, and I wish that I could say something more positive about it, but, indeed, I cannot.

We have no choice but to vote for this resolution in order to keep the government functioning, but this is a pitiful way to run a railroad or a legislative body.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think earlier my first comment was that I am doing something today that I am reluctant to do and I hoped I would not have to do it, and that is to ask the House to pass a continuing resolution inasmuch as the appropriations process has not been concluded.

There have been some criticisms of the majority party leadership in the House. It is easy to criticize anybody, but I would suggest that our leadership has done a pretty good job, considering the fact that we are a bicameral legislature. We have two bodies in this Congress, and one body cannot determine totally the legislative program, any more than the other one can. So as hard as our leaders have struggled to try to make the process work, they have had some difficulties with their counterparts in the other body.

I want to make sure that the Members know that the Committee on Appropriations, and I will repeat this from what I said earlier, completed all of its work, reported all of its bills, by the 22nd of July. That was quite a long time ago. We passed 12 of the appropriations bills, plus a supplemental. There is still one other appropriations bill remaining that has some difficulties that will be dealt with at a later time, probably in the omnibus bill.

And we have worked in a bipartisan fashion. We have tried to keep the minority party at the subcommittee level advised every step of the way. We have tried to make sure they knew what we were planning to do, and to get their input. We did not surprise anybody.

I think that good proof of that bipartisanship, Mr. Speaker, is that we have developed a pretty good record here in the committee and in the House. For example, our appropriations bill for Interior passed on June 17 with a vote of 334 to 86. The Homeland Security bill passed on June 18 with a vote of 400 to 5. On June 22 we passed the defense ap-

propriations bill, 403 to 17. The conference report later was passed with a vote of 410 to 12. On June 25, the energy and water bill passed 370 to 16.

On the 8th of July the Commerce-Justice-State Department bill passed with a vote of 397 to 18. On July 12, the legislative branch bill passed with a vote of 327 to 43. The agriculture bill passed on the 13th of July, 389 to 31. On the 15th of July, the foreign ops bill passed 365 to 41. On the 20th of July, the District of Columbia bill passed 371 to 54. On the 22nd of July, the military construction bill passed 420 to 1.

We then passed on September 7 a supplemental to deal with Hurricane Charlie, which was devastating to certain parts of my State of Florida. We passed that on a voice vote. On the 9th of September we passed the Labor-HHS bill, 388 to 13. On the 22nd of September we passed the transportation appropriations bill, 397 to 12.

So I make the case that the House has worked together very well, majority party and minority party. The committee has worked together very well, majority party and minority party. But we are only half of the equation. We are the House of Representatives. We are the people's House. The other body, for whatever their reasons, did not pass these bills, and we cannot pass a bill in the House and send it to the President without having the other body agree to it, or at least go to conference and have an agreement on what that conference decides.

So, all in all, the criticisms of the House leadership I think are not really in order, but I understand that we are getting close to election time, so I am not offended by that. I just do not think that the criticisms really stand.

Our leadership has worked hard with us to pass these good bills with good votes. I do not like the fact that we did not complete our work. But I would say, again, the House Committee on Appropriations and the House of Representatives, we completed our work, except for one bill that will be held to become part of the omnibus appropriations bill. So, all in all, criticize if you like, but the House has done a really good job in getting its work done.

Now, because we have not concluded the bicameral work on these bills, it is important that we pass this continuing resolution. None of us want the government to shut down, and, without a CR, as of midnight tomorrow night the end of the fiscal year comes and goes, and without an appropriations bill, people would not be reporting to work on Friday.

So we are going to pass this CR now, the other body is going to pass this CR, and we are going to get it to the President in plenty of time so there will not be a government shutdown. We are just not going to do that anymore. We had an experience with that some years back. We are not going to do that again. That is not responsible, and it is important that we meet our responsibility.

Mr. Speaker, I would just appeal for a good strong vote on this continuing resolution. I ask for a "yes" vote.

Mr. Speaker, I yield back my time.
The SPEAKER pro tempore (Mr. FOLEY). All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to House Resolution 802, the previous question is ordered.

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

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

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. OBEY. For the moment I am, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the joint resolution, H. J. Res. 107, to the Committee on Appropriations with instructions to report the same back to the House promptly with the following amendments:

At the end of the bill, add the following new section:

"SEC. . Section 2883(g)(1) of title 10, United States Code, is amended by striking '\$850,000,000' and inserting '\$1,350,000,000'."

At the appropriate place in the bill, add the following new section:

"SEC. . Notwithstanding section 101 of this joint resolution, amounts provided to the Department of Veterans Affairs under the heading "Veterans Health Administration, Medical Services" in Public Law 108-199, in the first proviso, delete '\$17,867,220,000' and insert '\$20,798,600,000'."

At the appropriate place in the bill, add the following new section:

"SEC. . Notwithstanding any other provision of law or of this joint resolution, the State Children's Health Insurance Program authorized under title XXI of the Social Security Act shall be implemented under the terms and conditions of H.R. 4936, the Children's Health Protection and Improvement Act of 2004."

At the appropriate place in the bill, add the following new section:

"SEC. . Special Allowance for Loans From the Proceeds of Tax Exempt Issues—Section 438(b)(2)(B) of the Higher Education Act (20 U.S.C. 1087-1(b)(2)(B)) is amended—

"(1) in clause (iv), by inserting 'or refunded on or after October 1, 2004 and before October 1, 2005,' after 'October 1, 1993'; and

"(2) by adding at the end the following new clause:

"(v) Notwithstanding clause (i) and (ii), the quarterly rate of the special allowance shall be the rate determined under subparagraph (A), (E), (F), (G), (H), or (I) of this paragraph, or paragraph (4), as the case may be, for loans—

"(I) originated, transferred, or purchased between October 1, 2004 and October 1, 2005;

"(II) financed by an obligation that has matured, been retired, or defeased on or after October 1, 2004 and on or before September 30, 2005;

"(III) which the special allowance was determined under such paragraphs on or after October 1, 2004 and on or before September 30, 2005;

“(IV) for which the maturity date of the obligation from which funds were obtained for such loans was extended on or after October 1, 2004 and on or before September 30, 2005; or

“(V) sold or transferred to any other holder on or after October 1, 2004 and on or before September 30, 2005.”

At the appropriate place in the bill, add the following new section:

“SEC. . Notwithstanding section 101 of this joint resolution, amounts provided to the Federal Bureau of Investigation for counterterrorism and counterintelligence activities shall be provided at a rate of operations which is the higher of the following:

“H.R. 4754, as passed by the House on July 8, 2004; or

“S. 2809 as passed by the Senate Committee on Appropriations on September 15, 2004.”

At the appropriate place in the bill, add the following new section:

“SEC. . Notwithstanding section 101 of this joint resolution, amounts provided for education, health and other programs, projects and activities shall be continued at a rate of operations which is the higher of the amounts which would be made available under the following:

“H.R. 5006, as passed by the House of Representatives on September 9, 2004; or

“S. 2810 as reported by the Senate Committee on Appropriations on September 15, 2004.”

At the appropriate place in the bill, add the following new section:

“SEC. . Public Law 108-217 shall be applied by substituting the date specified in section 107 of this joint resolution for ‘September 30, 2004’ each place it appears and by substituting the date specified in section 107 of this joint resolution for ‘October 1, 2004’ and the provisions of §6(a)(1) of Public Law 107-100 shall continue in effect through the date specified in section 107 of the joint resolution.”

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, if Members oppose this motion to recommit, they will deny 28,165 renovated homes for military families throughout the military housing privatization initiative. If they oppose this motion to recommit, they will deny many of America’s veterans access to VA health care, which ought to be their right. This motion would provide an additional \$2.5 billion above the President’s request to help cut waiting lists, renovate crumbling VA facilities and ensure timely quality health care for America’s veterans.

The FBI is the Nation’s lead agency for domestic counterterrorism, yet it is the only component of our national security apparatus that will not have its funding for fiscal year 2005 in place. The motion would ensure that the FBI gets its funding now, not later.

Failure to pass this motion to recommit would also shut down the Terrorist Threat Integration Center and the Terrorist Screening Center. Neither re-

ceived funding in last year’s spending bill, so neither would have their funding extended by the continuing resolution without this motion.

The motion to recommit, Mr. Speaker, would also eliminate the nearly \$1 billion in special student loan subsidies being paid to lenders that instead could be put to better use by helping students and families afford a college education. This House passed that amendment earlier this month on the Labor-HHS bill in the form of the Kildee amendment.

Also, Mr. Speaker, failure to pass this motion to recommit would deny health insurance to 750,000 children who could be covered under the State Children’s Health Insurance Program, or SCHIP. Currently \$1.1 billion of SCHIP funds are available to States to provide health insurance to children. These funds were accumulated while the SCHIP programs were just being organized, but current law requires that these funds be returned to the Treasury if they are not used by October 1. With more than 8 million children lacking health coverage, it makes sense to give States more time to use these funds and enroll children in the SCHIP programs. We ought not be robbing these funds from children’s health insurance programs because of an arbitrary deadline.

We also by this motion would provide additional funding for education and health care programs funded by the Labor-HHS-Education bill. We ask that in each case in the education and health area that this bill be adjusted to reflect the higher of the numbers between the House and the Senate bill. The result of that, for instance, would be to add \$367 million to NIH to maintain momentum in research on diseases like cancer, Parkinson’s, Alzheimer’s, et cetera. We also would try to deal with the section 7 small business loan program that was dealt with by this House on a similar motion several weeks ago.

Mr. Speaker, I would urge support for the motion to recommit.

Mr. YOUNG of Florida. Mr. Speaker, I am opposed to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, this motion to recommit actually would be an appropriations bill. The continuing resolution merely extends existing appropriations. All of the issues in this motion are in the process of being considered on regular appropriations bills.

□ 1545

For example, I would remind the Members that we had the issue of the military housing cap in our appropriations bill that our committee strongly supported; but on a point of order raised by the Committee on the Budget, we lost that section of the military construction bill. But as we produce

the military construction bill in conference, that provision will be in there.

The other issues in this motion are VA medical, children’s health, higher education; all of these issues are being addressed as we address the balance of the appropriations bills.

So this motion to recommit, if it were successful, and I hope it will not be, would actually turn this into an appropriations bill that would likely require conferencing and probably would not be concluded by midnight tomorrow night, just because of the amount of time it takes to conference a bill and go to the other body and then come back here for conference, and then to appoint the conferees. We are running a deadline as of midnight tomorrow night.

So I would hope that while all of these are very important issues in this motion, and, frankly, I am supportive of all of the issues that the gentleman from Wisconsin (Mr. OBEY) would have in this motion to instruct, this is not the place to do it. This is a continuing resolution that has to be on the President’s desk and signed before midnight tomorrow night. We just really do not have the time to deal with these issues on this bill. We will deal with all of those issues on the other bills that will be working through the Congress in the next few weeks.

So, Mr. Speaker, having said that, basically all I can say is that I would urge the Members to oppose this motion and to get on with the passage of the continuing resolution.

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

The SPEAKER pro tempore (Mr. FOLEY). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 200, nays 221, not voting 11, as follows:

[Roll No. 478]

YEAS—200

Abercrombie	Berman	Brown, Corrine
Ackerman	Berry	Butterfield
Allen	Bishop (GA)	Capps
Andrews	Bishop (NY)	Capuano
Baca	Blumenauer	Cardin
Baird	Boswell	Cardoza
Baldwin	Boucher	Carson (IN)
Becerra	Boyd	Carson (OK)
Bell	Brady (PA)	Case
Berkley	Brown (OH)	Chandler

Clay Jones (OH)
 Clyburn Kanjorski
 Conyers Kaptur
 Cooper Kennedy (RI)
 Costello Kildee
 Cramer Kilpatrick
 Crowley Kind
 Cummings Kleczka
 Davis (AL) Kucinich
 Davis (CA) Lampson
 Davis (FL) Langevin
 Davis (IL) Lantos
 Davis (TN) Larsen (WA)
 DeFazio Larson (CT)
 DeGette Leach
 Delahunt Lee
 DeLauro Levin
 Deutsch Lipinski
 Dicks Lofgren
 Dingell Lowey
 Doggett Lucas (KY)
 Dooley (CA) Lynch
 Doyle Majette
 Edwards Maloney
 Emanuel Markey
 Engel Marshall
 Eshoo Matheson
 Etheridge Matsui
 Evans McCarthy (MO)
 Farr McCarthy (NY)
 Fattah McCollum
 Filner McDermott
 Ford McGovern
 Frank (MA) McIntyre
 Frost McNulty
 Gonzalez Meehan
 Gordon Meeks (NY)
 Green (TX) Menendez
 Grijalva Michaud
 Gutierrez Millender-
 Harman McDonald
 Herseth Miller (NC)
 Hill Miller, George
 Hinchey Mollohan
 Hinojosa Moore
 Holden Moran (VA)
 Holt Murtha
 Honda Velázquez
 Hooley (OR) Visclosky
 Hoyer Waters
 Inslee Oberstar
 Israel Obey
 Jackson (IL) Olver
 Jackson-Lee Ortiz
 (TX) Owens
 Jefferson Pallone
 John Pascrell
 Johnson, E. B. Pastor

NAYS—221

Aderholt Coble
 Akin Cole
 Alexander Collins
 Bachus Cox
 Baker Crane
 Ballenger Crenshaw
 Barrett (SC) Cubin
 Bartlett (MD) Culberson
 Barton (TX) Cunningham
 Bass Davis, Jo Ann
 Beauprez Davis, Tom
 Biggert Deal (GA)
 Bilirakis DeLay
 Bishop (UT) DeMint
 Blackburn Diaz-Balart, L.
 Blunt Diaz-Balart, M.
 Boehner Doolittle
 Bonilla Dreier
 Bonner Duncan
 Bono Dunn
 Boozman Ehlers
 Bradley (NH) Emerson
 Brady (TX) English
 Brown (SC) Everett
 Brown-Waite, Feeney
 Ginny Ferguson
 Burgess Flake
 Burns Foley
 Burr Forbes
 Burton (IN) Fossella
 Buyer Franks (AZ)
 Calvert Frelinghuysen
 Camp Gallegly
 Cantor Garrett (NJ)
 Capito Gerlach
 Carter Gibbons
 Castle Gilchrist
 Chabot Gillmor
 Chocola Gingrey

Knollenberg Pearce
 Kolbe Pence
 LaHood Peterson (MN)
 Latham Peterson (PA)
 LaTourette Petri
 Lewis (CA) Pickering
 Lewis (KY) Pitts
 Linder Platts
 LoBiondo Pomo
 Lucas (OK) Porter
 Manzullo Portman
 McCotter Pryce (OH)
 McCrery Quinn
 McHugh Radanovich
 McInnis Ramstad
 McKeon Regula
 Mica Rehberg
 Miller (FL) Renzi
 Miller (MI) Reynolds
 Sanders Rogers (AL)
 Sandlin Rogers (KY)
 Moran (KS) Rogers (MI)
 Murphy Rohrabacher
 Musgrave Ros-Lehtinen
 Myrick Royce
 Neugebauer Ryan (WI)
 Ney Ryun (KS)
 Northup Saxton
 Norwood Nunes
 Nunwood Schrock
 Slaughter Sensenbrenner
 Smith (WA) Snyder
 Snyder Solis
 Solis Osborne
 Spratt Ose
 Stark Otter
 Stenholm Oxley
 Strickland Paul

Boehlert Hoeffel
 Cannon Lewis (GA)
 Gephardt Meek (FL)
 Hastings (FL) Nethercutt

NOT VOTING—11

Shimkus Carter
 Shuster Case
 Simmons Castle
 Simpson Chandler
 Smith (MI) Hulschof
 Smith (NJ) Clay
 Smith (TX) Clyburn
 Souder Coble
 Stearns Cole
 Sullivan Collins
 Sweeney Conyers
 Tancredo Costello
 Taylor (MS) Cox
 Taylor (NC) Cramer
 Terry Crane
 Thomas Crenshaw
 Thornberry Jefferson
 Tiahrt Jenkins
 Tiberi John
 Toomey Cummings
 Turner (OH) Cunningham
 Upton Davis (AL)
 Vitter Davis (CA)
 Walden (OR) Jones (OH)
 Walsh Davis (IL)
 Wamp Davis (TN)
 Weldon (PA) Kaptur
 Weller Keller
 Whitfield Kelly
 Wicker Kennedy (MN)
 Wilson (NM) Porter
 Wilson (SC) Kilpatrick
 Wolf King (NY)
 Young (AK) Kingston
 Young (FL) Kirk

Honda Hooley (OR)
 Houghton Neugebauer
 Hoyer Ney
 Hulschof Northup
 Hunter Norwood
 Hyde Nunes
 Inslee Nussle
 Isakson Oberstar
 Israel Obey
 Issa Olver
 Istook Ortiz
 Jackson (IL) Osborne
 Jackson-Lee Ose
 (TX) Otter
 Jefferson Owens
 Jenkins Oxley
 John Pallone
 Johnson (CT) Pascrell
 Johnson (IL) Pastor
 Johnson, E. B. Payne
 Johnson, Sam Pearce
 Jones (OH) Pelosi
 Kanjorski Peterson (MN)
 Kaptur Peterson (PA)
 Keller Pickering
 Kelly Platts
 Kennedy (MN) Pomo
 Kennedy (RI) Pomeroy
 Kildee Porter
 Kilpatrick Portman
 Kind Price (NC)
 King (NY) Pryce (OH)
 Kingston Quinn
 Kirk Radanovich
 Kleczka Rahall
 Kline Ramstad
 Knollenberg Rangel
 Kolbe Regula
 Kucinich Rehberg
 LaHood Renzi
 Lampson Reyes
 Langevin Reynolds
 Lantos Rodriguez
 Larsen (WA) Rogers (AL)
 Larson (CT) Rogers (KY)
 Latham Rogers (MI)
 LaTourette Rohrabacher
 Leach Ros-Lehtinen
 Lee Ross
 Levin Rothman
 Lewis (CA) Roybal-Allard
 Lewis (GA) Rumpersberger
 Lewis (KY) Rush
 Everett Linder
 Linder Ryan (OH)
 Farr Ryun (KS)
 LoBiondo Sabo
 Lofgren Sánchez, Linda
 Lowey T.
 Lucas (KY) Sanchez, Loretta
 Lucas (OK) Sanders
 Lynch Sandlin
 Majette Saxton
 Maloney Schakowsky
 Markey Schiff
 Marshall Schrock
 Matheson Scott (GA)
 Matsui Scott (VA)
 McCarthy (MO) Serrano
 McCarthy (NY) Sessions
 McCollum Shaw
 McCotter Shays
 McCrery Sherman
 McDermott Sherwood
 McGovern Shimkus
 McHugh Shuster
 McInnis Simmons
 McIntyre Simpson
 McKeon Skelton
 McNulty Slaughter
 Meehan Smith (NJ)
 Meeks (NY) Smith (TX)
 Menendez Smith (WA)
 Snyder
 Michaud Solis
 Millender- Souder
 McDonald Spratt
 Miller (MI) Stark
 Miller (NC) Stenholm
 Miller, Gary Strickland
 Miller, George Stupak
 Mollohan Sullivan
 Moore Sweeney
 Moran (KS) Tancredo
 Moran (VA) Tanner
 Murphy Tauscher
 Murtha Taylor (MS)
 Musgrave Taylor (NC)
 Nadler Terry

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1610

Mr. PETERSON of Pennsylvania changed his vote from “yea” to “nay.”
 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 joint resolution.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 389, noes 32, not voting 11, as follows:

[Roll No. 479]

AYES—389

Abercrombie Biggert
 Ackerman Bilirakis
 Aderholt Bishop (GA)
 Alexander Bishop (NY)
 Allen Bishop (UT)
 Andrews Blackburn
 Baca Blumenauer
 Bachus Blunt
 Baird Boehner
 Bonilla Bonilla
 Bonner Bonner
 Ballenger Bono
 Barton (TX) Boozman
 Bass Boswell
 Becerra Boucher
 Bell Boyd
 Berkley Bradley (NH)
 Berman Brady (PA)
 Berry Brady (TX)

Brown (OH) Brown (SC)
 Brown, Corrine Burgess
 Burns Burns
 Burr Burr
 Burton (IN) Burton (IN)
 Butterfield Butterfield
 Buyer Buyer
 Calvert Calvert
 Camp Camp
 Cantor Cantor
 Capito Capito
 Capps Capps
 Capuano Capuano
 Cardin Cardin
 Cardoza Cardoza
 Carson (IN) Carson (IN)
 Carson (OK) Carson (OK)

Grijalva Gutierrez
 Hall Hall
 Harman Harman
 Harris Harris
 Hart Hart
 Hastings (WA) Hastings (WA)
 Hayes Hayes
 Hayworth Hayworth
 Hefley Hefley
 Herger Herger
 Herseth Herseth
 Hill Hill
 Hinchey Hinchey
 Hinojosa Hinojosa
 Hobson Hobson
 Hoekstra Hoekstra
 Holden Holden
 Holt Holt

Knollenberg
 Kolbe
 Kucinich
 LaHood
 Lampson
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Leach
 Lee
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Lofgren
 Lowey
 Lucas (KY)
 Lucas (OK)
 Lynch
 Majette
 Maloney
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (MO)
 McCarthy (NY)
 McCollum
 McCotter
 McCrery
 McDermott
 McGovern
 McHugh
 McInnis
 McIntyre
 McKeon
 McNulty
 Meehan
 Meeks (NY)
 Menendez
 Mica
 Michaud
 Millender-
 McDonald
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Mollohan
 Moore
 Moran (KS)
 Moran (VA)
 Murphy
 Murtha
 Musgrave
 Nadler

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

NOES—32

Akin	Garrett (NJ)	Pence
Barrett (SC)	Green (WI)	Petri
Bartlett (MD)	Gutknecht	Pitts
Beauprez	Hensarling	Royce
Chabot	Hostettler	Ryan (WI)
Cooper	Jones (NC)	Sensenbrenner
Cubin	King (IA)	Shadegg
Duncan	Manzullo	Smith (MI)
Feeney	Miller (FL)	Stearns
Flake	Myrick	Toomey
Franks (AZ)	Paul	

NOT VOTING—11

Boehlert	Gephardt	Nethercutt
Brown-Waite,	Hastings (FL)	Putnam
Ginny	Hoeffel	Tauzin
Cannon	Meek (FL)	Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1619

Mr. DEMINT changed his vote from “no” to “aye.”

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). 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.

Record votes on postponed questions will be taken tomorrow.

WELFARE REFORM EXTENSION ACT, PART VIII

Mr. HERGER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5149) to reauthorize the Temporary Assistance For Needy Families block grant program through March 31, 2005, and for other purposes.

The Clerk read as follows:

H.R. 5149

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 “Welfare Reform Extension Act, Part VIII”.

SEC. 2. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM THROUGH MARCH 31, 2005.

(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, 2005,

in the manner authorized for fiscal year 2004, 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 through the second quarter of fiscal year 2005 at the level provided for such activities through the second quarter of fiscal year 2004.

(b) CONFORMING AMENDMENTS.—

(1) SUPPLEMENTAL GRANTS FOR POPULATION INCREASES IN CERTAIN STATES.—Section 403(a)(3)(H)(ii) of the Social Security Act (42 U.S.C. 603(a)(3)(H)(ii)) is amended by striking “September 30, 2004” and inserting “March 31, 2005”.

(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 “2004” and inserting “2005”.

(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 2005” and inserting “2005, or 2006”; and

(B) in subparagraph (B)(ii), by striking “2004” and inserting “2005”.

SEC. 3. EXTENSION OF THE NATIONAL RANDOM SAMPLE STUDY OF CHILD WELFARE AND CHILD WELFARE WAIVER AUTHORITY THROUGH MARCH 31, 2005.

Activities authorized by sections 429A and 1130(a) of the Social Security Act shall continue through March 31, 2005, in the manner authorized for fiscal year 2004, 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 through the second quarter of fiscal year 2005 at the level provided for such activities through the second quarter of fiscal year 2004.

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, and I rise today in support of H.R. 5149, the Welfare Reform Extension Act, Part VIII. Why Part VIII? Because, unfortunately, we are here again for the eighth time to pass short-term legislation that simply continues the status quo for one of our most important social assistance programs.

Mr. Speaker, this bill will continue funding for the Temporary Assistance For Needy Families program and other related programs that assist low-income families through March 31, 2005. I support this legislation, but as I have said before and will say again today, I wish we were here today to vote on comprehensive, forward-looking legislation like the House has already approved and the President has supported.

In his convention speech, President Bush said, “Because family and work are sources of stability and dignity, I support welfare reform that strengthens family and requires work.” In his call for more work and stronger families, House Republicans stand with the President. That is why we approved comprehensive welfare reform legisla-

tion twice in the last 2 years, bills that promote more work and stronger families.

Unfortunately, the other body has not yet passed its own bill, and many on the other side of the aisle continue to oppose more welfare reforms designed to promote work and reduce dependence and poverty. Why do some continue to ignore the three overwhelming lessons of the 1996 welfare reform law?

Lesson one: Real welfare reform means more work, less dependence, and less poverty.

Lesson two: Real welfare reform means stronger families and more healthy marriages, improving children’s prospects for the future.

Lesson three: Real welfare reform frees up money from welfare checks that is better spent on services like child care so families can support themselves.

Perhaps one reason for the Democrats’ opposition to more welfare reform is that many on that side of the aisle opposed real welfare reform all along. Since Congress started voting on welfare reform bills in the mid-1990s, there have been eight major votes in this House. During that time, Democrats collectively registered 1,392 votes against welfare reform and only 188 votes for it. Eighty-eight percent of the time congressional Democrats have opposed welfare reform bills. Half of the Democrats even opposed the landmark 1996 welfare reform law. On those same votes, an overwhelming 98 percent of the Republicans supported welfare reform.

The debate in the past 2 years has been a reminder of what we saw in the mid-1990s. Whatever their reasons, whether it is because they oppose requiring a 40-hour work week of welfare recipients, like other American families, or they oppose promoting stronger families and healthy marriages, or insist on billions more in welfare spending despite the reduced caseload, some have consistently opposed meaningful updates to welfare reform. That is despite the obvious success of welfare reform since 1996, and despite the obvious need to make adjustments that would help the 2 million families still on welfare achieve independence and better lives.

That is precisely what the legislation passed by the House twice, and supported by the President, achieves. Those who oppose this legislation also continue to ignore letters from the States urging forward movement on a long-term authorization. Most recently, the State of New York sent a letter to their Members in the other body and said, “In these very difficult budget cycles, delaying TANF reauthorization until the next congressional session will certainly jeopardize the current block grant funding level of \$16.5 billion currently maintained in both the House and Senate bills, and the Senate-passed \$7 billion child care