

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

PROVIDING FOR CONSIDERATION OF H.R. 1259, SOCIAL SECURITY AND MEDICARE SAFE DEPOSIT BOX ACT OF 1999

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 186 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 186

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1259) to amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms. The bill shall be considered as read for amendment. The amendment specified in section 2 of this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate equally divided and controlled among the chairmen and ranking minority members of the Committees on the Budget, Rules, and Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. The amendment considered as adopted is as follows: page 3, line 13, strike "cause or increase" and insert "set forth".

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

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

Mr. Speaker, House Resolution 186 provides for consideration of H.R. 1259, the Social Security and Medicare Safe Deposit Box Act of 1999, a bill that will help to protect the Social Security Trust Fund.

House Resolution 186 provides two hours of general debate divided and controlled by the chairman and ranking minority members of the Committee on Rules, the Committee on the Budget, and the Committee on Ways and Means.

The rule provides that the bill will be considered as read and provides that the amendment printed in section 2 of the resolution be considered as adopted. Finally, the rule provides one motion to recommit, with or without instructions, as is the right of the minority.

Mr. Speaker, let me start by explaining exactly what this bill will do. First, the bill will establish a parliamentary point of order against any budget resolution utilizing the Social Security surpluses in its spending or revenue proposals. Second, the bill establishes a point of order against any legislation, including spending initiatives and tax cuts, that attempts to use any funds from the Social Security surplus. And third, this bill prohibits the Office of Management and Budget, the Congressional Budget Office, or any other Federal Government agency from including Social Security surpluses in Federal budget totals when publishing official documents.

Mr. Speaker, it is dishonest to talk openly about a budget surplus when our operating budget is still in deficit. The government continues to borrow money from Social Security, a fact that does not show up on the government's balance sheet but that has dire consequences for the future. This "lockbox" takes Social Security away from budget calculations so budget decisions are made only on non-Social Security dollars, a vital first step in ensuring retirement programs will be there for this generation and generations to come.

In our response to the President's State of the Union address, the 106th Congress committed itself to saving Social Security. This task has two important components. First, we must ensure that the current system is being managed responsibly by locking away today's contributions and securing the retirement of current beneficiaries. Today, we deliver our first component. Later, we will have to make fundamental reforms to the system to guarantee the program's long-term viability while improving benefits and providing Americans with more control over their retirement savings.

We began to fulfill our promise to the bill on the first component when, two months ago, this Congress passed the budget resolution. That resolution outlined our budget goals for the next 10 years and called for the establishment of a "lockbox" to reserve the \$1.8 trillion in cumulative Social Security surpluses.

Today, we follow through on that original blueprint by taking advantage of this historic opportunity to save Social Security by ensuring that 100 percent of the money destined for the Social Security Trust Fund remain in the trust fund, \$1.8 trillion over the next decade.

Now, we will certainly hear the argument that this legislation is being rushed to the floor. To that I must respond that we have waited far too long for this kind of reform. It is the first time in the history of the program that a Congress will protect Social Security funds.

Would opponents rather continue the practices that since 1969 allowed those who ran this Congress to routinely spend the trust funds in order to pay

for other government programs and mask the Nation's deficits? While other Congresses have chosen to use surplus Social Security revenues for other "spending priorities," this Congress is proud to be the first to preserve the retirement security of all Americans. With this effort today, we are working to ensure that not one dime of America's Social Security tax dollars are spent on big spending programs.

This is also a big improvement over the plan that the President sent to the Congress. His budget only claimed to save 62 percent of the Social Security surplus for Social Security, plainly stating the 38 percent would go to his pet spending initiatives.

However, the truth was even worse than that. The Chairman of the Federal Reserve, the Director of the Congressional Budget Office, and the U.S. Comptroller General have all testified before Congress and soundly refuted the notion that the President's plan saves any additional money for Social Security.

Even Democrat Members of Congress have agreed that the President uses a series of fiscal shell games and double-counting schemes to inflate his projected savings for Social Security. In fact, Federal Reserve Chairman Alan Greenspan noted that the President's plan actually hurts Social Security by using improper accounting to lend a false sense of security to a program that desperately needs structural reform.

H.R. 1259 strengthens Social Security and ensures that big spenders can no longer raid the fund. This bill continues our determined efforts to provide more security and freedom to the American people. It is part of a common sense plan to provide security for the American people by preserving every penny of the Social Security surplus.

Mr. Speaker, I urge my colleagues to support the rule so that we may proceed with debate and consideration of this historic bill.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from Georgia (Mr. LINDER) from yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, it is no secret that Social Security and Medicare are not going to last forever, especially if we do not do something about it very soon. And despite all of the fanfare about this bill, I am sorry to say this will not do the trick because, Mr. Speaker, although this bill will probably not make things any worse, it also will not make things any better.

This bill merely recreates the point of order that the Democrats enacted some 14 years ago. It does not protect all of the resources we need to reform Social Security and Medicare. It promises not to use the Social Security Trust Fund, which Congress promised not to touch when it was created back

in the 1930s. Meanwhile, Mr. Speaker, it leaves the rest of the budget surplus open for the taking, be it for new spending programs or tax cuts for the rich.

Even the chief actuary of the Social Security Administration says that this proposal, and I quote, this proposal would not have any significant effect on the long-range solvency of the old-age, survivors and disability insurance program.

But it would not be such a problem, Mr. Speaker, if Social Security were not scheduled to fall apart in the year 2034 and Medicare to fall apart in the year 2015. Congress and the White House need to implement major Social Security and Medicare reforms and we need to do it very, very soon.

□ 1515

These are the most important issues we can address this year, and they just cannot be put off for another week, much less another Congress.

But, Mr. Speaker, as I understand it, this bill is the only social security bill my Republican colleagues are going to bring up this year. All it does is restate the current policy on surpluses and ensure that social security does go broke on time.

I heard that some Republican pollster said it was a bad idea to tackle social security, despite its looming demise. But Mr. Speaker, polls aside, we have to do something, and we have to do it very soon.

For that reason, I am disappointed my Republican colleagues did not make in order the Rangel-Moakley-Spratt amendment to prevent Congress from spending budget surplus money until, and I say until, we shore up the social security and Medicare.

Our bill says Congress cannot pass any new spending or any new tax cuts that are not completely offset until the social security is secure. Our lockbox contains both social security and on-budget surplus, and unlike the Republican proposal, it actually has a lock.

Our lock consists of the declaration by the trust fund trustees, and only the trust fund trustees, that social security and Medicare are financially sound. Only then can Congress tap into that surplus.

Furthermore, Mr. Speaker, this bill was referred to not one, not two, but three congressional committees: the Committee on the Budget, the Committee on Ways and Means, and the Committee on Rules. But not one single one of them, not one of them, held hearings or marked up the bill. It was sent right to the floor. It has become the norm in this era of Congress without committees, and that, Mr. Speaker, can get very, very dangerous.

Mr. Speaker, I urge my colleagues to oppose this rule because the problem is not what this bill does for social security, Mr. Speaker, it is what this bill does not do.

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

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I am rising in strong support of this bill, the Social Security and Medicare Safe Deposit Box Act. I think it is important that we try to put in place a mechanism to try to establish this lockbox to ensure that social security spending is not spent on other government spending.

The reason I say that is for 40 years in this institution money was spent on other government spending. There were chronic budget deficits.

Just recently we have been able to bring that down and bring this budget into balance, but I think it is important that we protect and set aside \$1.8 trillion in cumulative budget surpluses over the next 10 years for social security and Medicare.

Since social security was first created it has been a pay-as-you-go system, benefits to retirees are paid from tax revenue. Interest is credited to the social security trust fund, and social security tax surpluses become part, unfortunately, in this process, of general government spending.

In reality, there is no cash in the trust fund, merely IOUs. They are printed on an ink jet printer. In fact, they are in three file folders in West Virginia, in a filing cabinet. I think it is important that we set up a mechanism to, frankly, pay back over time the \$359 billion that was borrowed over the last 40 years out of this fund.

If steps are not taken now, in 15 years social security will be insolvent and benefits will have to be funded through either reductions in other spending, or tax increases, or a return to chronic budget deficits.

That is why I will mention that I introduced a bill to pay back the money borrowed from social security and create a real trust fund with real assets. Under my bill, 90 percent of the budget surplus would be used to pay down the debt owed the trust funds. Using the budget surplus in this fashion would continue until all IOUs in the trust fund have been eliminated.

I support this. It is a good first step. Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Kentucky (Mr. LUCAS).

Mr. LUCAS of Kentucky. Mr. Speaker, I am pleased that the House will consider legislation to protect the social security trust fund which for too long Washington has treated as a pork barrel slush fund. I am proud that today we will debate this issue. Creating a lockbox for social security just makes common sense.

The legislation offered by the gentleman from California (Mr. HERGER) and the gentleman from Florida (Mr. SHAW) is a step in the right direction, but it is really the bare minimum that we can do to preserve social security and Medicare for future generations.

Mr. Speaker, I intend to offer, along with my colleagues, the gentleman

from New Jersey (Mr. HOLT) and the gentleman from Kansas (Mr. MOORE), an amendment that would protect the entire budget surplus for social security and Medicare. We intend to offer this proposal as a motion to recommit, and I would urge my colleagues on both sides of the aisle to support it.

The Herger-Shaw legislation does nothing for Medicare. Kentucky seniors know that you cannot talk about social security without talking about Medicare. The health of both these programs is crucial to the health of our elderly population.

Kentucky seniors know that, and Congress ought to have the good sense to protect Medicare, too. H.R. 1259 only addresses the social security surplus. It does not commit us to save the entire Federal surplus for social security and Medicare. It does nothing to secure the long-term solvency of social security and Medicare.

Our proposal would save the social security surplus, the Medicare surplus, and the overall budget surplus to save social security and Medicare, and it would require that we make the solvency of social security our first priority.

I ask my colleagues to vote for the real commitment to social security and Medicare. I urge Members to vote for our motion.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. WELLER).

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

Mr. WELLER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of this rule, as well as strong support of this historic legislation, the Social Security and Medicare Safe Deposit Box Act of 1999.

How many of us over the last 30 years, and I have only been in the House and had the privilege of serving here for the last 4½ years, have been asked in town meetings and senior citizens centers, union halls, VFWs, and other public forums, when is Washington going to stop dipping into, when is Washington going to stop raiding the social security trust fund to spend social security on other things other than social security?

Today we are going to pass legislation that will do that, that will stop the raid on social security.

Let us review the history here. For over 30 years now Washington has been dipping into the social security fund. Regardless of the rhetoric on the other side where they say it has not, it has gone on.

Back when President Johnson and the Democrat-controlled Congress 30 years ago began raiding the social security trust fund, they have run up quite a bill. According to the social security trustees appointed by President Clinton, the social security trust fund has been raided by more than \$730 billion over the last 30 years.

I have a check here written on the social security trust fund. It is a blank check. Washington for the last 30 years has used the social security trust fund as a slush fund and as a blank check to pay for other programs.

This walls off the social security trust fund and puts a stop for those who want to raid it. We set aside those funds for social security and for Medicare. I believe that is an important first step, setting aside 100 percent of social security and locking it away before we consider any other reforms or changes to social security. Let us lock it away first. That is an important first step. We can use those funds to strengthen Medicare and social security. This legislation accomplishes this goal.

I would like to point out, of course, that not only is the social security and Medicare Safe Deposit Box a centerpiece of this year's balanced budget, but there is a big difference between the Clinton-Gore Democratic budget and the Republican budget.

The Republican budget sets aside 100 percent of social security for social security. The \$137 billion social security surplus this year will go to social security. If we compare that with the Clinton-Gore Democrat budget, that only uses 62 percent of social security for social security, and the Clinton-Gore Democrat budget spends \$52 billion of social security money on other things; all good programs: Education, defense, things like that. But the Clinton-Gore Democrat budget raids the social security trust fund. This lockbox will prevent the Clinton-Gore raid on social security.

I would also point out that the social security and Medicare safe deposit box sets aside \$1.8 trillion. The President talks about 62 percent. Sixty-two percent is \$1.3 billion. Over the next 10 years Clinton-Gore will raid the social security trust fund by \$12 billion. Let us put a stop to it.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. MINGE).

Mr. MINGE. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise this afternoon to support the underlying legislation, not because I feel that it is the last word on what we need to do to protect the social security trust fund, but because it is a humble first step.

I also rise to support this because I am very disappointed in what this body has done this month. We have passed legislation as an emergency supplemental appropriations bill which unfortunately raids the social security trust fund.

I think there is a level of hypocrisy on both sides of the aisle here that is regrettable. We are not facing up to our responsibilities that this trust fund is something that millions and millions of Americans have been counting on to pay their benefits after retirement, and to pay those benefits without putting an added strain on the Fed-

eral budget and on programs that are important to their children and grandchildren.

It is a cruel hoax when they learn that in order to pay for those programs, the Federal Government will either have to cut something in the future or go out and borrow more money.

It is time, and in fact the time is long past, when this lockbox proposal should have been passed. I think the true test of our commitment to this principle will be our willingness to waive points of order in rules that bring bills to the floor. Unfortunately, we have historically done this, and we have undermined our ability to maintain our commitments.

What I would like to urge is that ultimately we take the proposal that is being considered today and turn it into a law so that we do not have the ability to waive these points of order, and instead, we hold ourselves to a very high standard in the House of Representatives of preserving the integrity of the social security trust fund.

I would also like to agree with my colleagues on this side of the aisle that this bill would be stronger if we had had the opportunity for committee consideration and if we had had the opportunity to consider some amendments.

Certainly it could go further. But one of the ironies that I notice is that each time we propose legislation that goes too far, then others in this Chamber or at the other end of Pennsylvania Avenue object to it because it goes too far. So it is regrettable that we never seem to quite identify what is an appropriate and acceptable approach, but we are always in disagreement, no matter what proposal comes up.

I would like to thank my colleague, the gentleman from California (Mr. HERGER) for the work that he has put into this, and emphasize that this is truly a bipartisan gesture. My colleague, the gentleman from Kansas (Mr. MOORE) has supported parallel legislation. The Blue Dog budget had parallel provisions. All of us are committed to this goal.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today to support an idea that is long overdue in the Nation's capital, truth in budgeting. For decades the social security surplus has been used by politicians to fund other government spending and mask the scope of our Nation's financial problems. It is time now to put this practice behind us. It is time to build a firewall between the dollars that are used to fund other government programs and the dollars that come to government specifically for social security benefits.

There are three principles that will guide my decisionmaking on budget issues as we move forward through this year. First, 100 percent of the social se-

curity surplus must be preserved for social security. Whether it be using this money to credit the social security trust fund or to help preserve social security or Medicare, we must commit these resources to their intended purposes. This lockbox bill is an important step in fulfilling this part of our commitment.

Secondly, we must stick to the fiscal discipline we decided on when we passed the Balanced Budget Amendment of 1997. In 1997, we agreed to spending limits that we absolutely must stick to. Every Member of this House, Republican and Democrat, supported a budget resolution that maintained these caps. We cannot break our word to the American people. They expect us to keep our promises. They should be able to receive that commitment from us.

Third, we must return the nonsocial security surplus to the people in the form of tax relief. This money represents a direct overpayment for government services. Make no mistake, if it is left in the hands of the politicians, it will be spent. It is the people's money. We should give it back.

Mr. Speaker, Members can describe the budget process as a three-legged stool. Today we are putting the first leg in place.

□ 1530

That stool includes preserving Social Security, maintaining fiscal discipline, and returning the non-Social Security surplus to the people.

Congress' ability to finally control spending has helped create an economy with historically low inflation and low unemployment. It has helped millions of Americans and allowed them to pursue their financial independence, to experience the security of homeownership, and to be in a position to give their children a leg up in the new economy through education.

We must not jeopardize this success by going on a spending spree that destroys fiscal discipline. We can guarantee the security of Social Security by putting 100 percent of the Social Security surplus funds into a lockbox. I urge my colleagues to support this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. McDERMOTT), a member of the Committee on Ways and Means.

Mr. McDERMOTT. Mr. Speaker, when discussing the issue of expected budget surpluses, we need to ask two questions. First, will we stick to the budget caps on which the budget surpluses are based; and, second, will Congress actually use the projected surpluses to strengthen Medicare and Social Security?

Unfortunately, this bill is a sham as an answer to those two questions. The so-called lockbox is of no value beyond making sure Members of Congress have a press release to show their constituents when they go home this weekend.

The budget caps I did not vote for, but I am willing to stick to them if the

money will be used for Social Security and Medicare. But the fact is the track record in here is that it is not going to happen.

Just a few weeks ago, this Congress passed a spending bill that grew from \$5 billion to \$15 billion in a matter of days, three times what the President asked. So we are on our way to blowing the budget caps, and the result is going to be, there is no surplus.

This bill claims to prevent the use of budget surplus dollars for Social Security. It makes this claim by mumbo-jumbo legislative "magic language" that says we cannot create budget deficits. However, it gives any chairman in this Congress the right to ignore everything as long as they say they have self-designated this as reform.

That raises my question, what is reform? The gentleman from California (Mr. THOMAS) says he has a bill to reform Medicare, a voucher plan that would raise the premium on every senior to \$400 a year. Is that reform? It would make it impossible for one to get Medicare until one is 67. Is that reform?

It would extend the budget amendments of 1997 for 5 years. Do our hospitals and our home health agencies think that is reform? Any of these examples would open the lockbox, the trap door. The money would fall out and, presto, we have money for a tax cut.

If shifting the cost onto Medicare beneficiaries and providers is not what is meant by reform, then we need to have an amendment process. We were denied a hearing in the House, not one single hearing. On this floor, we are denied even one single amendment.

There is no intention to improve this bill. This is a PR gimmick. That is all it is. This has been on the docket for 2 months, and the American people expect us to do something about Medicare and Social Security. This bill does not do it. I urge the Members to vote against this rule.

Mr. LINDER. Mr. Speaker, I am happy to yield 3 minutes to the gentleman from California (Mr. HERGER), the sponsor of the legislation.

Mr. HERGER. Mr. Speaker, I would like to respond to the gentleman from Washington (Mr. McDermott), my Democrat friend. In his statements, he was mentioning that this legislation is not tough enough to defend Social Security. I would like to see it tougher.

The legislation that we were originally writing was tougher; but, guess what? We have legislation that is tougher in the Senate, and guess who is opposing it? The President is opposing it. Guess who else is opposing it? The Democrats in the Senate are opposing it.

They say it is too tough. They say it goes too far. They said, in case of an emergency, we do not have enough elbow room, if you will.

So we have worked with the committees involved, with the Committee on Ways and Means, the Committee on

Budget, both of which I serve on, the Committee on Rules, to try to come up with some legislation that we can get the support of from our friends on the other side of the aisle, the Democrats, and with the President, to try to at least get something out there which is better than nothing.

So I would like to respond to my friend, if he would like it tougher, I would love to get it tougher; but if he could, could he perhaps get some support from your Democrat colleagues in the Senate as well as our Democrat President?

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

Mr. HERGER. I yield to the gentleman from Washington.

Mr. McDERMOTT. Mr. Speaker, the bill that the Senate had would have shut down the government if it had been passed. That is why there was a veto threat. It makes no sense to pass that kind of legislation.

If my colleagues do not want any Social Security checks to go out and they want to shut the government down, then pass what the Senate is proposing. We are never going to get this issue done this way. We have a good proposal from the President to take the money and buy down the public debt, actually reducing the public debt.

Mr. HERGER. Mr. Speaker, reclaiming my time, the fact is the President promised to save 100 percent. Then he came back with a plan that saved 62 percent. Then he proposed a budget that was only saving 52 percent.

The fact is what the gentleman from Washington (Mr. McDermott), my Democrat colleague and good friend, is saying just is not the case. The fact is they wanted it both ways. They say they want it tougher, but then they oppose it. But now they think it is not tough enough, and they oppose it then, too.

Let us vote out what we have today. Let us begin with what we have today which does bring about a point of order both in the House and the Senate, requires 60 votes in the Senate. Let us at least move forward with something now; and perhaps in the future, we can come up with something tougher.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. RANGEL), ranking member of the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, I am glad that the gentleman from California (Mr. HERGER) explained this procedure, because I was a little baffled as to why this bill was so weak. But I understand it now.

It is weak because the gentleman is concerned about my President and he is concerned about the people in the other body. That is a new way to legislate. So I guess it is what we call majority-plus-6, because, in the old days, when we were concerned about strengthening legislation, we took it to

the committee. We have hearings. We have an opportunity for people to amend it. We have debate. We have discussion.

But this new way that we have had the last half dozen years is, we bypass the committees, we bypass the Committee on Ways and Means, we bypass budget, we bypass the Committee on Rules, but we go on the other side and ask, will they toughen it.

We did something like that yesterday. We wanted to, on the other side, reduce the wages of Customs. I would think that we would be able to debate that on the floor. No. My colleagues put that on the Suspension Calendar, and they followed it with antipornography legislation or anti-drug trafficking legislation.

I just do not think that they get it. In the House of Representatives, we legislate. We do not go over there and beg, hat in hand, with the other body for what they would like.

Another thing we do is we give ourselves an opportunity to discuss these things in our committee. I am so proud and honored to be a member of the Committee on Ways and Means. Our jurisdiction, we jealously guard it. But what good is all of it if we go straight to the Committee on Rules when anything concerns Social Security?

We all know that this so-called lockbox, that every Member of this House has a key to unlock it. We all know when my colleagues are saying that they are going to put the Social Security surplus in there, they are doing what Democrats and Republicans should have been doing years ago, and that is putting the current payroll tax in the box.

But my colleagues cannot talk out of both sides of their mouths. My colleagues cannot give a big tax decrease, which I cannot wait for it to come out of my committee, unless they are taking that to the Committee on Rules, too.

But I understand that my colleagues are working on \$300 billion, \$800 billion in 10 years. How my colleagues are going to do that and put Social Security surplus in the lockbox, I do not know. But then again, we may never find out. We may find it on the Suspension Calendar, or it may just come out in the rule.

Mr. Speaker, I am just hoping that someone who understands what happened in the back room will come forward to the mike and explain how much of the Social Security surplus goes into this so-called box. It is my understanding it is only the current payroll tax, and the rest of the surplus we can use for whatever purpose that we would want without violating the spirit and the wording of this law.

Mr. LINDER. Mr. Speaker, I am happy to yield 3 minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I want to thank the gentleman from California (Mr. HERGER) for his long-standing leadership on this bill.

I am a new Member of the House, and I have been working on this issue since getting here. I want to thank the gentleman from California (Mr. HERGER) for his leadership.

This debate is getting out of hand. Here is what our budget resolution does, and I am very happy to have been a part of writing the proposal in the budget resolution that said we are going to set a higher standard in this Congress, that we are not going to raid the Social Security Trust Fund, and that we are going to change the rules in Congress to make it tougher to do so.

We want to go all the way to stopping the raid on the Trust Fund. That requires the President signing a bill into law, dedicating every penny of Social Security going toward the Social Security Trust Fund, going to Social Security.

Sadly, the President is against that legislation, in part because his budget proposal continues to raid Social Security by \$341 billion over the next 10 years.

What we are trying to achieve in this bill is the first step in locking away Social Security. We are going to stop the phony accounting. No more smoke and mirrors accounting, hiding the deficit with Social Security surpluses.

We are going to say, when we measure the budget, we are going to put the Social Security budget, the Social Security surplus aside. Then we are going to say, not only for budgets, but for every bill coming to Congress, if it attempts to dip into Social Security, we are going to put a higher vote threshold against it. We are going to say that in the other body, it requires three-fifths of a majority vote to pass a bill that attempts to raid Social Security.

Why are we doing this? Because we are trying to make it tougher for this body and the other body to stop raiding Social Security. We want to make it more difficult for us to pass legislation to raid the Trust Fund.

I am the author of the other lockbox bill, the second stage in this process, the bill that simply puts all of the Social Security dollars into Social Security, to pay down debt when we are not doing so, and to make sure that all of our Social Security dollars go to saving this program.

The problem is that the President is against that. So what can be accomplished here and now when the White House is opposed to saving all of the Social Security surplus? What we can do is stop the phony accounting. What we can do is make it tougher for people in Congress to pass legislation that raids Social Security, and that is what this legislation accomplishes.

Please join us in toughening this legislation. Please join us in making it harder to raid Social Security. This is as much as we can get, we hope, from the White House. We would be happy to entertain additional legislation that would make sure that every penny of Social Security goes to Social Security.

The problem is we cannot get it through the Senate. We cannot get it passed by the White House. We want to pass that legislation. We are going as far as possible right now with this legislation.

On the last point of the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means, every penny of the Social Security Trust Fund goes to Social Security. Every penny of the Social Security surplus, including interest, in our budget resolution goes to Social Security.

For those taxpayers who overpay their income taxes, that surplus goes back to the taxpayer. So just as a point of clarification, the budget resolution does not raid Social Security. It saves Social Security surplus for Social Security.

Mr. MOAKLEY. Mr. Speaker, may I ask how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Massachusetts (Mr. MOAKLEY) has 14½ minutes remaining, and the gentleman from Georgia (Mr. LINDER) has 11½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

□ 1545

Mr. TRAFICANT. Mr. Speaker, I will vote for the Democrat substitute and, if that fails, I will vote for the Republican bill, but this is not the strongest possible bill that we could bring forth to stabilize and ensure the future of Social Security and Medicare, for several reasons:

Number one, points of order can be waived; and, number two, Congress or a future Congress can simply change the law. The bottom line is it is just too easy to raid this trust fund. And the money coming into this trust fund from one door is already leaving and exiting the other door the next day.

There is an old simple statement from the streets that says, we can do it now or it can do us later, and that is about where we are with Social Security. Both the Democrats and the Republicans want to do the right thing. We are struggling to do the right thing. But neither party, quite frankly, is doing what they say they want to do because there are still the machinations to effect a grab at this money.

I have a little piece of legislation in. We have amended the Constitution to address issues of alcohol, to limit presidential terms, to stop discrimination, to give women the right to vote, and these were the right things to do. And there is only one way to ensure that Social Security money cannot be touched, an amendment to the Constitution of the United States that says the money coming into that trust fund cannot be touched for anything or any reason other than Social Security or Medicare.

Now, we are going to have to tell the truth around here. We cannot come out

with modest caps trying to make everybody look and say, what a nice conservative budget we have, and then go ahead and expand those caps on every appropriation bill we have. There is no money and there is no surplus except in this trust fund.

I was hoping at least to have a debate looking at that process, to see how the States felt. The American people support an amendment to the Constitution that says no person, no President, no Congress, no reason, no cause can jeopardize their trust fund. Social Security has its own revenue measure and, by God, we should not touch it.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I would like to echo the comments of my dear colleague from the other side of the aisle on the issue of the trust fund being just at that, a trust fund. In California we have had for decades a law that we cannot raid one trust fund and shift it over to other uses.

I guess in Washington it seems very technical on this issue, but I guess I will try to explain it as simply as possible. Social Security is called a trust fund, not a slush fund. It is not a pool of money to be used in any manner that somebody wants to if they can get enough votes.

Maybe that is why the gentleman from Ohio (Mr. TRAFICANT) is right, a lot of us are looking at the issue that there is not enough lock in the lockbox. Let us be brave enough for us to put it before the Constitution. Let us who really stands for protecting the Social Security Trust Fund in the long run.

But this proposal, Mr. Speaker, is the first step. It is the first step in reforming Social Security. If we are not willing to at least vote for a bill that says we are going to start treating it as a trust fund and not a slush fund, if we are not willing to vote for this proposal, for God's sake, how are we going to find the intestinal fortitude to be able to vote for the other ones we all know are coming down the pike?

This is the statement of credibility and a statement of commitment that we need to start with down the long road towards saving Social Security and Medicare as we know it. I ask my colleagues on both sides of the aisle not to find excuses to walk away from this first step, but to start this long journey with this first step of voting for this resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I rise today to discuss H.R. 1259, the Social Security and Medicare Safe Deposit Box Act of 1999.

I want to commend the gentleman from California for his leadership in sponsoring this legislation that will take a step toward protecting the Social Security Trust Fund from being raided by the Congress and to tell the

truth to the American people about the Federal budget.

This legislation would tell the American people that in 1998, instead of a \$70 billion surplus we actually had a \$29 billion deficit. This legislation would send a signal to this body that we must continue to exercise fiscal discipline; that we cannot afford a 10 percent across-the-board tax cut or new spending programs.

This legislation would prevent, for example, the \$13 billion appropriation Congress made from the Social Security surplus just last week to pay for a measure that totaled \$15 billion in so-called emergency spending, when we were forced to make a choice between funding our troops and saving the Social Security surplus.

Mr. Speaker, I am committed to the principles underlying this bill. As a Nation, we must adopt and adhere to principles of truth in budgeting and fiscal responsibility. On February 10 I introduced H.R. 685, legislation that would permanently ensure that receipts and expenditures from the Social Security trust funds are not included in the unified budget. That was the idea of our former colleague, Mr. Bob Livingston.

H.R. 685 ensures that the Congressional Budget Office and the OMB stop the practice of publishing confusing aggregate budget numbers that deceive the American people about the true nature of the Federal budget and tempt Congress to continue conducting irresponsible fiscal policy.

Clearly, we all agree that now is the time to keep faith with our constituents, to present Federal budget information in a manner that demonstrates the state of Federal surpluses or deficits without reference to Social Security trust funds. I believed then and I believe now that the honest approach, the correct approach is to permanently sequester the Social Security Trust Fund today, tomorrow and for all time. A trust should be just that, it should not be violated.

While H.R. 1259 is a step in the right direction, it does not get the job done. It permits any spending or tax bill, bills that would be paid for by Social Security Trust Funds, as long as the bill is described as one that would be intended for Social Security reform or Medicare reform. It fails to protect the Social Security Trust Fund from creative legislating. In short, Mr. Speaker, it falls short of the standard of honesty the American people deserve.

I believe that proposals to protect and strengthen Social Security and Medicare deserve careful consideration by this Congress. I oppose this rule because it limits debate. When the time comes today, I urge my colleagues to support the adoption of the Holt-Lucas-Moore language that would protect the on-budget surplus as well as the Social Security surplus from being spent; I repeat, the on-budget surplus as well as the Social Security surplus from being spent. It specifies that only when the trustees' report declares So-

cial Security to be sound for 75 years and Medicare for 30 years can the on-budget surplus be spent.

We will see you, and raise you one. Please join us.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time, and I rise in support of the Social Security and Medicare Safe Deposit Box Act. I appreciate the hard work of the gentleman from California (Mr. HERGER), and the part the Committee on Rules played in this I am very proud of.

Mr. Speaker, in 1995 when Republicans took control of Congress, it seemed that budget deficits financed by the Social Security Trust Fund would go on as far as the eye could see. But under Republican leadership, a newfound fiscal discipline contained Congress' penchant for spending and turned things around. Today, we are looking forward to realizing the first Federal budget surplus in decades.

This moment in history presents us with a perfect opportunity to set a new standard by which we will define a true budget surplus. This new definition will ensure that no Social Security money is included in that equation.

For more than 30 years big spenders in Washington have been raiding the Social Security Trust Fund to pay for unrelated programs and pet projects. Even after the Congress claimed that it had put a wall between Social Security and general spending by taking the trust fund off-budget, the big spenders continued to dip into our seniors' retirement savings.

Today, with the passage of this legislation, we will stop the big spenders by locking away 100 percent of our seniors' hard-earned retirement dollars for their Social Security and Medicare benefits. Over 10 years' time this legislation will protect \$1.8 trillion, \$1.8 trillion, from the greedy grab of those who thrive on immediate spending satisfaction and ignore the long-term consequences.

The Social Security and Medicare Safe Deposit Box Act prohibits the House and Senate from considering any legislation that spends the Social Security surplus, the one exception being legislation that improves the financial health of the Social Security or Medicare programs. This act would provide honesty in Federal budgeting, fiscal discipline and financial security for our Nation's seniors.

I urge my colleagues to vote "yes" on this rule and H.R. 1259, in support of a new era in Federal budgeting that honors the social contract among the Federal Government, America's workers, and our Nation's seniors. Let us restore the public's faith in our government as the trustees of our hard-earned dollars by locking them safely away for their golden years.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KLEczka).

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

Mr. KLEczka. Mr. Speaker, I thank the ranking member for yielding me this time.

Mr. Speaker, the previous Member of Congress who spoke indicated that the big spenders continue to dip into the Social Security surplus. I ask her who are these big spenders? Point them out. Ask them to stand. Because I will tell my colleague who they are. They are the Members of the majority party who last week took a bill the President introduced for \$6 billion and parlayed that into a \$15 billion bill. Where does my colleague think that additional \$9 billion came from? It came from the Social Security surplus.

These are the same people today who are telling us, let us protect the Social Security surplus. Why did they not bring this bill up 2 weeks ago so that grab of last week would not have been possible? Because they could not satisfy their special interest friends. The bulk of those \$9 billion went to the defense contractors, big contributors to the Republican Party. But now, after they have taken the dollars, they come to the floor obsessed with this "protect Social Security."

They say for the last 40 years the Democrats have spent it. Where do my colleagues think the dollars came from for the Reagan tax cuts? There was no general revenue surplus during those years. Every dollar of that tax cut came from Social Security surplus. Where do my colleagues think the additional spending during the Bush administration came from for budget purposes? It came from the Social Security surplus.

So let us not go pointing fingers at one side or the other. The Republicans are as good at spending it as we are, as evidenced by their actions last week where they took a \$6 billion administration request, parlayed it into \$15 billion, \$9 billion more, which came from the Social Security surplus.

Now, let us talk about this lockbox. I think the only way we are going to provide solvency to the Social Security System is by a reform bill. Lockboxes, my colleagues, are eyewash. They do not do anything to provide a 75-year window for Social Security recipients in this country.

□ 1600

So take with a grain of salt, my friends, what we hear today, because last week it was okay to raid \$9 billion out of the Social Security surplus; and today they are aghast, my God, what is this Congress doing?

And I say to my colleagues, my God, what did they do last week? That was okay spending, because that was for our favorite programs and our favorite special interest group. That is hushagawa. If my colleagues want to know what hushagawa is, call my office.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to our

friend, the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule.

I would like to congratulate my colleague, the gentleman from California (Mr. HERGER), who has worked long and hard on this question, and I believe is on the right track in pursuing this.

Let me state what is our intention as far as management. Based on the proposal that we had from the gentleman from Massachusetts (Mr. MOAKLEY), the distinguished ranking member of the Committee on Rules, I have, per usual, acquiesced to his request; and we will, in fact, have the distinguished chairman of the Subcommittee on Legislative and Budget Process join with me in managing the 40 minutes of debate for the Committee on Rules.

Then we will shift, and under the very able management of the author of the legislation, the gentleman from California (Mr. HERGER), we will see the 40 minutes of the Committee on the Budget consumed.

Then the Committee on Ways and Means, under the leadership of the Subcommittee on Social Security chairman, the gentleman from Florida (Mr. SHAW), will manage it from our side. I can only assume that the ranking members on the minority side will proceed with management in that way.

So I just wanted my colleagues to know that, per usual, the gentleman from Massachusetts (Mr. MOAKLEY) got his way.

Let me say that that measure is, I believe, a very, very important one. If we were to go back to 1937, at the very beginning of Social Security, one has got to look at what its intent was. It was to provide survivors benefits and to supplement retirement. It was never intended to be a sole source of survival for retirement, but it was to provide a supplement.

We have seen the Social Security system grow to some two programs at its high point; and we have, fortunately, made some modifications of it. But the tragedy was that in 1969, and even earlier, we saw this step made towards getting into the Social Security fund for a wide range of other very well-intentioned programs.

That was wrong. It was wrong because American workers are not given any kind of option as to whether or not they pay into Social Security. They are told, very simply, that they have to pay half of that FICA tax and their employer has to pay the other half. Again, it is not an option.

I remember my first job when I was a teenager, and I looked at the amount of money that was being taken out in that FICA tax and I was appalled. And today I continue to be appalled at the high rate of taxation that we have. But then when one looks at the fact that those dollars that were intended to be

put aside to provide assistance to supplement retirement, that they all of a sudden were expended for a wide range of other things, it was wrong. It was wrong.

That is why many of us, being led by the gentleman from California (Mr. HERGER) on this issue stepped up and said, when people are forced to pay into the Social Security Trust Fund and Medicare, they should in fact be able to count on those dollars going there.

That is exactly what we are trying to do here. We are trying to say to the American people, the Federal Government tells them that they are going to put their dollars there, and so the Federal Government is going to meet its responsibility to ensure that they have those resources when they are counting on them at their retirement.

And so what we are doing is, we are saying that a point of order can be raised if an attempt to raid that fund is taking place.

Now, the gentleman from New York (Mr. RANGEL), my friend and the ranking minority member of the Committee on Ways and Means, earlier started talking about some back room deal that he said we are going to be getting into. That is not going to happen. Why? Because under the Herger proposal that we have, a point of order must be raised and it takes 218 votes. Every Member of this House will have the opportunity to make a determination as to whether or not we proceed or not.

Now, without getting terribly partisan, and I know we have had finger-pointing, the last speaker talked about the fact that big defense contractors who support the Republican Party were responsible for that \$15 billion bill. Well, the fact of the matter is, the President has only deployed 265,000 troops to 139 countries around the world. It seems to me that maybe we should try to pay for that and prepare for challenges that we have got.

So that was not what motivated us on this thing. It was an absolute emergency that needed to be addressed. But to blur that with the issue of trying to preserve Social Security and Medicare is wrong.

So we are taking what is a very measured, balanced step to do our doggonedest to make sure that the American people who put dollars aside for retirement will in fact be able to count on them.

So I congratulate again my friend, the gentleman from California (Mr. HERGER), and I thank the distinguished chairman of the subcommittee and the manager of this measure for yielding me this time.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of the time to the gentleman from New Jersey (Mr. HOLT), the author of the amendment that will be proposed by the Committee on Ways and Means.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from New Jersey (Mr. HOLT) is recognized for 6 minutes.

Mr. HOLT. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me the time.

Mr. Speaker, I rise today in support of H.R. 1927, legislation that I wrote with my colleagues, the gentleman from Kentucky (Mr. LUCAS) and the gentleman from Kansas (Mr. MOORE), and which will be offered today by the gentleman from New York (Mr. RANGEL) as the motion to recommit.

Our legislation will safeguard two of our Nation's most important programs for the elderly: Social Security and Medicare. The Holt-Lucas-Moore Social Security and Medicare lockbox would require that every penny of the entire Federal budget surplus, not just the Social Security surplus, would be saved until legislation is enacted to strengthen and protect Social Security and Medicare first.

This we need to do. We cut into the surplus as recently as last week's spending bill, which brought forward a new definition of the word "emergency." Any new spending increases would have to be offset until solvency has been extended for Social Security by 75 years and for Medicare by 30 years.

These requirements would be enforced by creating new points of order against any budget resolution or legislation violating these conditions.

Spending any projected budget surpluses before protecting and strengthening Social Security and Medicare would be wrong. We are offering this proposal now because we are concerned about the haste with which some Social Security lockbox proposals are being brought to the floor and, I might add, being brought to the floor without possibility of amendment.

The proposals to protect and strengthen Social Security and Medicare deserve thorough examination and careful consideration. Congress should not take shortcuts when considering changes of these hallmark programs for America's seniors.

The Herger-Shaw lockbox bill attempts to protect Social Security surplus. Merely doing this does nothing to extend the solvency of Social Security and it does nothing at all for Medicare.

The Holt-Lucas-Moore bill is superior to the Herger-Shaw lockbox because our lockbox is more secure and has more money in it. The Holt-Lucas-Moore saves the entire surplus, not just the Social Security surplus, by establishing two new points of order under the Congressional Budget Act. A point of order would lie against any budget resolution that would use any projected surplus. This is defined to mean, in effect, reduce a projected surplus or increase a projected deficit.

Further, a point of order would lie against any legislation that would use any projected surplus. In the Senate, 60 votes would be required to waive either of these points of order.

Holt-Lucas-Moore differs from Herger-Shaw in one important respect.

Holt-Lucas-Moore locks up all projected surpluses: Social Security, Medicare and anything else. Herger-Shaw locks up only Social Security surpluses.

Mr. Speaker, Social Security and Medicare are the most important and successful programs of the Federal Government of the 20th century. We must not forget that they provide vitally important protections for America's seniors.

A majority of workers have no pension coverage other than Social Security, and more than three-fifths of seniors receive most of their income from Social Security. Let us put the needs of America's current and future retirees first.

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

Mr. Speaker, I believe it was the Chinese proverb that says, "A thousand mile journey begins with a single step." This is that step.

For those who say it is not enough, I wonder where they have been for the last 30 years when they could have done more. Nothing like this has been tried before. For those who say it is not enough, I remind them that the Democrats in the Senate killed a tougher one.

We would like it to be more. But it is the first step for doing something that has been long overdue. That is to say, if we make a payment in our payroll taxes for our retirement and our health care in our retirement years, it ought to go there. That is all we are saying. And we are going to see that it does go there.

I expect this to get a very large vote. I urge my colleagues to support this rule, get the debate under way on the lockbox bill.

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

The previous question was ordered.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 223, nays 205, not voting 6, as follows:

[Roll No. 162]

YEAS—223

Aderholt	Bass	Bonilla
Archer	Bateman	Bono
Armey	Bereuter	Brady (TX)
Bachus	Biggert	Bryant
Baker	Bilbray	Burr
Ballenger	Bilirakis	Burton
Barr	Bliley	Buyer
Barrett (NE)	Blunt	Callahan
Bartlett	Boehlert	Calvert
Barton	Boehner	Camp

Campbell	Hobson	Portman	Kleckza	Moore	Shows
Canady	Hoekstra	Pryce (OH)	Klink	Moran (VA)	Sisisky
Cannon	Horn	Quinn	Kucinich	Murtha	Skelton
Castle	Hostettler	Radanovich	LaFalce	Nadler	Slaughter
Chabot	Houghton	Ramstad	Lampson	Napolitano	Smith (WA)
Chambliss	Hulshof	Regula	Lantos	Neal	Snyder
Chenoweth	Hunter	Reynolds	Larson	Oberstar	Spratt
Coble	Hutchinson	Riley	Lee	Obey	Stabenow
Coburn	Hyde	Rogan	Levin	Olver	Stark
Collins	Isakson	Rogers	Lewis (GA)	Ortiz	Stenholm
Combest	Istook	Rohrabacher	Lipinski	Owens	Strickland
Cook	Jenkins	Ros-Lehtinen	Lofgren	Pallone	Stupak
Cooksey	Johnson (CT)	Roukema	Lowey	Pascrall	Tanner
Crane	Johnson, Sam	Royce	Lucas (KY)	Pastor	Tauscher
Cubin	Jones (NC)	Ryan (WI)	Luther	Payne	Taylor (MS)
Cunningham	Kelly	Ryun (KS)	Maloney (CT)	Phelps	Thompson (CA)
Davis (VA)	King (NY)	Salmon	Markey	Pickett	Thompson (MS)
Deal	Kingston	Sanford	Martinez	Pomeroy	Thurman
DeLay	Knollenberg	Saxton	Mascara	Price (NC)	Tierney
DeMint	Kolbe	Scarborough	Matsui	Rahall	Towns
Diaz-Balart	Kuykendall	Schaffer	McCarthy (MO)	Rangel	Traficant
Dickey	LaHood	Sensenbrenner	McCarthy (NY)	Reyes	Turner
Doolittle	Largent	Sessions	McDermott	Rivers	Udall (CO)
Dreier	Latham	Shadegg	McGovern	Rodriguez	Udall (NM)
Duncan	LaTourette	Shaw	McIntyre	Roemer	Velazquez
Dunn	Lazio	Shays	McKinney	Rothman	Vento
Ehlers	Leach	Sherwood	McNulty	Royal-Allard	Visclosky
Ehrlich	Lewis (CA)	Shimkus	Meehan	Rush	Waters
Emerson	Lewis (KY)	Shuster	Meek (FL)	Sabo	Watt (NC)
English	Linder	Simpson	Meeks (NY)	Sanchez	Waxman
Eshoo	LoBiondo	Sheekn	Menendez	Sanders	Weiner
Everett	Lucas (OK)	Smith (MI)	Millender	Sandlin	Wexler
Ewing	Maloney (NY)	Smith (NJ)	McDonald	Sawyer	Weygand
Fletcher	Manzullo	Smith (TX)	Miller, George	Schakowsky	Wise
Foley	McCollum	Souder	Mink	Scott	Woolsey
Forbes	McCrary	Spence	Moakley	Serrano	Wu
Fossella	McHugh	Stearns	Mollohan	Sherman	Wynn
Fowler	McInnis	Stump			
Franks (NJ)	McIntosh	Sununu			
Frelinghuysen	McKeon	Sweeney			
Gallegly	Metcalf	Talent			
Ganske	Mica	Tancredo			
Gekas	Miller (FL)	Tauzin			
Gibbons	Miller, Gary	Taylor (NC)			
Gilcrest	Minge	Terry			
Gillmor	Moran (KS)	Thomas			
Gilman	Morella	Thornberry			
Goodlatte	Myrick	Thune			
Goodling	Nethercutt	Tiahrt			
Gordon	Ney	Toomey			
Goss	Northup	Upton			
Graham	Norwood	Walden			
Granger	Nussle	Walsh			
Green (WI)	Ose	Wamp			
Greenwood	Oxley	Watkins			
Gutknecht	Packard	Watts (OK)			
Hansen	Paul	Weldon (FL)			
Hastert	Pease	Weldon (PA)			
Hastings (WA)	Peterson (MN)	Weller			
Hayes	Peterson (PA)	Wicker			
Hayworth	Petri	Wilson			
Heffley	Pickering	Wolf			
Herger	Pitts	Young (FL)			
Hill (MT)	Pombo				
Hildeary	Porter				

NAYS—205

Abercrombie	Clyburn	Gedjenson
Ackerman	Condit	Gephhardt
Allen	Conyers	Gonzalez
Andrews	Costello	Goode
Baird	Coyne	Green (TX)
Baldacci	Cramer	Gutierrez
Baldwin	Crowley	Hall (OH)
Barcia	Cummings	Hall (TX)
Barrett (WI)	Danner	Hastings (FL)
Becerra	Davis (FL)	Hill (IN)
Bentsen	Davis (IL)	Hilliard
Berkley	DeFazio	Hinchey
Berman	DeGette	Hinojosa
Berry	Delahunt	Hoeffel
Bishop	DeLaurio	Holden
Blagojevich	Deutsch	Holt
Blumenauer	Dicks	Hooley
Bonior	Dingell	Hoyer
Borski	Dixon	Inslie
Boswell	Doggett	Jackson (IL)
Boucher	Dooley	Jackson-Lee
Boyd	Doyle	(TX)
Brady (PA)	Edwards	Jefferson
Brown (FL)	Engel	John
Brown (OH)	Etheridge	Johnson, E. B.
Capps	Evans	Jones (OH)
Capuano	Farr	Kanjorski
Cardin	Fattah	Kaptur
Carson	Filner	Kennedy
Clay	Ford	Kildee
Clayton	Frank (MA)	Kilpatrick
Clement	Frost	Kind (WI)

Hobson	Pryce (OH)	Kleinich	Moore	Shows
Hostettler	Radanovich	LaFalce	Moran (VA)	Sisisky
Houghton	Ramstad	Lampson	Murtha	Skelton
Hulshof	Regula	Lantos	Nadler	Slaughter
Hunter	Reynolds	Larson	Napolitano	Smith (WA)
Hutchinson	Riley	Lee	Neal	Snyder
Hyde	Rogan	Levin	Oberstar	Spratt
Isakson	Rogers	Lewis (GA)	Obey	Stabenow
Istook	Rohrabacher	Lipinski	Olver	Stark
Jenkins	Ros-Lehtinen	Lofgren	Ortiz	Stenholm
Johnson (CT)	Roukema	Pallone	Ortiz	Strickland
Johnson, Sam	Royce	Price (NC)	Pascrall	Tanner
Jones (NC)	Ryan (WI)	Lucas (KY)	Pastor	Tauscher
King (NY)	Ryan (KS)	Luther	Payne	Taylor (MS)
Kingston	Salmon	Maloney (CT)	Phelps	Thompson (CA)
Knollenberg	Sanford	Markey	Pickett	Thompson (MS)
Kolbe	Saxton	Martinez	Pomeroy	Thurman
Kuykendall	Scarborough	Pomero	Price (NC)	Tierney
LaHood	Scarborough	Rothman	Rahall	Towns
Largent	Schaffer	Royal-Allard	Rangel	Traficant
Latham	Sensenbrenner	McNulty	Reyes	Turner
LaTourette	Sessions	McCarthy (MO)	McCarthy (NY)	Udall (CO)
Lazlo	Shadegg	McCarthy (NY)	Reyes	Udall (NM)
Leach	Shaw	McGovern	McGovern	Velazquez
Lewis (CA)	Shays	McKinney	Rothman	Vento
Lewis (KY)	Sherwood	McNulty	Royal-Allard	Visclosky
Linder	Shimkus	Meehan	Rush	Waters
LoBiondo	Shuster	Meek (FL)	Sabo	Watt (NC)
LoBiondo	Simpson	Meeks (NY)	Sanchez	Waxman
LoBiondo	Sheekn	Menendez	Sanders	Weiner
Lucas (OK)	Smith (MI)	Millender	Sandlin	Wexler
Maloney (NY)	Smith (NJ)	McDonald	Sawyer	Weygand
Maloney (NY)	Smith (TX)	Miller, George	Schakowsky	Wise
Manzullo	Souder	Mink	Scott	Woolsey
McCollum	Spence	Moakley	Serrano	Wu
McCrary	Stearns	Mollohan	Sherman	Wynn
McHugh	Talent			
McInnis	Tancredo			
McIntosh	Tauzin			
McKeon	Taylor (NC)			
McKee	Terry			
McCollum	Thomas			
McKee	Thornberry			
McHugh	Thune			
McIntosh	Tiahrt			
McKeon	Toomey			
McKee	Upton			
McKee	Walden			
McKee	Walsh			
McKee	Wamp			
McKee	Watkins			
McKee	Watts (OK)			
McKee	Weldon (FL)			
McKee	Weldon (PA)			
McKee	Weller			
McKee	Wicker			
McKee	Wilson			
McKee	Wolf			
McKee	Young (FL)			

NOT VOTING—6

Brown (CA)	Kasich	Whitfield
Cox	Pelosi	Young (AK)

□ 1633

Mr. BERRY and Mrs. MINK of Hawaii changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRIES

Mr. CONYERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman will state his inquiry.

Mr. CONYERS. Mr. Speaker, I understand that S. 254, the Juvenile Justice and Gun Violence bill is at the desk. How would a Member seek to get its immediate consideration?

The SPEAKER pro tempore. The answer to the gentleman's parliamentary inquiry is by demonstration of proper clearance from both sides of the aisle, the floor and committee leadership of the House under guidelines of the Speaker.

Mr. CONYERS. Mr. Speaker, could I make a unanimous consent request that S. 254, dealing with juvenile justice and gun violence, be brought up for immediate consideration?

The SPEAKER pro tempore. Under the Speaker's guidelines, as indicated on page 562 of the Manual, the Chair must decline recognition under unanimous consent for that purpose.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. JACKSON-LEE of Texas. Mr. Speaker, is there not precedent for