

[Roll No. 353]

AYES—187

Aderholt Hall (TX) Petri
 Archer Hansen Phelps
 Armey Hastings (WA) Pickering
 Bachus Hayes Pitts
 Baker Hayworth Pombo
 Ballenger Hefley Portman
 Barcia Herger Quinn
 Barr Hill (MT) Radanovich
 Barrett (NE) Hilleary Rahall
 Bartlett Hoekstra Reynolds
 Bilirakis Holden Riley
 Bliley Hostettler Rogan
 Blunt Hulshof Rogers
 Boehner Hunter Rohrabacher
 Bonilla Hutchinson Royce
 Bono Hyde Ryan (WI)
 Brady (TX) Istook Ryan (KS)
 Bryant Jenkins Salmon
 Burr John Sanford
 Burton Johnson, Sam Saxton
 Buyer Jones (NC) Scarborough
 Callahan Kasich Schaffer
 Calvert Kildee Sensenbrenner
 Camp King (NY) Sessions
 Canady Kingston Shadegg
 Cannon Knollenberg Sherwood
 Chabot LaFalce Shimkus
 Chambliss LaHood Shows
 Chenoweth Largent Smith (NJ)
 Coble Latham Smith (TX)
 Coburn Lewis (KY) Souder
 Collins Linder Spence
 Combest Lipinski Stearns
 Cook LoBiondo Stenholm
 Costello Lucas (KY) Stump
 Cox Lucas (OK) Stupak
 Crane Manzullo Sununu
 Cunningham Mascara Talent
 Deal McCollum Tancredo
 DeLay McCrery Tazin
 DeMint McHugh Taylor (MS)
 Dickey McIntosh Taylor (NC)
 Doolittle McIntyre Terry
 Dreier McKeon Thornberry
 Duncan Metcalf Thune
 Ehlers Mica Tiahrt
 Emerson Miller (FL) Toomey
 English Miller, Gary Traficant
 Everett Mollohan Vitter
 Ewing Moran (KS) Walsh
 Fletcher Murtha Wamp
 Forbes Myrick Watkins
 Fossella Nethercutt Watts (OK)
 Franks (NJ) Ney Weldon (FL)
 Gekas Northup Weldon (PA)
 Goode Norwood Weller
 Goodlatte Nussle Whitfield
 Goodling Ortiz Wicker
 Goss Oxley Wolf
 Graham Packard Young (AK)
 Green (WI) Paul Young (FL)
 Gutknecht Pease Peterson (MN)

NOES—237

Abercrombie Capps Doyle
 Ackerman Capuano Dunn
 Allen Cardin Edwards
 Andrews Carson Ehrlich
 Baird Castle Engel
 Baldacci Clay Etheridge
 Baldwin Clayton Evans
 Barrett (WI) Clement Farr
 Bass Clyburn Fattah
 Bateman Condit Fattah
 Becerra Conyers Filner
 Bentsen Cooksey Foley
 Bereuter Coyne Fowler
 Berkley Cramer Frank (MA)
 Berman Crowley Frelinghuysen
 Berry Cummings Frost
 Biggert Danner Gallegly
 Bilbray Davis (FL) Ganske
 Bishop Davis (IL) Gejdenson
 Blagojevich Davis (VA) Gephart
 Blumenauer DeFazio Gibbons
 Boehlert DeGette Gilcrest
 Bonior Delahunt Gillmor
 Borski DeLauro Gilman
 Boswell Deutsch Gonzalez
 Boucher Diaz-Balart Gordon
 Boyd Dicks Granger
 Brady (PA) Dingell Green (TX)
 Brown (FL) Dixon Greenwood
 Brown (OH) Doggett Hastings (FL)
 Campbell Dooley Hill (IN)

Hilliard McCarthy (NY) Sanders
 Hinchey McGovern Sandlin
 Hinjosa Hobson McKinney Schakowsky
 Phelps Hoeffel McNulty Scott
 Hastings (WA) Pickering Holt Meehan Serrano
 Hayes Pitts Hooley Meek (FL) Shaw
 Baker Hayworth Horn Menendez Sherman
 Ballenger Hefley Houghton Hoyer Millender-Simpson
 Barcia Herger Quinn Inslee McDonald Sisisky
 Barr Hill (MT) Radanovich Isakson Miller, George Skeen
 Barrett (NE) Hilleary Rahall Jackson (IL) Minge Slaughter
 Bartlett Hoekstra Reynolds Jackson-Lee (TX) Mink Smith (MI)
 Bilirakis Holden Riley Jefferson Moore Smith (WA)
 Bliley Hostettler Rogan Johnson (CT) Moran (VA)
 Blunt Hulshof Rogers Johnson, E. B. Morella Stabenow
 Boehner Hunter Rohrabacher Jones (OH) Nadler Stark
 Bonilla Hutchinson Royce Jones (WI) Ose Strickland
 Bono Hyde Ryan (WI) Kanjorski Napolitano Sweeney
 Brady (TX) Istook Ryan (KS) Kaptur Neal Tanner
 Bryant Jenkins Salmon Kelly Oberstar Tauscher
 Burr John Sanford Kennedy Obey Thomas
 Burton Johnson, Sam Saxton Kilpatrick Olver Thompson (CA)
 Buyer Jones (NC) Scarborough Schaffer Kind (WI) Ose Thompson (MS)
 Callahan Kasich Schaffer Kleczka Owens Thurman
 Calvert Kildee Sessions Klink Pallone Tierney
 Camp King (NY) Sessions Kolbe Pascrell Towns
 Canady Kingston Shadegg Kucinich Pastor Turner
 Cannon Knollenberg Sherwood Kuykendall Payne
 Chabot LaFalce Shimkus Lampson Pelosi
 Chambliss LaHood Shows Lantos Pickett Udall (CO)
 Chenoweth Largent Smith (NJ) Smith (TX) Larson Upton
 Coble Latham Smith (TX) Souder LaTourette Porter Velazquez
 Coburn Lewis (KY) Spence Lazio Price (NC) Vento
 Collins Linder Stearns Leach Pryce (OH) Visclosky
 Combest Lipinski Stenholm Lee Ramstad Walden
 Cook LoBiondo Stump Levin Rangel Waters
 Costello Lucas (KY) Stump Stenholm Lewis (GA) Regula Watt (NC)
 Cox Lucas (OK) Stupak Stenholm Lewis (GA) Reyes Waxman
 Crane Manzullo Sununu Lofgren Rivers Weiner
 Cunningham Mascara Talent Lowey Rodriguez Wexler
 Deal McCollum Tancredo Luther Roemer Weygand
 DeLay McCrery Tazin Maloney (CT) Ros-Lehtinen Wilson
 DeMint McHugh Taylor (MS) Maloney (NY) Rothman Wise
 Dickey McIntosh Taylor (NC) Terry Markey Roukema Woolsey
 Doolittle McIntyre Terry Thornberry Martinez Roybal-Allard Wu
 Dreier McKeon Thune Matsui Sabo Wynn
 Duncan Metcalf McCarthy (MO) Sanchez

NOT VOTING—9

Barton Gutierrez Rush
 Cubin McDermott Shuster
 Ford Peterson (PA) Skelton

□ 0011

So the amendment was rejected.
 The result of the vote was announced as above recorded.

Mr. WALSH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, 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. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

AN HONEST DEMOCRAT IN THE SENATE

(Mr. LARGENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. LARGENT. Mr. Speaker, I would like to read some quotes from one of our senator colleagues in the Senate, a Democrat from the State of Nebraska. He said this:

I recently voted with Republican colleagues for a sensible and realistic tax cut.

We are projected to run a \$2.9 trillion surplus over the next 10 years, and I strongly believe that we should return part of that money to hard-working Americans. This tax cut will provide Americans with broad-based tax relief and aim squarely at the middle class. To suggest that we cannot afford to cut income taxes when we are running a \$3 trillion surplus is ludicrous.

This coming from a Democrat.

To say that tax cuts stand in the way of needed domestic spending, Medicare, and debt relief is also folly. What is standing in the way of debt reduction and a shrinking discretionary spending budget is a refusal to make structural reforms to our entitlement programs.

Mr. Speaker, this comes from a Democrat colleague in the Senate who happened to be one of the co-chairs of the Social Security Reform Committee, and I think when a Democrat is honest that we should tip our hat to him.

[From The Washington Post, July 27, 1999]
 WHY I CROSSED PARTY LINES ON THE TAX CUT

(By Bob Kerrey)

As a member of the Senate Finance Committee, I recently crossed party lines to vote with my Republican colleagues for a sensible and realistic tax cut. We are projected to run a \$2.9 trillion surplus over the next 10 years, and I strongly believe that we should return part of that money to hard-working Americans.

This tax cut will provide Americans with broad-based tax relief aimed squarely at the middle class. Not only will it encourage Americans to save more for their retirements, it will also encourage Americans to give more generously to charities.

I am proud to have participated in and voted for three budget acts—in 1990, 1993 and 1997—which have radically altered the fiscal condition of the federal government and the debate about how the public's hard-earned tax dollars should be spent. After the enactment of these three budget acts—particularly the 1993 and 1997 budget acts—and on account of impressive gains in private-sector productivity and growth, we were able to reverse the deficit trend.

Deficits have continued to shrink since 1994—and we were able to celebrate our first unified budget surplus (counting Social Security surpluses) of \$70 billion last year. The Congressional Budget Office (CBO) is now projecting surpluses of \$2.9 trillion over the next 10 years.

Since 1983 working Americans have been forced to shoulder a disproportionate amount of deficit reduction by paying larger-than-necessary payroll (FICA) taxes. Now they are being asked to shoulder a disproportionate share of debt reduction. I strongly believe that a portion of these surpluses should be returned to the American people.

To put it in another context: If, over the next 10 years, Congress projected a balanced budget and I proposed a \$3 trillion tax increase, people would call it ridiculous. To suggest we can't afford to cut income taxes when we are running a \$3 trillion surplus is just as ludicrous.

To say that tax cuts stand in the way of needed domestic spending, Medicare and debt relief is also folly. What is standing in the way of debt reduction and a shrinking discretionary spending budget is our refusal to make structural reforms to our entitlement programs.

In 1970 entitlement spending accounted for only 35 percent of federal spending. By 2010, it will account for nearly 70 percent of federal spending. During the same period, discretionary spending will have fallen from 58

percent of spending to 27 percent. Absent structural reforms or massive tax increases, Social Security and Medicare will continue to eat up ever larger percentages of our budget—at the expense of important investments in our children and our future.

In the Finance Committee last week, I offered an amendment with Sens. John Breaux (D-La.), Charles Grassley (R-Iowa), Charles Robb (D-Va.) and Fred Thompson (R-Tenn.) to cut the payroll tax, increase retirement savings and restore permanent solvency to the Social Security program.

This amendment would have provided a \$928 billion payroll tax cut to the 80 percent of American families who pay more in payroll taxes than in income taxes. This tax cut would be directed into individual savings accounts for retirement security. Not only does this amendment provide all workers with a massive payroll tax cut, it also substantially expands the ownership of assets in this nation.

Ownership of wealth is essential for everyone to have a shot at the American dream. The payroll tax is the principal burden on savings and wealth creation for working families. Furthermore, this payroll tax cut would still have left room for Medicare reform, an income tax cut, debt reduction and other spending priorities.

While I did vote for the Senate finance committee tax bill, I believe that a \$500 billion income tax cut is a compromise figure that will leave room to reform and modernize the Social Security and Medicare programs and to invest in important domestic priorities, such as education, defense, veterans and housing.

I agree a compromise is ultimately doable. That's why I intend to join Sens. Breaux, John Chafee (R-R.I.) and Jim Jeffords (R-Vt.) in proposing a \$500 billion income tax cut alternative. While it can easily be argued that the GOP version is too high, it's also as clear the Democratic alternative is too low.

OMISSION FROM THE CONGRESSIONAL RECORD OF JULY 27, 1999, PAGE H6536, DURING CONSIDERATION OF H.R. 2605, ENERGY AND WATER APPROPRIATIONS ACT, 2000

The CHAIRMAN. If there is no further debate on the Visclousky motion to strike, it will remain in abeyance pend-

ing disposition of the Boehlert perfecting amendment, on which proceedings have been postponed.

The Clerk will read.

The Clerk read as follows:

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, \$150,000,000, to remain available until expended: *Provided*, That the United States Army Corps of Engineers under this program shall undertake the following functions and activities to be performed at eligible sites where remediation has not been completed: sampling and assessment of contaminated areas, characterization of site conditions, determination of the nature and extent of contamination, selection of the necessary and appropriate response actions as the lead Federal agency, cleanup and closeout of sites, and any other functions and activities determined by the Chief of Engineers as necessary for carrying out this program, including the acquisition of real estate interests where necessary, which may be transferred upon completion of remediation to the administrative jurisdiction of the Department of Energy: *Provided further*, That response actions by the United States Army Corps of Engineers under this program shall be subject to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et seq.), and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR, Chapter 1, Part 300: *Provided further*, That these provisions do not alter, curtail or limit the authorities, functions or responsibilities of other agencies under CERCLA or, except as stated herein, under the Atomic Energy Act (42 U.S.C. 2011 et seq.): *Provided further*, That any sums recovered under CERCLA or other authority from a liable party, contractor, insurer, surety, or other person for any expenditures by the Army Corps of Engineers or the Department of Energy for response actions under the Formerly Utilized Sites Remedial Action Program shall be credited to this account and will be available until expended for response action costs for any eligible site: *Provided further*, That the Secretary of Energy may exercise the authority of 42 U.S.C. 2208 to make payments in lieu of taxes for Feder-

ally-owned property where Formerly Utilized Sites Remedial Action Program activities are conducted, regardless of which Federal agency has administrative jurisdiction over the property and notwithstanding references to "the activities of the Commission" in 42 U.S.C. 2208: *Provided further*, That the unexpended balances of prior appropriations provided for these activities in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account; and thereafter, may be accounted for as one fund for the same time period as originally enacted.

POINT OF ORDER

Mr. BOEHLERT. Mr. Chairman, on behalf of the gentleman from Pennsylvania (Mr. SHUSTER), I raise a point of order against the portion of the Formerly Utilized Sites Remedial Action Program beginning with the last comma on page 7, line 7 through page 9 line 2, on the grounds that it is legislation on an appropriations bill in violation of clause 2 of Rule XXI of the Rules of the House. This program has not been authorized for fiscal year 2000. In fact, it is likely that there has never been an authorization for this program.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. PACKARD. Mr. Chairman, I concede the point of order.

The CHAIRMAN. Does the gentleman from Indiana wish to be heard on the point of order.

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The portion of the paragraph identified by the point of order provides for extended availability of funds without a supporting authorization in law, and includes five legislative provisos.

As such, that portion of the paragraph constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The specified portion of the paragraph is stricken.