

agreement sacrifices these national priorities for a massive tax cut. Passing such an irresponsible budget resolution will force the Appropriations Committee to either invent gimmicks that make a sham of the entire budget process or produce bills with significant deficits in funding. Mr. Speaker, I urge my colleagues to reject this conference agreement.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

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

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

The vote was taken by electronic device, and there were—yeas 220, nays 208, not voting 7, as follows:

[Roll No. 125]

YEAS—220

Aderholt	Gilchrist	Oxley
Archer	Gillmor	Packard
Army	Gilman	Pease
Bachus	Goode	Peterson (PA)
Baker	Goodlatte	Petri
Ballenger	Goodling	Pickering
Barr	Goss	Pickett
Barrett (NE)	Graham	Pitts
Bartlett	Granger	Pombo
Barton	Green (WI)	Portman
Bass	Greenwood	Pryce (OH)
Bateman	Gutknecht	Quinn
Bereuter	Hall (TX)	Radanovich
Biggart	Hansen	Ramstad
Bilbray	Hastert	Regula
Bilirakis	Hastings (WA)	Reynolds
Bliley	Hayes	Riley
Blunt	Hayworth	Rogan
Boehrlert	Hefley	Rogers
Boehner	Herger	Rohrabacher
Bonilla	Hill (MT)	Ros-Lehtinen
Bono	Hilleary	Roukema
Brady (TX)	Hobson	Royce
Bryant	Hoekstra	Ryan (WI)
Burr	Horn	Ryun (KS)
Burton	Hostettler	Salmon
Buyer	Hulshof	Saxton
Callahan	Hunter	Scarborough
Calvert	Hutchinson	Schaffer
Camp	Hyde	Sensenbrenner
Canady	Isakson	Sessions
Cannon	Istook	Shadegg
Castle	Jenkins	Shaw
Chabot	Johnson, Sam	Shays
Chambliss	Jones (NC)	Sherwood
Chenoweth-Hage	Kasich	Shimkus
Coble	Kelly	Shuster
Coburn	King (NY)	Simpson
Collins	Kingston	Sisisky
Combest	Knollenberg	Skeen
Condit	Kolbe	Smith (MI)
Cooksey	Kuykendall	Smith (NJ)
Cox	LaHood	Smith (TX)
Crane	Largent	Souder
Cubin	Latham	Spence
Cunningham	LaTourette	Stearns
Davis (VA)	Lazio	Stump
Deal	Leach	Sununu
DeLay	Lewis (CA)	Sweeney
DeMint	Lewis (KY)	Talent
Diaz-Balart	Linder	Tancredo
Dickey	LoBiondo	Tauzin
Doolittle	Lucas (OK)	Taylor (NC)
Dreier	Manzullo	Terry
Duncan	Martinez	Thomas
Dunn	McCollum	Thornberry
Ehlers	McCrery	Thune
Ehrlich	McHugh	Tiahrt
Emerson	McInnis	Toomey
English	McIntosh	Trafficant
Everett	McKeon	Upton
Ewing	Metcalfe	Vitter
Fletcher	Mica	Walden
Foley	Miller (FL)	Walsh
Fossella	Miller, Gary	Wamp
Fowler	Moran (KS)	Watkins
Franks (NJ)	Nethercutt	Watts (OK)
Frelinghuysen	Ney	Weldon (FL)
Gallely	Northup	Weldon (PA)
Ganske	Norwood	Weller
Gekas	Nussle	
Gibbons	Ose	

Whitfield
Wicker

Wilson
Wolf

Young (AK)
Young (FL)

NAYS—208

Abercrombie	Gutierrez	Napolitano
Ackerman	Hall (OH)	Neal
Allen	Hastings (FL)	Oberstar
Andrews	Hill (IN)	Obeys
Baca	Hilliard	Olver
Baird	Hinchey	Ortiz
Baldacci	Hinojosa	Owens
Baldwin	Hoeffel	Pallone
Barcia	Holden	Pascarell
Barrett (WI)	Holt	Pastor
Biserra	Hooley	Paul
Bentsen	Hoyer	Payne
Berkley	Inslee	Pelosi
Berman	Jackson (IL)	Peterson (MN)
Berry	Jackson-Lee	Phelps
Bishop	(TX)	Pomeroy
Blagojevich	Jefferson	Porter
Blumenauer	John	Price (NC)
Bonior	Johnson (CT)	Rahall
Boswell	Johnson, E. B.	Rangel
Boucher	Jones (OH)	Reyes
Boyd	Kanjorski	Rivers
Brady (PA)	Kaptur	Rodriguez
Brown (FL)	Kennedy	Roemer
Brown (OH)	Kildee	Rothman
Capps	Kilpatrick	Roybal-Allard
Capuano	Kind (WI)	Rush
Cardin	Kleczka	Sabo
Carson	Klink	Sanchez
Clay	Kucinich	Sanders
Clayton	LaFalce	Sandlin
Clement	Lampson	Sanford
Clyburn	Lantos	Sawyer
Conyers	Larson	Schakowsky
Costello	Lee	Scott
Coyne	Levin	Serrano
Cramer	Lewis (GA)	Sherman
Crowley	Lipinski	Shows
Cummings	Lofgren	Skelton
Danner	Lowey	Slaughter
Davis (FL)	Lucas (KY)	Smith (WA)
Davis (IL)	Luther	Snyder
DeFazio	Maloney (CT)	Spratt
DeGette	Maloney (NY)	Stabenow
Delahunt	Markey	Stenholm
DeLauro	Mascara	Strickland
Deutscher	Matsui	Stupak
Dicks	McCarthy (MO)	Tanner
Dingell	McCarthy (IL)	Tauscher
Dixon	McDermott	Taylor (MS)
Doggett	McGovern	Thompson (CA)
Dooley	McIntyre	Thompson (MS)
Doyle	McKinney	Thurman
Edwards	McNulty	Tierney
Engel	Meehan	Towns
Eshoo	Meek (FL)	Turner
Etheridge	Meeks (NY)	Udall (CO)
Evans	Menendez	Udall (NM)
Farr	Millender	Velazquez
Fattah	McDonald	Vento
Filner	Miller, George	Visclosky
Forbes	Minge	Waters
Ford	Mink	Watt (NC)
Frank (MA)	Moakley	Waxman
Frost	Mollohan	Weiner
Gejdenson	Moore	Weygand
Gephardt	Moran (VA)	Wise
Gonzalez	Morella	Woolsey
Gordon	Murtha	Wu
Green (TX)	Nadler	Wynn

NOT VOTING—7

Borski
Campbell
Cook

Houghton
Myrick
Stark

Wexler

□ 1321

Ms. DANNER and Ms. HOOLEY of Oregon changed their vote from "yea" to "nay."

Mr. BARTON of Texas changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. KASICH. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on the conference report on House Concurrent Resolution 290.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 3615, RURAL LOCAL BROADCAST SIGNAL ACT

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time without intervention of any point of order to consider in the House the bill (H.R. 3615) to amend the Rural Electrification Act of 1936 to ensure improved access to the signals of local television stations by multi-channel video providers to all households which desire such service in unserved and underserved rural areas by December 31, 2006; that the bill be considered as read for amendment; that in lieu of the amendments recommended by the Committees on Agriculture and Commerce now printed in the bill, the amendment in the nature of a substitute that I have placed at the desk be considered as read and adopted; that the previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) 1 hour of debate on the bill, as amended, equally divided among and controlled by the chairmen and ranking minority members of the Committees on Agriculture and Commerce; and (2) one motion to recommit with or without instructions; and that House Resolution 475 be laid on the table.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentleman from California?

There was no objection.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 3439, RADIO BROADCASTING PRESERVATION ACT OF 2000

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time for the Speaker, as though pursuant to clause 2(b) of rule XVIII, to declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 3439) to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations and that consideration of the bill proceed according to the following order: (1) the first reading of the bill shall be dispensed with; (2) general debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce; (3) the amendment in the nature of a substitute recommended by the Committee on Commerce now printed in the bill shall be

considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered as read; (4) points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived; (5) during consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read; (6) the Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and (2) reduce to 5 minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes; (7) at the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute; (8) the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions; and that House Resolution 472 be laid on the table.

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

There was no objection.

LAYING ON TABLE HOUSE RESOLUTIONS 356, 375, 382, AND 383

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the following resolutions be laid on the table: H. Res. 356; H. Res. 375; H. Res. 382; and H. Res. 383.

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

There was no objection.

DATE CERTAIN TAX CODE REPLACEMENT ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 473 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 473

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4199) to terminate the Internal Revenue Code of 1986. The bill

shall be considered as read for amendment. An amendment in the nature of a substitute consisting of the text of H.R. 4230 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) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

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

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST) 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, this is a customary rule for Tax Code-related legislation. It provides for the consideration of H.R. 4199, the Date Certain Tax Code Replacement Act. H.Res. 473 provides that the bill be considered as read and that the text of H.R. 4230 shall be considered as adopted. The rule further provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Finally, the rule provides for one motion to recommit, with or without instructions, as is the right of minority Members of the House.

Mr. Speaker, what we have learned after 87 years of the current system is this: if we had sat down at the beginning of 1913 and asked ourselves how could we build a tax system that would punish people for earning and working hard, a system that would be obstructive of capital formation, we could not have done a better job. Our tax system is the largest impediment to people moving from the first rung of the economic ladder to the second, because the harder you work, the more you save, the more you invest, the more we take. It is a system that is inefficient. We have seen testimony from the Kemp Commission to Harvard studies that says for a small business man or woman to comply with the code and to collect and remit \$1 in business income taxes, it costs them anywhere from \$4 to \$7.

The current code is not understandable. Our own IRS tells us that if you call the IRS for help in filling out your own tax return, 25 percent of the answers they give you will be given in error. Over 50 percent of Americans have to pay others to decipher the Tax Code and do their taxes for them. In an effort to show how complex the IRS code has become, Money magazine created a fictional American family and asked tax professionals to prepare an IRS tax return. Incredibly, every one of the tax professionals came up with a different tax total, and not one of the tax professionals calculated what the editors of Money magazine believed to be the correct income tax.

The current code invades the privacy of every single American citizen. There are 100,000 people at the IRS who know more about us than we are willing to tell our children. I want them out of our lives. These are not bad people. They are people doing the job that this Congress by statute has directed them to do, but we should not have any agency of government that knows how much money you make or how you spend it. That should be none of our business. We should not have anybody who can look into your records and know your history. The government should not be looking over your shoulder counting every dime you earn. Unfortunately, to the IRS we are all presumptive tax criminals, required to open up aspects of our lives to auditors at any given moment.

□ 1330

For all of these reasons, we are here today to debate and pass H.R. 4199.

What the legislation before us today does is to sunset the current Tax Code effective December 31, 2004, and require that Congress approve a replacement system no later than July 4, 2004, to ensure a smooth transition to the new system on the first day of 2005. This legislation also establishes a bipartisan National Commission on Tax Reform and Simplification that is required to report to Congress on a new, fair, simpler Tax Code.

The overall intention of this bill is to do three things: One, sunset the current convoluted Tax Code; two, create a commission to consider alternative tax systems; and, three, foster a national debate on how to create a fair tax system for working Americans.

This is not a jump over the cliff, as some will say. There are several proposals before the Congress now that have been carefully thought out. The gentleman from Texas (Mr. ARMEY) has one that he has written a book about, the gentleman from Louisiana (Mr. TAUZIN) has one that he has pushed for several years, the gentleman from Pennsylvania (Mr. ENGLISH) has a very thoughtful proposal, and I have one too. All of these are ready to be placed in place. They are different, but every single one is better than the current system.

Mr. Speaker, my bill, H.R. 2525, that I introduced with my friend the gentleman from Minnesota (Mr. PETERSON) is a comprehensive tax reform bill. The national retail sales tax would put in place a transparent form of taxation that will end the confusion forever. This bill is known as the Fair Tax. It would repeal the Federal income tax, the capital gains tax, corporate and self-employment taxes, all payroll taxes, including Social Security and Medicare taxes, all estate and all gift taxes. Under the Fair Tax, Americans will be able to see exactly what they are paying in taxes, and the embedded costs of the IRS would be gone, because the IRS would be gone. Americans would be able to take their entire