

Brown (OH) Greenwood  
Bryant Gutierrez  
Burr Gutknecht  
Burton Hall (OH)  
Buyer Hall (TX)  
Callahan Hansen  
Calvert Hastings (FL)  
Camp Hastings (WA)  
Campbell Hayes  
Canady Hayworth  
Cannon Hefley  
Capuano Hergert  
Cardin Hill (IN)  
Carson Hill (MT)  
Castle Hilleary  
Chabot Hinchey  
Chambliss Hinojosa  
Chenoweth-Hage Hobson  
Clayton Hoeffel  
Clement Hoekstra  
Collins Holden  
Combest Holt  
Condit Hooley  
Conyers Horn  
Cook Hostettler  
Costello Hoyer  
Cox Hulshof  
Coyne Hunter  
Cramer Hutchinson  
Crane Hyde  
Crowley Insee  
Cubin Isakson  
Cummings Istook  
Cunningham Jackson (IL)  
Danner Jackson-Lee  
Davis (FL) (TX)  
Davis (IL) Jefferson  
Davis (VA) Jenkins  
Deal John  
DeFazio Johnson (CT)  
DeGette Johnson, E. B.  
Delahunt Jones (NC)  
DeLauro Jones (OH)  
DeMint Kanjorski  
Deutsch Kaptur  
Diaz-Balart Kasich  
Dickey Kelly  
Dicks Kildee  
Dingell Kilpatrick  
Dixon Kind (WI)  
Doggett King (NY)  
Dooley Kingston  
Doolittle Kleczka  
Doyle Klink  
Dreier Knollenberg  
Duncan Kolbe  
Dunn Kucinich  
Edwards Kuykendall  
Ehlers LaHood  
Ehrlich Lampson  
Emerson Lantos  
Engel Largent  
English Larson  
Eshoo Latham  
Etheridge LaTourette  
Evans Lazio  
Everett Leach  
Ewing Lee  
Farr Levin  
Fattah Lewis (CA)  
Filner Lewis (GA)  
Fletcher Lewis (KY)  
Foley Linder  
Forbes Lipinski  
Ford LoBiondo  
Fossella Lofgren  
Fowler Lowey  
Frank (MA) Lucas (KY)  
Franks (NJ) Lucas (OK)  
Frelinghuysen Luther  
Frost Maloney (CT)  
Gallegly Maloney (NY)  
Ganske Manzullo  
Gedjenson Markey  
Gekas Martinez  
Gephardt Mascara  
Gibbons Matsui  
Gilchrest McCarthy (MO)  
Gillmor McCarthy (NY)  
Gilman McCollum  
Gonzalez McCreery  
Goode McDermott  
Goodlatte McGovern  
Gordon McHugh  
Goss McIntosh  
Graham McIntyre  
Granger McKeon  
Green (TX) McKinney  
Green (WI) McNulty

Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalfe  
Mica  
Millender-McDonald  
Miller (FL)  
Miller, Gary  
Miller, George  
Moakley  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Ose  
Oxley  
Packard  
Pallone  
Pascarelli  
Pastor  
Payne  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Royce  
Rush  
Ryan (WI)  
Ryun (KS)  
Sabo  
Salmon  
Sanchez  
Sanders  
Sandlin  
Sanford  
Sawyer  
Saxton  
Schaffer  
Schakowsky  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simpson  
Sisisky

Skeen  
Skeltton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Spratt  
Stabenow  
Stark  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sununu  
Sweeney  
Tancredo  
Tanner  
Tauscher

Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tierney  
Toomey  
Towns  
Traficant  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Velazquez  
Vento  
Visclosky

Vitter  
Walden  
Walsh  
Wamp  
Waters  
Watkins  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
Weygand  
Whitfield  
Wilson  
Wise  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NAYS—3

DeLay Goodling Paul

## ANSWERED "PRESENT"—2

Barr Wicker

## NOT VOTING—26

Bateman Coburn Mink  
Becerra Cooksey Owens  
Bereuter Hilliard Pitts  
Berman Houghton Scarborough  
Brady (TX) Johnson, Sam Spence  
Capps Kennedy Talent  
Clay LaFalce Weiner  
Clyburn McNis Wexler  
Coble Minge

□ 1331

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BEREUTER. Mr. Speaker, on rollcall No. 231, I inadvertently missed the vote. Had I been present on the floor I would have voted "aye."

Mrs. CAPPS. Mr. Speaker, I was unavoidably detained and missed rollcall 231, passage of H. Con. Res. 331. Had I been present, I would have voted "aye."

## PERSONAL EXPLANATION

Mr. BECERRA. Mr. Speaker, on May 25, 2000, I was unavoidably detained during rollcall votes: No. 229, on Ordering the Previous Question on H. Res. 511, Providing for the Consideration of H.R. 3916, to Amend the Internal Revenue Code of 1986 to Repeal the Excise Tax on Telephone and Other Communication Services; No. 230 on Agreeing to the Resolution, H. Res. 511; and No. 231 on Agreeing to the Resolution, H. Con. Res. 331, Commending Israel's Redeployment from Southern Lebanon. Had I been present for the votes, I would have voted "nay" on rollcall vote 229, and "aye" on rollcall votes 230 and 231.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 2001

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, JUNE 1, 2000, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 2001

Mr. REGULA. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 1, 2000, to file a privileged report on a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved on the bill.

# TELEPHONE EXCISE TAX REPEAL ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 511, I call up the bill (H.R. 3916) to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 511, the bill is considered read for amendment.

The text of H.R. 3916 is as follows:

H.R. 3916

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

## SECTION 1. REPEAL OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking “chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,” and inserting “and chapter 32 (other than the taxes imposed by sections 4064 and 4121).”.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking “section 4251 or”.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking “imposed by—” and all that follows through “with respect to” and inserting “imposed by section 4261 or 4271 with respect to”, and

(ii) by striking “bills rendered or”.

(C) The subsection heading for section 6302(e) of such Code is amended by striking “COMMUNICATIONS SERVICES AND”.

(3) Section 6415 of such Code is amended by striking “4251, 4261, or 4271” each place it appears and inserting “4261 or 4271”.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting “or” at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid pursuant to bills first rendered more than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 3916, as amended, is as follows:

H.R. 3916

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

## SECTION 1. REPEAL OF FEDERAL COMMUNICATIONS EXCISE TAX.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) PHASE-OUT OF TAX.—Paragraph (2) of section 4251(b) of such Code (defining applicable percentage) is amended to read as follows:

“(2) APPLICABLE PERCENTAGE.—The term ‘applicable percentage’ means—

“(A) 2 percent with respect to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this subparagraph and before October 1, 2001, and

“(B) 1 percent with respect to amounts paid pursuant to bills first rendered after September 30, 2001, and before October 1, 2002.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking “chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,” and inserting “and chapter 32 (other than the taxes imposed by sections 4064 and 4121).”.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking “section 4251 or”.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking “imposed by—” and all that follows through “with respect to” and inserting “imposed by section 4261 or 4271 with respect to”, and

(ii) by striking “bills rendered or”.

(C) The subsection heading for section 6302(e) of such Code is amended by striking “COMMUNICATIONS SERVICES AND”.

(3) Section 6415 of such Code is amended by striking “4251, 4261, or 4271” each place it appears and inserting “4261 or 4271”.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting “or” at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(d) EFFECTIVE DATES.—

(1) REPEAL.—The amendments made by subsections (a) and (c) shall apply to amounts paid pursuant to bills first rendered after September 30, 2002.

(2) PHASE-OUT.—The amendment made by subsection (b) shall apply to amounts paid pursuant to bills first rendered on or after the 30th day after the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER) and the gentleman from California (Mr. MATSUI) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 3916.

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

There was no objection.

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

Mr. Speaker, today Congress will vote to repeal the 102-year-old Federal excise tax on telecommunications services. This is a bipartisan bill introduced by the gentleman from Ohio (Mr. PORTMAN) and the gentleman from California (Mr. MATSUI). It repeals an excise tax which is regressive and hits low-income families and people on fixed incomes like older Americans the hardest and it is a tax that has truly outlived its usefulness. The telephone tax is a showcase example of bad tax policy and its endurance over the century proves again that once the Government gets its hands on the taxpayers' money, it is hard to get it back to the people.

In addition to helping people today, repealing this tax will help avoid a potentially big tax increase in the future.

It used to be that each household had only one phone, and that was it. But today homes have at least one phone line, many have two. Mom and Dad and maybe one of the kids has a cell phone or a pager, and the family might have a computer and use e-mail. So they are paying this tax on a number of telecommunications services, not just on their one telephone anymore.

The point is, as more Americans use more and more telecommunications services, this tax must surely not continue to grow. That is why I am pleased that we are taking this action today to repeal a tax first levied in 1898. As the old saying goes, Better late than never.

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

Mr. MATSUI. Mr. Speaker, I yield myself 3 minutes.

First I would like to thank the gentleman from New York (Mr. RANGEL), the ranking Democrat on the Committee on Ways and Means, for yielding to me and allowing me to manage this bill. I would like to commend the gentleman from Texas (Mr. ARCHER), the chairman of the committee, for bringing this bill up in an expeditious fashion.

Mr. Speaker, as the gentleman from Texas has mentioned, this tax is a tax that should have been repealed years ago. It started in 1898 to actually pay for the Spanish-American war. It had been repealed and reinstated numerous times over those years, but the fact of the matter is this tax is a tax on telephone service communications between Americans.

When it was first instituted in 1898, 102 years ago, there were, believe it or not, 1,356 telephones in America. It was clearly a luxury tax. It was a method that very wealthy people used to communicate with each other probably more as a novelty than as a real source of communication. The fact of the matter is today that 94 percent of the American public of 270 million people now use telephones. Now they pay a 3 percent tax. As we know, this tax hits across everybody, low-income people, moderate-income people, the rich; but everybody pays the same percentage. This is probably one of the most regressive taxes that the Federal Government has. It should be repealed, particularly in a time of surpluses.

I might also mention that there is another aspect of this as well. As we know, we have numerous different modes of communication in America and throughout the world today. We have the Internet, we have cable modems and everything else. At this time the IRS and the Treasury Department is having a very difficult time on how to apply this tax. Some can use the Internet with cable modems to avoid the tax, and others who use the basic telephone service end up paying the tax. As we know, average low-income Americans are the ones that do not have access to the Internet. And so again this tax is even more regressive,