

I am proud to be an original cosponsor of the Social Security and Medicare Lockbox Act and ask that my colleagues join me in supporting this important piece of legislation.

Mr. STARK. Mr. Speaker, I rise in strong support for the purported purpose of this legislation before us today. We can and should "lockbox" our Social Security and Medicare surpluses so that monies put into them by the working people of America are used as they were intended—to provide financial and health security for them in their senior years or if they become disabled—not to provide a tax break aimed mostly at those with upper incomes.

Unfortunately, the bill before us today talks the talk, but fails to walk the walk.

This bill will not guarantee that either the Social Security or Medicare surpluses are protected from being used to finance tax breaks or any other government spending.

While the bill states that it protects Medicare and Social Security trust funds, it creates a giant exception that if a bill is brought up on the House floor that contains the words "Social Security reform legislation" or "Medicare reform legislation," then the protections for either trust fund no longer exist. It doesn't define what would constitute "reform" of either program. It would be very simple for anyone to circumvent the stated intent of this bill by simply referring to legislation as either Medicare or Social Security reform and then the protections against using the trust funds would be overridden. I could see the argument that a "Star Wars" missile defense system will protect seniors—therefore it is a Medicare reform.

The legislation contains a further loophole that allows the President to dip into the Social Security and/or Medicare surpluses in any budget he presents to Congress as long as the budget claims to reform each of the programs.

The public should not be fooled one moment. President Bush is pushing a tax cut proposal in Congress that he admits costs \$1.6 trillion. The unstated reality is that the proposal costs \$2.5 trillion by the time you count all of the pieces that he's left out of his early version, but that will be included in the end. The entire surplus over the next ten years—if you really protect Medicare and Social Security surpluses—is \$2.7 trillion (and even that figure is highly speculative).

What am I leading up to? There is no way that this tax cut package can pass Congress and get signed into law in a way that leaves money for other government priorities like education, Medicare prescription drug coverage, improved Medicare solvency, or Social Security reform without putting the Medicare and Social Security trust funds on the chopping block.

Anyone who believes otherwise is fooling themselves and passage of this legislation today does nothing to change that fact.

Larry Lindsey, President Bush's chief economic advisor has already been asked whether government should dip into the Social Security surplus to make room for tax cuts and he responded: "It's a question that needs to be asked."

President Bush's Director of the Office of Management and Budget Mitch Daniels has already stated with regard to protecting the Medicare trust fund from any other use that he would be: "very hesitant to treat those funds in the same way as we do in Social Security where I think it is in order."

A February 5 Wall Street Journal article states that, "The Bush Administration also won't wall off Medicare's current surpluses in a 'lockbox' . . . In fact, Mr. Daniels has said he's told his staff not to talk about a Medicare surplus."

Finally, Senate Majority Leader TRENT LOTT has yet to make a commitment on a Medicare lockbox. A recent BNA Daily Report for Executives, asked him about whether he'd decided to lockbox Medicare and he responded, "We're going to think that through."

I will vote for this legislation today. But, I do so with the firm knowledge that my vote—and that of every other member of the House of Representatives—really means nothing about whether we stand for protecting the Medicare and Social Security surpluses for their intended purposes. I hope that the weaknesses of the legislation are not intended and that this vote is a good faith commitment by my colleagues on the other side of the aisle to protect both the Social Security and Medicare surpluses from use for tax cuts or any other new spending. If that commitment is real, we've got a tough job in front of us to ensure that the upcoming tax cut debate doesn't absorb all available government monies—in addition to the Medicare and Social Security trust funds.

Mr. THOMAS M. DAVIS of Virginia. Mr. Speaker, I rise today in strong support of H.R. 2, the Social Security and Medicare Lock Box Act of 2001. I would also like to thank my colleague, Congressman WALLY HERGER, for taking the lead yet again in ensuring that common-sense measures are taken to preserve the Social Security and Medicare Part A programs for our senior citizens.

Currently, both the Social Security and Medicare Part A programs take in more revenue through taxes and premiums than they pay out in benefits. This has resulted in large surpluses in both Trust Funds, estimated to be \$157 billion for Social Security and \$29 billion for Medicare. However, as the Baby Boom generation reaches retirement age, the situation changes significantly. Over the coming years we will see a decrease in the ratio of workers to beneficiaries from 5-to-1 to 2-to-1, causing a precipitous decline in the amounts held in both Trust Funds. By the year 2037, it is estimated that the combined Social Security Trust Funds will be depleted, with revenues only sufficient to pay about 72 percent of benefits. The situation for Medicare is even more dire, with the Part A Trust Fund projected to be depleted by 2025.

We cannot simply put off the difficult decisions for a later day. It is clear that we can enact significant reforms now that are necessary to keep Social Security and Medicare solvent for the future. It is also evident that while this is a challenging task in and of itself, it will be even more difficult, if not impossible, if we allow the surpluses that we currently have to be raided for other government spending. To this end, H.R. 2 creates a lockbox by creating a point of order against any bill, joint resolution, amendment, motion, or conference report that would raid either the Social Security or Medicare Trust Fund. This lockbox ensures that the Trust Fund surpluses will only be used to further pay down our national debt or to strengthen these vital programs for our children and grandchildren. This is a modest, common-sense step to help preserve social security benefits for future retirees.

We have an obligation to keep our promises to our senior citizens. They have paid into Social Security and Medicare over the course of their working lives in the expectation that these benefits would be there to help support them in their later years. We do them a severe injustice if financial mismanagement on our part robs them of the security they deserve. By approving H.R. 2, we will show the American people that we remain committed to saving these invaluable programs. It is for this reason that I urge my colleagues to lend it their full support.

Mr. SCHIFF. Mr. Speaker, I rise in support of the Social Security and Medicare Safe Deposit Lockbox Act.

Passage of this legislation will make certain that the Social Security and Medicare surpluses are protected in a "lock-box" and are not affected by spending increases and tax cuts. However, the Medicare surplus is not taken off-budget by this bill and therefore is not ensured the same protection as the Social Security surplus under current budget rules. This is a critical flaw in this bill and I do not believe that H.R. 2 alone will solve the long-term challenges facing Medicare. Nevertheless, I support passage of the Social Security and Medicare Safe Deposit Lockbox Act of 2001 and will remain committed to protecting these surpluses.

I believe it is absolutely essential that we maintain our fiscal discipline and continue paying down our debt. We must provide resources to deal with long term problems facing Social Security and Medicare, while making room for targeted tax cuts and investments in priority programs.

I am also proud to have joined my colleagues, MIKE ROSS and DENNIS MOORE, in introducing H.R. 560, a bill that would take Medicare off-budget, giving it the same protected status as Social Security, and would lock away Medicare surpluses unless they are to be used for current Medicare programs. While I support the bill before us, our bill has a much stronger enforcement mechanism and would be even more difficult, if not impossible, to violate.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SESSIONS) that the House suspend the rules and pass the bill, H.R. 2, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 25 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 554, RAIL PASSENGER DISASTER FAMILY ASSISTANCE ACT OF 2001

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-1) on the resolution (H. Res. 36) providing for consideration of the bill (H.R. 554) to establish a program, coordinated by the National Transportation Safety Board, of assistance to families of passengers involved in rail passenger accidents, which was referred to the House Calendar and ordered to be printed.

CONGRATULATING PRIME MINISTER-ELECT OF ISRAEL, ARIEL SHARON

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 34, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, House Resolution 34, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 1, answered "present" 1, not voting 20, as follows:

[Roll No. 12]
YEAS—410

Abercrombie	Blunt	Clayton
Aderholt	Boehlert	Clement
Akin	Boehner	Clyburn
Allen	Bonilla	Coble
Andrews	Borski	Collins
Armey	Boswell	Combest
Baca	Boucher	Condit
Bachus	Boyd	Conyers
Baird	Brady (PA)	Costello
Baker	Brady (TX)	Cox
Baldacci	Brown (OH)	Coyne
Baldwin	Brown (SC)	Cramer
Ballenger	Bryant	Crane
Barcia	Burr	Crenshaw
Barr	Buyer	Crowley
Barrett	Callahan	Cubin
Bartlett	Calvert	Culberson
Barton	Camp	Cummings
Bass	Cannon	Cunningham
Bentsen	Cantor	Davis (CA)
Bereuter	Capito	Davis (FL)
Berkley	Capuano	Davis (IL)
Berman	Cardin	Davis, Jo Ann
Berry	Carson (IN)	Davis, Thomas
Biggart	Carson (OK)	M.
Bilirakis	Castle	Deal
Bishop	Chabot	DeFazio
Blagojevich	Chambliss	DeGette
Blumenauer	Clay	Delahunt

DeLauro	Johnson, Sam	Pelosi
DeLay	Jones (NC)	Pence
DeMint	Jones (OH)	Peterson (MN)
Deutsch	Kanjorski	Peterson (PA)
Diaz-Balart	Kaptur	Petri
Dicks	Keller	Phelps
Dingell	Kelly	Pickering
Doggett	Kennedy (MN)	Pitts
Dooley	Kennedy (RI)	Platts
Doyle	Kerns	Pombo
Dreier	Kildee	Pomeroy
Duncan	Kilpatrick	Portman
Dunn	Kind (WI)	Price (NC)
Edwards	King (NY)	Pryce (OH)
Ehlers	Kingston	Putnam
Ehrlich	Kirk	Quinn
Emerson	Kleczka	Radanovich
Engel	Knollenberg	Ramstad
English	Kolbe	Rangel
Eshoo	Kucinich	Regula
Etheridge	LaFalce	Rehberg
Evans	LaHood	Reyes
Everett	Lampson	Reynolds
Farr	Langevin	Riley
Ferguson	Lantos	Rivers
Flner	Largent	Rodriguez
Flake	Larsen (WA)	Roemer
Fletcher	Larson (CT)	Rogers (KY)
Foley	Latham	Rogers (MI)
Ford	LaTourrette	Ros-Lehtinen
Fossella	Leach	Ross
Frank	Lee	Rothman
Frelinghuysen	Levin	Roukema
Frost	Lewis (CA)	Roybal-Allard
Gallegly	Lewis (GA)	Royce
Ganske	Lewis (KY)	Rush
Gekas	Linder	Ryan (WI)
Gibbons	Lipinski	Ryun (KS)
Gilchrest	LoBiondo	Sabo
Gillmor	Lofgren	Sanchez
Gilman	Lucas (KY)	Sanders
Gonzalez	Lucas (OK)	Sandlin
Goode	Luther	Sawyer
Goodlatte	Maloney (CT)	Saxton
Goss	Maloney (NY)	Scarborough
Graham	Manzullo	Schaffer
Granger	Markey	Schakowsky
Graves	Mascara	Schiff
Green (TX)	Matheson	Schrock
Green (WI)	Matsui	Scott
Greenwood	McCarthy (MO)	Sensenbrenner
Grucci	McCarthy (NY)	Serrano
Gutierrez	McCollum	Sessions
Gutknecht	McCrery	Shadegg
Hall (OH)	McDermott	Shaw
Hall (TX)	McGovern	Shays
Hansen	McHugh	Sherman
Harman	McInnis	Sherwood
Hart	McIntyre	Shows
Hastings (FL)	McKeon	Simmons
Hastings (WA)	McNulty	Simpson
Hayes	Meehan	Sisisky
Hayworth	Meek (FL)	Skeen
Hefley	Meeks (NY)	Skelton
Herger	Menendez	Slaughter
Hill	Mica	Smith (MI)
Hilleary	Millender-	Smith (NJ)
Hilliard	McDonald	Smith (TX)
Hinchev	Miller (FL)	Smith (WA)
Hinojosa	Miller, Gary	Snyder
	Mink	Solis
	Hoeffel	Spence
	Hoeckstra	Spratt
	Holden	Stark
	Holt	Stearns
	Honda	Stenholm
	Hoolley	Strickland
	Horn	Stump
	Hostettler	Stupak
	Houghton	Sununu
	Hoyer	Sweeney
	Hulshof	Tancredo
	Hunter	Tanner
	Hutchinson	Tauscher
	Hyde	Tauzin
	Inslee	Taylor (MS)
	Isakson	Taylor (NC)
	Israel	Terry
	Issa	Thomas
	Istook	Thompson (CA)
	Jackson (IL)	Thompson (MS)
	Jackson-Lee	Thornberry
	(TX)	Thune
	Jefferson	Thurman
	Jenkins	Tiaht
	John	Tiberi
	Johnson (CT)	Tierney
	Johnson (IL)	Toomey
	Johnson, E. B.	Towns
	Payne	

Trafficant	Wamp	Wexler
Turner	Waters	Whitfield
Udall (CO)	Watkins	Wicker
Udall (NM)	Watt (NC)	Wilson
Upton	Watts (OK)	Wolf
Velazquez	Waxman	Woolsey
Visclosky	Weiner	Wu
Vitter	Weldon (FL)	Wynn
Walden	Weldon (PA)	Young (FL)
Walsh	Weller	

NAYS—1

Paul

ANSWERED "PRESENT"—1

Rahall

NOT VOTING—20

Ackerman	Cooksey	Miller, George
Becerra	Doolittle	Ortiz
Bonior	Fattah	Rohrabacher
Bono	Gephardt	Shimkus
Brown (FL)	Gordon	Souder
Burton	Lowe	Young (AK)
Capps	McKinney	

□ 1823

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Mr. Speaker, I was unavoidably detained on rollcall vote No. 12. Had I been here I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

SOCIAL SECURITY AND MEDICARE LOCK-BOX ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SESSIONS) that the House suspend the rules and pass the bill, H.R. 2, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 2, answered "present" 4, not voting 19, as follows:

[Roll No. 13]
YEAS—407

Abercrombie	Baldwin	Berman
Aderholt	Ballenger	Berry
Akin	Barcia	Biggart
Allen	Barr	Bilirakis
Andrews	Barrett	Bishop
Armey	Bartlett	Blagojevich
Baca	Barton	Blumenauer
Bachus	Bass	Blunt
Baird	Bentsen	Boehlert
Baker	Bereuter	Boehner
Baldacci	Berkley	Bonilla