

Member, Delegate, or Resident Commissioner to introduce to or bring to the attention of the House an occupant of the galleries of the House.

STOP THE RAID ON SOCIAL SECURITY AND MEDICARE TRUST FUNDS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, the Administration's new budget is wrapped in the flag. Literally. It has a beautiful red, white and blue cover. But the fine print inside should be written mostly in red ink. Contrary to one pledge after another, from one Administration official after another, this plan rejects a balanced budget in favor of a "borrow and spend" approach.

The central principle on which this budget relies is to take payroll taxes right out of the pocket of employees around this country—on their hard-earned wages that they paid in, thinking it was going for Social Security and Medicare—and uses them for something other than Social Security and Medicare.

This raid on Social Security is not only fiscally irresponsible, it not only shifts the cost of what we are doing now to our children and our grandchildren, but it could well produce a direct cut in Social Security and Medicare benefits. It is wrong; it is misguided. This "borrow and spend" approach should be rejected.

REDUCE POVERTY ALONG WITH WELFARE ROLLS

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, as we move towards reauthorization of TANF, I am pleased to join with my colleagues this morning in a discussion of welfare reform. We must focus on reducing poverty as well as reducing the welfare rolls.

Although welfare rolls are down nearly 50 percent in 5 years, many former recipients have been pushed into low-wage jobs that keep them in poverty. Families cannot be economically secure without work that pays a living wage.

We need to reduce poverty, not just caseloads, by focusing on employment that will lift families out of poverty and really make work pay. Therefore, one of the best ways to reduce poverty is to raise the minimum wage to a livable wage. Let us make this a part of welfare reform.

WELFARE REAUTHORIZATION

(Mrs. MEEK of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, as Congress takes up the reauthorization of the welfare law this year, we must fashion a truly successful welfare system, one which does not abandon people who need help.

Most families who have worked their way off welfare are far from achieving self-sufficiency and are still living in poverty. We must return to making poverty reduction an explicit goal of welfare reform.

Many ex-welfare recipients have been unable to pay rent, buy food or afford medical care. In 1999, even in the midst of an economic boom, ex-welfare recipients who worked earn an average of nearly \$7,200 a year, approximately \$6,000 below the poverty line for a family of three. The success or failure of welfare reform cannot be measured solely by whether caseloads decline; lower welfare case leads must reflect the integration of former welfare recipients into our economic system.

If, on the other hand, lower caseloads only reflect a benefit cutoff in which people disappear from the system without help, an adequate safety net, then welfare reform must be viewed as a failure.

I commend my good friend, the gentlewoman from Hawaii (Mrs. MINK), for introducing H.R. 3113.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 342 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 342

Resolved, That it shall be in order at any time on the legislative day of Wednesday, February 6, 2002, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The concurrent resolution (H. Con. Res. 312) expressing the sense of the House of Representatives that the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001 passed by a bipartisan majority in Congress should not be suspended or repealed.

(2) The joint resolution (H.J. Res. 82) recognizing the 91st birthday of Ronald Reagan.

(3) The resolution (H. Res. 340) recognizing and honoring Jack Shea, Olympic gold medalist in speed skating, for his many contributions to the Nation and to his community throughout his life.

THE SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this resolution provides that it shall be in order at any time on the legislative day of Wednesday, February 6, 2002, for the Speaker to entertain motions that the House suspend the rules relating to the following measures: the concurrent resolution, H. Con. Res. 312, expressing the sense of the House of Representatives that the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001, passed by a bipartisan majority in Congress, should not be suspended or repealed;

Second, the joint resolution, H.J. Res. 82, recognizing the 91st birthday of our 40th President, Ronald Reagan; and,

Three, the resolution, H. Res. 340, recognizing and honoring Jack Shea, Olympic gold medalist in speed skating, for his many contributions to the Nation and to his community throughout his life.

Mr. Speaker, following the adoption of this rule, the House will take up H. Con. Res. 312, expressing our collective will that the bipartisan tax relief plan passed by the Congress and signed into law by President Bush should take effect as scheduled.

Recently, several Members of Congress have proposed that key provisions of the Economic Growth and Tax Relief Reconciliation Act should be repealed, delayed, or postponed. H. Con. Res. 312 reiterates our full commitment to all tax relief provisions in this act, including the across-the-board tax cuts, the marriage penalty relief, the elimination of the death tax, doubling of the per-child tax credit and IRA expansion.

Further, H. Con. Res. 312 states that repealing or delaying provisions of President Bush's tax relief plan would in fact constitute a tax increase; that increasing taxes during a recession would hurt the economy and American workers; and that Congress should work with the President to promote long-term economic growth through a fair Tax Code that puts the least possible burden on taxpayers.

□ 1030

Mr. Speaker, last June when the President signed into law the Economic Growth and Tax Relief Reconciliation Act of 2001, it provided millions of American taxpayers with the first meaningful tax relief they had had since 1981.

All Americans who pay Federal income taxes have benefited from the act and will benefit from our vote today, making it clear that we have no intention of weakening or softening in any way our commitment to provide the relief that they were promised, especially not now, when to do so would weaken the economy and further endanger the well-being of millions of lower- and middle-income American workers and their families.

Therefore, Mr. Speaker, I encourage my colleagues to support this rule so

that we may proceed with H. Con. Res. 312, as well as additional measures honoring former President Ronald Reagan and the late Olympian Jack Shea.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the reporter is not confused with these two Hastings this year. This is a first for the gentleman from Washington (Mr. HASTINGS), my good friend and colleague, and I thank him for yielding the time. Let me assure the gentleman that we will try to make this debate more friendly than the last Battle of Hastings in 1066.

Mr. Speaker, as the gentleman from Washington (Mr. HASTINGS) has already explained, under rule XV of the House rules, bills may be considered on the House floor under suspension of the rules only on Mondays and Tuesdays. Therefore, this resolution is required in order to consider the bills on today's schedule.

The gentleman has done an adequate job of explaining why, in the leadership's opinion, these bills must come to the floor today and in this manner. Mr. Speaker, I respectfully disagree and oppose adoption of this rule.

There is no need to rush to judgment on these bills. There is simply no good reason to handle these bills outside the normal parameters of the way the House should conduct its business. Moreover, when the House does operate this way, it effectively curtails our rights, and I am talking about the Members, and responsibilities as serious legislators. Members should be very wary of allowing this leadership or any leadership to usurp our rights.

There are Members of this body who have serious concerns with at least one of the resolutions we may consider today, and I think that we may hear quite a bit in due time from several distinguished members of the House Committee on Ways and Means regarding their concerns, in addition to other fiscally responsible Members.

Mr. Speaker, it was shocking to me today to read on the front page of today's Washington Post about the deaths of six people in this city yesterday because of the cold weather. It strains credulity that we still have people freezing to death in this great country. So what is Congress going to do to help these people? Well, unfortunately, the answer from the administration is nothing more. Sorry, they say. No money for additional heating is available.

In my home of Broward County in the State of Florida, we are facing millions of dollars of shortfalls to deal with serious human needs, from sheltering the homeless to feeding the hungry to administering medical care, and I spent a lot of time studying that particular problem during the last month in my area. To the infirm persons who are not to receive assistance, to paving

roads and, most importantly, in leaving no child behind, we are getting ready to leave some behind in my home county because we do not have the funds to modernize the schools; we have already dropped the summer school program that is proposed, and cuts are everywhere, which means that there are serious problems. The people of south Florida and throughout this country have serious human needs which the President's budget neglects.

As a member of the Permanent Select Committee on Intelligence, I am keenly aware of what our domestic and national security needs are. I do not quibble with the President's request for this funding. What I do take umbrage with is the insistence that the administration does not have enough cash or proposed same for the other serious needs in our country.

At the same time I remain committed to homeland security, I also remain committed to security in folks' homes and in their families. We need to realize that September 11 was not just an attack on the World Trade Center and the Pentagon; rather, it was an attack against America's economy, America's values, and all of the American people.

As we fund the war on terrorism abroad and within our own borders, we cannot and will not forget our casualties here at home. And, Mr. Speaker, I am not just talking about the significant number of Americans, nearly 3,000 or more, who died on September 11 or in the subsequent anthrax attacks. I am also talking about the more than 1.8 million hard-working Americans who are jobless as a result of our recession. Every day we pick up the paper and another company is firing or laying off thousands of workers.

I am glad to see that the President includes a 13-week extension of unemployment benefits for those who lost their job as a result of the attacks on our Nation. This extension is a move that I, for one, along with several of my colleagues, in a bipartisan fashion have been pushing for since I first introduced my plan to extend unemployment and job training benefits, as well as health care benefits, to the unemployed, when I offered an amendment to the Airline Stabilization Act on September 21. My plan currently has more than 150 bipartisan cosponsors, the most of any plan in the House at this time.

But while the budget extends unemployment, it cuts 20 out of 48 job training programs the Federal Government currently offers to those who wish to improve their on the job skills. In addition, the budget does nothing to extend the health care benefits to displaced workers.

The bottom line, Mr. Speaker, is that in less than 1 year, the health care benefits for the 1.3 million already displaced workers and their families is going to expire. Although the recession may be slowing, we nonetheless remain in a recession. Just because unemploy-

ment levels may only be increasing by .1 percent every month and not the 1.5 percent as we saw a few months ago, we are in no way re-creating the jobs that we have already lost. It is going to be a long time until the economy will recover enough to the point that we can actually re-create jobs instead of losing them. Until then, we need to protect the unemployed because times are not getting any easier for them.

As I mentioned at the outset, and for the reasons just explained, I oppose adoption of this rule.

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

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. LEVIN), my good friend.

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

Mr. LEVIN. Mr. Speaker, I very much oppose this resolution and H. Con. Res. 312 that would be brought up under it. Mr. Speaker, H. Cons. Res. 312 is nothing but a smoke screen. It is to try to hide the fact that the Social Security and Medicare surplus is going up in smoke, going up in smoke, because of the way this administration and this House have handled the economy and the budget. It is an effort to hide the fact that the lockbox of Social Security and Medicare is not only being unlocked, but it is being thrown into the scrap heap.

On five occasions this House voted on lockboxes for Social Security and Medicare: On May 26, 1999; June 20, 2000; September 18, 2000; September 19, 2000; and February 13, 2000. But what has happened? The lockbox is essentially gone.

President Bush just a year ago said this: "To make sure the retirement savings of America's seniors are not diverted to any other program, my budget protects all \$2.6 trillion of the Social Security surplus for Social Security and for Social Security alone."

But look at this chart, what has happened. A surplus of \$5.6 trillion will be down this year to less than \$1 trillion, and probably less than that; a loss of \$5 trillion in 1 year, much of it Social Security and Medicare.

The L.A. Times yesterday in the headlines said, "Budget Sells Social Security Down Red Ink River," critics say. How true. How true that is.

Let me just read the implications of that from the Director of the budget office, and I quote: "Put more starkly, Mr. Chairman, the extremes of what will be required to address our retirement are these: We will have to increase borrowing by very large, likely unsustainable amounts; raise taxes to 30 percent of GDP, obviously unprecedented in our history; or eliminate most of the rest of the government as we know it. That is the dilemma that faces us in the long run, Mr. Chairman,

and these next 10 years will only be the beginning.”

Here we face a resolution trying to hide these facts. The President’s budget diverts all of the Medicare surplus, all of the Medicare surplus and \$1.5 trillion of the Social Security Trust Fund surplus, and instead of paying down the debt, which is essential to meeting our Social Security needs and Medicare, what we are doing is increasing the debt.

One other chart. Mr. Speaker, one result of this irresponsibility is not only to divert Social Security and Medicare funds, but to increase interest costs over this 10-year period by \$1 trillion. What a waste. Baby boomers are going to turn 62 in 2008. This resolution is an effort to hide the fact that this administration has turned their back on the Social Security and Medicare needs of baby boomers. I oppose this resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means.

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

Mr. WELLER. Mr. Speaker, today our House has an opportunity, an opportunity to go on the RECORD and speak clearly of whether or not we should continue lowering taxes for American workers. Today we are at war. The war on terrorism, our efforts to strengthen our homeland security, and the current recession have caused a fiscal deficit in our budget. In fact, according to the Congressional Budget Office, they point out that the recession, combined with the war on terrorism and our efforts to protect our homeland security, account for 72 percent of our current deficit.

□ 1045

So almost three-quarters of our deficit has been caused by the economy as well as the war. Some on the other side are saying we need to raise taxes in order to eliminate that deficit. And the way they want to raise taxes is they are calling for the repeal of the Economic Growth and Tax Relief Reconciliation Act, something we commonly know as the Bush tax cut which will give them more money to spend here in Washington.

Well, today we have a choice, a choice of higher taxes or getting this economy growing again. Let us remember that when President Bush became President he inherited a weakening economy. At that time the President proposed taking one-fifth, 20 percent of the budget surplus that resulted from the fiscal responsibilities of this good Congress, and giving it back to the American worker so the American worker can spend it at home for their families and get the economy moving again. And we succeeded with bipartisan support in passing the Bush tax cut, helping our economy.

We lowered rates for small business and entrepreneurs. And we have to re-

member it is small business and entrepreneurs that are the engines of economic growths. In fact, 80 percent of those who filed taxes under the top two tax brackets are small business people and entrepreneurs who have shops and businesses on Liberty Street, the downtown in my home town of Morris, Illinois, as well as on Main Street all over America. We also passed efforts to wipe out the marriage tax penalty, to wipe out the death tax which helps small business and family farmers, to increase contributions and incentives for retirement savings and to double the child tax credit.

If we repeal the Bush tax cut, that is all gone. It is a tax increase on the American worker. And there is no real-world economist today who says that in a time of war and recession that you should increase taxes. But if you repeal or stall the Bush tax cut, we know it is a tax increase.

Well, the Bush tax cut was working. Economists were telling us that late August around Labor Day that the economy was beginning to grow again. Then the terrible tragedy of September 11 occurred, costing thousands of Americans their lives, terrible tragedy, put us into a war; and unfortunately the psychological blow of that terrorist attack also impacted the confidence of American consumers as well as American investors. And over a million Americans have since lost their jobs since the terrorist attack on the World Trade Center, Pennsylvania, and here in Washington at the Pentagon.

Today we are at work. We are strengthening our homeland security. And unfortunately we are also in an economic recession. Again, no real-world economist says that we should increase taxes during a recession. Tax increases hurt our economy, they hurt the confidence of our investors, and they take money out of the pocketbooks of American workers who can better spend that at home taking care of their families’ needs.

We must keep spending under control. True fiscal responsibility is keeping spending under control. Fiscal responsibility is not increasing taxes, as my friends on the other side of the aisle today will be advocating. Repealing the Bush tax cut is a tax increase. Simple.

Today we will have the opportunity for the House to go on the record for every Member of this House, Republican and Democrat, to say they want to increase taxes or we protect the tax cut for the American worker and get this economy moving again. Let us remember, repealing the Bush tax cut is a tax increase. I ask this House to vote aye on this rule, and I urge Members of both parties to vote against a tax increase and vote aye in favor of maintaining the full implementation of the Bush tax cut, helping the American worker and let us get this economy moving again.

Mr. HASTINGS of Florida. Mr. Speaker, could I please be advised as to

the amount of time remaining on both sides?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Florida (Mr. HASTINGS) has 18 minutes remaining. The gentleman from Washington (Mr. HASTINGS) has 22 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

My distinguished friend and colleague, the gentleman from Illinois (Mr. WELLER), I would like to advise the gentleman that I know of no Democrat that has signified that he or she is in favor of tax increases. The gentleman’s analogy is a false analogy. Repealing these tax cuts would not be a tax increase.

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

Mr. HASTINGS of Florida. I yield to the gentleman from Illinois.

Mr. WELLER. Mr. Speaker, according to the Congressional Budget Office, repealing the Bush tax cut will increase tax revenue by about \$360 billion. Now, when we increase tax revenue when people are already making plans based upon that tax cut, real-world economists call that a tax increase.

Mr. HASTINGS of Florida. Reclaiming my time, I would like the gentleman to understand that last year’s tax cut, if made permanent as proposed in the President’s budget, would cost approximately over \$2 trillion over the next 10 years when debt service costs are taken into account. That cost is almost exactly the same as the total raids on Social Security and Medicare that will occur over the next 10 years. There is a future and that is what I do not think anybody is saying, and there are human needs and they need to be addressed in a meaningful way. If we had no tax cut, we would be able to address them.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I rise in opposition to this resolution to suspend reality. The only purpose of this resolution is to allow the House to debate a resolution that really does suspend reality.

It was just a few short months ago that the same people who are here today urging adoption of this proposal were telling us that we could have it all: We could save Social Security; We could preserve Medicare and extend a prescription drug benefit to seniors; We could balance the budget; We could have more spending; We could pay down the debt. Indeed, we could do all of that with huge tax breaks for the richest people in our society. We could do all of that, they told us; and they even had the audacity to come to the House and say we need more tax breaks because if we do not get them, we will be paying down the debt too far and that might jeopardize the economic future of our country.

Well, these same folks today are bringing up what is really a resolution to have a straw man about a tax increase. There is no one on the floor today that has a bill or proposal to raise taxes or even to repeal any of the taxes that were changed last year, many of which were outrageously skewed to those at the top of the economic ladder, rather than reaching those hardworking Americans, who needed tax relief the most.

No, what we have is a resolution that is designed to disguise all of the red ink that is in this budget that has been proposed this week and to distract attention from what is really occurring here—a raid on Social Security and Medicare.

How does all of this work? Well, in order to finance these tax breaks, our colleagues on the Republican side are not only picking the padlock on the Social Security and Medicare lock box that they voted for five times; rather, within months of having approved this phony lock box, they are throwing the whole box away. They are saying to the people of America that when you work hard and you contribute your wages and you get taxed at work and your employer gets taxed to forward those monies up to Washington to protect and preserve Social Security and Medicare, that they are not going to use them for that purpose. They are going to give Social Security and Medicare an IOU, and they will redirect those same dollars and apply them to finance these tax breaks way into the future.

It is not just the tax breaks that have already been proposed. Yesterday we have heard Republicans are already seeking about a trillion dollars more to extend these tax breaks and add to them. As if that was not enough damage to the fiscal strength and sanity of this country, the Secretary of the Treasury, Mr. Paul O'Neill, indicated that his ultimate objective which he had shared with the President, and with which the President indicated he was intrigued, is to eliminate all taxation on corporations and businesses in this country. So we will face, one year after another, more reaching into our pockets to take those payroll taxes and use them to advance the Republican Party's agenda.

The reality that they want to suspend is that under their proposed budget, they are going to take \$1.5 trillion of Social Security payroll taxes and use them elsewhere. They will take \$500 billion, in excess of \$500 billion of Medicare payroll taxes and use them elsewhere. In addition to all that, they propose piling on almost a trillion dollars of additional tax breaks. That makes no fiscal sense. It means shifting more and more of the responsibility for what we are doing today to our children and our grandchildren, and it also means we will not be able to fulfill our Social Security and Medicare obligations. It means direct benefit cuts as a result of this kind of phony resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, it is obvious that the Members in the minority do not have any problem debating this issue. They do not mind talking about postponing or delaying the tax cuts. They do not mind speaking out and blaming the tax cuts for all sorts of evil, but they do not want to vote. They do not want to take a position. That is all we are going to do, just take a vote and let everybody be counted.

Now, last night in a kind of bomb blast against this resolution, there was a Member of the minority that said this country ran a surplus for 200 years and now we are in a deficit and it is no time to reduce taxes. Well, let me remind all of the Members that this country, while it was running a surplus, had a tax rate of half of what it is today. We have actually increased taxes by a greater extent than when we had a surplus. And all those tax increases have only resulted in more spending, that is what they have resulted in. They did not get us to a surplus until we cut spending; and we went into a surplus not by raising taxes but by cutting the rate of spending. And if Members are opposed to, if Members want to delay these tax cuts, if Members want to postpone these tax cuts, then vote no on this resolution. But as far as I am concerned, when Congress makes a commitment to give American people tax relief, they ought to honor that commitment. To put it plainly, the American people should get the tax cuts they were promised. Americans should have the relief they need now.

Passage of President Bush's tax cuts, and the ink is barely dry on them. It has just been a few months. And that was a historic bipartisan effort, a historic bipartisan effort. Only three times since World War II has this Congress passed across-the-board tax cuts. The first time was President Kennedy in the 60's. The second time was President Reagan in the '80's, and now George W. Bush's tax cut that we just passed. And already, already we are saying we are blaming those tax cuts on the disappearance of the surplus. We are blaming them for that. And as the gentleman from Illinois (Mr. WELLER) said, spending accounts for 16 percent of it; 72 percent of it was caused by economic conditions.

We need to stimulate the economy. We need tax cuts to stimulate the economy, to cause growth, to increase tax revenues. We do not need to be increasing taxes.

Now, someone said we are just postponing and delaying the tax cuts. That does not result in a tax increase to anyone. Why, obviously, it does. The American people know that it does. When we postpone marriage penalty relief, people continue to pay a marriage penalty. Their taxes are more because the marriage penalty continues to be paid.

Now, most of us in this body think that the marriage penalty is unfair, that we ought to repeal it. We voted to do just that. Yet, now Members are saying, well, we ought to delay the marriage penalty relief. Across-the-board income tax reduction. People got \$300 and they got \$600 back, and they said, this is great. The government trusts us to spend our own money. Instead of them spending it, we are getting to spend it.

Now there are some in this body that said we should not do that. We should not continue that. They are saying we can spend this money. We can make better decisions than the American people.

□ 1100

I say put that money in the pockets of hardworking Americans; let them spend that money, whether it is \$300 or \$600. Actually it is \$1,700 when these tax cuts take effect.

How about doubling of the per child tax credit? If we delay that, then people do not get that, and their taxes go back up where they would have gone down. We are talking about hundreds of dollars per American family. I call that a tax increase.

If we want to vote to postpone, if we want to delay these tax cuts, get out here and vote for it. The American people deserve to know how every Member of the House and every Senator feels on this issue. Let us quit obstructing this.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself 20 seconds.

Would the gentleman from Alabama (Mr. BACHUS) stay at the stand for he and I to have an exchange?

Am I correct that the surplus in the Social Security, and that we voted five times in the House of Representatives to have a lockbox so that Social Security surplus would not be utilized; can you answer both those questions yes or no?

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

Mr. HASTINGS of Florida. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Speaker, we can curtail spending. We do not have to rob Social Security.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman for his response.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. MATSUI), my good friend.

Mr. MATSUI. Mr. Speaker, I would like to thank the distinguished gentleman from Florida (Mr. HASTINGS) for yielding me the time.

Here we go again. The gentleman from Illinois (Mr. WELLER) and the gentleman who just spoke said that 70 percent of the surplus has been eliminated because of the war effort and because of the recession. If you only take it in a snapshot of the last 12 months, that may be true, but over the next 10 years, we have to look at it over the next 10 years because the tax cut phases in over 10 years. What really

happens is because the CBO made bad projections and because of the recession, the surplus is eliminated by 42 percent by the change in economic conditions.

Secondly, the tax cut once 10 years have passed is 41 percent of the loss of the surplus, 41 percent of the loss of the surplus. The defense spending, the defense spending and the war effort, the total over the next 10 years only comes to 9 percent of the loss of the surplus. It is the tax cut, 400 times the cost of the defense bill, that is the reason that we are losing the surplus and running deficits and the reason we are going to dip into the Social Security Trust Fund.

What is ironic is the fact that the Social Security Trust Fund under the President's budget over the next 10 years will be tapped into in the sum of \$1.4 trillion. Some might smirk at that. The problem is that what we have is a unique situation. The elevator operator, the waitress in the House dining room that feeds us and makes sure we have our meals, their payroll tax is going to pay for this tax cut that was passed last May.

The tax cut that was passed last May, it comes to \$1.7 trillion once we add it all up with the interest lost, \$1.7 trillion, and that comes from the Social Security surplus that is now being taken out to pay for the tax cut.

The payroll tax is the most regressive tax in America. So we are asking people that make \$20,000 a year, \$2,000 they pay into the Social Security Trust Fund every year, and we are going to ask them to pay for tax cuts for people who make \$1.1 million because the top 1 percent get 40 percent of this tax cut.

Somebody is going to have to tell me about the equities in this. We are not like the Greeks, we are not like Aristotle so we do not talk about ethics, but there is something immoral about this, something immoral about asking the waitress on her payroll taxes to pay for people that make \$1 million a year.

What we have is a little resolution that we would like to add on to the gentleman from Washington's (Mr. HASTINGS) resolution. It would basically say that we want to preserve the Social Security and Medicare Trust Fund. We want to put that in a separate account. My colleagues voted on it five times in the last 24 months. In fact, only one Republican Member in the entire body, the gentleman from New York (Mr. HOUGHTON), voted against it, and he only did that once or twice. So they all support taking the Social Security and Medicare money, putting it aside so that we do not spend it on anything, including tax cuts and other government programs. All we want to do is add that on as an amendment so we can put a little equity in this so we can make sure the American public understand what the priorities are.

I have to say this: If my colleagues vote for this rule and deny us

the opportunity to offer an amendment to create a lockbox that protects Social Security and Medicare, we are jeopardizing the senior citizens of America. We are putting them at risk. We are putting them in a situation where they are putting their payroll taxes into a trust fund thinking it is for their retirement, and instead, it goes to people like Ken Lay of Enron Corporation. That is the most outrageous thing I can imagine on the floor of the House.

Let me just conclude by making one other observation about this, if I may. If this resolution fails, and I really hope it fails, it means nothing. The tax cut still goes into effect. So we are wondering, the American public is saying, well, if it fails, it still goes into effect, why is that? Well, that is because we are playing games. Instead of doing the public's business, instead of trying to make sure the economy is working, instead of making sure that we have a balanced budget, instead we are playing games.

This is absolutely a meaningless day. We are going to spend 3 hours on this, debate it, vote on it, and it is going to be totally meaningless because no matter what we do, that tax cut is still going to occur. So we have to ask ourselves what is really the intention of the authors of this amendment? Why are they doing this? Well, because they want to play politics. They talk about partisanship. That is exactly what they are into.

Vote for a motion upon the previous question. Vote against the rule and vote against this resolution which is a very bad resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, my colleagues on this side of the aisle are not evil. Matter of fact, I spoke to the gentleman from New York's (Mr. RANGEL) staffer just yesterday. He informed me that only about 9 percent of the population that he represents own their own home, and it is difficult to think that people with tax relief in that district could help themselves more than government, but neither my district nor the gentleman from New York's (Mr. RANGEL) district I think represents mid-America, and tax relief does help those individuals with money in their own pockets.

I would say to my colleagues, the issue of the Social Security Trust Fund is not on this floor because in 1993, when the Democrats controlled the White House, the House and the Senate, they claimed that they wanted tax relief for the middle class. What did they do? They could not help themselves. They raised the tax on the middle class. They took every dime out of the Social Security Trust Fund for domestic spending. They increased taxes, and they increased spending, and what we are saying is that we believe that for all America that tax relief, mar-

riage penalty, death tax, more money in education IRAs benefits most of the people in America.

I understand why the gentleman from New York (Mr. RANGEL) wants more government support. He is not evil. It helps his district, but in my district and I think the majority of districts, it does not, and that is what we are fighting for is across the board middle America.

I would say that when we increased taxes on Social Security in 1993, when we take increased gas taxes, that hurts Americans. Look at the truckers that we had demonstrating on the lawn because it increased just in gas tax and the high cost of fuel. That is wrong, and it hurts jobs. Why are people laying off people today, over 700,000 people since September 11, and before that, we had started into a recession? Because they are not making margins.

Remember in Los Angeles when we had the riots, all those businesses that were burned out, how much revenue was coming to the United States Government? Zero. But yet Jack Kemp's type law for an enterprise zone gave low-interest loans. We put money in there. We started those businesses. People started working, and the more people that worked, the more revenue we had in government. That is what we believe in, and then we can help these domestic programs.

This country is at war, both domestically and overseas. Most Americans do not mind reducing the amount of growth. We will set a number, my colleagues will set a higher number. Because we do not reach their higher number, they will say we are cutting when we are actually increasing domestic programs. I understand my colleagues on the other side, but government does not do it better than people themselves.

Mr. HASTINGS of Florida. Mr. Speaker, would the Speaker give an account of the amount of time remaining for both sides?

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 7½ minutes remaining, and the gentleman from Washington (Mr. HASTINGS) has 14 minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, my friend from California was exactly right when he said a moment ago that Social Security is not on the floor today, but it should be.

The reason I rise to strongly oppose this rule and strongly oppose the previous question is that I believe that we ought to have an amendment allowed that would preserve the lockbox for Social Security. What our friends on this side of the aisle are saying clearly to the American people today, it is much more important to preserve the tax

cuts in 2004, 2005, 2006, 2007, 2008, 2009, and 2010 than it is to protect Social Security and the ability of our young people and the baby boomers to draw it in 2007.

That is the choice today, and do I mind voting on this? Not at all. To those that continue to say we are talking about raising taxes on this side of the aisle, no one on this side of the aisle has said one word about raising taxes on anybody in the past several days or in the days ahead.

My friends on the other side of the aisle will point out the primary reason we face a deficit this year is because of the war on terrorism and the economic downturn, and they are right, this year, but we are talking about a 10-year proposal. We are talking about setting into concrete a budget resolution that was passed before the war, before September 11, and saying we cannot touch any of that. We are going to borrow all of the Social Security Trust Fund moneys for the next 10 years. That is what my colleagues are saying. When they vote for this rule and for the previous question, they are saying absolutely unequivocally we are going to go back into Social Security, and we are going to justify it.

What I would ask my friends, those who have said, as the gentleman from Alabama (Mr. BACHUS) said a moment ago, we are going to cut spending, bring your budget out, give us a chance to work with you. You will find there will be considerable support on this side of the aisle for cutting spending. Bring it out. You will have a chance to do that.

Last year the Blue Dogs warned it was dangerous to make long-term budgetary commitments based on 10-year surplus projections when 70 percent of the projected surplus was in year 2006 to 2010. We suggested it would be much more responsible to make budget decisions based on 5-year projections. Now I read that the Office of Management and Budget has proposed using 5-year budget projections because they have decided that 10-year projections are not reliable, yet here we are arguing on the 10-year projection. The OMB says, no, we should not do that. If it was a mistake to make budget decisions based on 10-year projections, as the administration is telling us now, then why are we blindly making decisions based on a 10-year budget forecast that turned out to be \$5 trillion wrong?

What bothers me about the game plan we are now in is what it means to the future of Social Security and Medicare. We should be saving the Social Security and Medicare surpluses to prepare for the retirement of the baby boom generation and working on reforms to strengthen Social Security and Medicare for our children and grandchildren. That is what we should be debating on this floor today, tomorrow and the days ahead.

I would say to my colleagues that if they are looking forward to voting to

increase the limit on our national debt to \$6.7 trillion to borrow the money that they are insisting in their economic game plan, that they voted on, that they are insisting on, if they are looking forward to that, then vote for this previous question and rule, because they are going to get a chance to vote to borrow, and the American people are soon to begin to understand that we are talking about borrowing the money to spend.

□ 1115

We are fighting a war, and we are borrowing on our children and grandchildren's future in order to satisfy a theoretic game plan that is already shown to be off by \$5 trillion within 12 months. If we look at the massive increases in the national debt and the budget that was submitted this week, and the tremendous unfunded liabilities facing the Social Security system and the Medicare system, and worry about the legacy we are leaving for our grandchildren, then perhaps this resolution does not feel so good.

I hope there is a few of my colleagues on that side that share that commitment because I certainly do. It is time to set aside these pure partisan comments and start working on the real problem, and that is solving the Social Security problem before it is too late.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Ms. DUNN), a member of the Committee on Ways and Means.

Ms. DUNN. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to bring up one point that people continue to forget. It certainly is not emphasized in the media. And that is that as we estimated what our budget surplus would be over the last few years, we predicted that over 10 years it would be \$5.6 trillion. We are still looking at a budget surplus over 10 years. It has dropped because of recession and the war on terrorism and spending that we continue to do to \$1.6 trillion, but, in fact, at the end of 10 years, we will have a surplus, according to today's number, of \$1.6 trillion.

So let us not imply we are going to have years and years of deficits; that we are going to do as the other party did for 40 years and spend our government into a huger and huger national debt. It is simply not true.

I want to thank the gentleman from Illinois (Mr. WELLER) and the gentleman from Alabama (Mr. BACHUS) for sponsoring this resolution. I rise today on the 91st birthday of Ronald Reagan, our Nation's 40th President, to call upon Congress to make our historic tax bill permanent. Under President Reagan's leadership, we experienced economic expansion and peace and prosperity in the midst of a Cold War. He believed that cutting taxes would increase, not shrink the Federal tax revenues, and he was right. We also know that spending did not decrease during those years because Congress did not keep its commitment.

I believe as far as this permanency resolution is concerned, Mr. Speaker, that workers should not face financial uncertainty just because we fail to make their tax cut permanent. It is very important to tell the American public about the consequences of inaction.

If we do not make the tax bill permanent, working Americans, teachers, small-business people, small-business owners, truck drivers will all see a tremendous tax increase. No matter what anybody says about it, if we do not make this permanent, and this tax situation comes back after 10 years to be exactly the way it was before the President signed the bill last June, that is a tax increase.

Specifically, in 2011, a middle-income couple making \$50,000 a year would see their tax burden rise by over \$1,200 a year just because of the phaseout of the provision that now relieves married couples from the marriage penalty.

I also want to point out the two central myths that are promoted by our opponents. First of all, tax relief made the recession worse. False. In fact, the tax cut had the opposite effect by putting more money in people's pockets and by creating incentives to encourage companies to invest and create jobs. The economic data indicate that consumer spending kept us from falling into an even deeper recession.

Secondly, the myth that suspending the tax relief is not a tax increase. False. Make no mistake about it, rescinding tax relief would be raising taxes. That very strange item in the Senate that requires that any kind of tax decrease sunset after 10 years has already had some perverse effects. Under current law, people will have to die during 9 particular months, from January 1 to October 1 in 2010, to avoid the death tax. For anybody who passes away in 2011, however, their estate would face the punishing 55 percent rate again that we had in 2001. The resurrection of the death tax ensures that family businesses will continue to pay estate planners and buy expensive insurance policies. It is just as if repeal never existed.

The lack of permanency, the lack of predictability has real consequences. And I would say, Mr. Speaker, I think it is especially symbolic that we offer this resolution today on President Reagan's birthday. We all know what a champion he was for tax relief, and we honor his legacy by supporting this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume to advise my colleague that the Governor of the State of Florida, the President's brother, just scaled back his own tax cut in Florida. And I ask, did Governor Bush just raise the taxes of all Floridians? He is not calling it a tax increase.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL), the distinguished ranking member of the Committee on Ways and Means and my good friend.

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

Mr. RANGEL. Mr. Speaker, let me join with the gentlewoman from Washington in wishing President Reagan a happy birthday and in saying that, as most people should know, that this is a tax policy bill, but because it deals with more politics than policy, it did not go through the Committee on Ways and Means. True, we have a lot of Members here trying to protect our jurisdiction, but it went through the Committee on Rules. That means it is supposed to be noncontroversial. It means that what some of the people are projecting here is not only do we accelerate the tax cuts, which the Committee on Ways and Means has seen with their majority to enact and to pass into law, but they even are talking about making it permanent, which not only costs trillions of dollars, but at a time where we find that 40 or 50 million people will become eligible for Social Security.

I think this is not noncontroversial. I think it is something that should go through the Committee on Ways and Means. And I kind of think that since all of this was enacted at a time when we did not have a recession and we did not have war, that we really are tying up the hands of the Congress to project what is going to happen in the future.

There was a time before the State of the Union message that I thought Osama bin Laden was what was the threat to the United States. The President says there are 10,000 terrorists walking the streets throughout the United States of America. The President says it is not Osama bin Laden, because he never mentioned his name, but we have the three-country axis, where we have Iran, Iraq, even North Korea. But, who knows, Somalia; who knows, Libya; who knows, Cuba.

So we do not know, really, the true extent of where this war may take us. And since we have the responsibility, I think, if we retained it, to declare the war, we should have the responsibility in determining how we pay for it. This is the only time, during a time of war, where we are saying let us accelerate tax cuts and make them permanent; when during a time of war, our great Republic always said, let there be sacrifices, let us protect the poor, let us protect our men and women, giving them what they need, let us protect Medicare, let us protect Social Security, and let us protect our country.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 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, we are having the traditional debate today, and that is, when spending is a little tight, do we raise taxes, or do we bring spending under control? Our friends on the other side of the aisle are using their traditional argument to raise

taxes, and we are saying that we should keep spending under control.

We are in a recession; world war. Clearly, we do have a deficit. We all admit to that. And every time we have been in a recession, we have had a deficit. Every time we have been at war, we have had a deficit. As the Congressional Budget Office has stated, 72 percent of the deficit is a result of the economy and the war against terrorism.

Clearly, if we want to get this economy moving again, we need to bring spending under control and continue to lower taxes for American workers. And not one real-world economist has said that we should increase taxes during a recession. They all say, including Alan Greenspan, that we should lower taxes.

I would note that if our friends are successful in stalling or repealing the Bush tax cut, this is what they will do: They will increase taxes on married couples. Our friends would increase taxes on the death tax for small-business people and family farmers. They would increase taxes on small-business people and entrepreneurs. They would also increase taxes on parents who have children, because they would stop the implementation of doubling the child tax credit.

As Secretary O'Neill has said, "Any delay or repeal of the Bush tax cut is clearly a tax increase." And he also said, and I can quote him from his testimony before the House Committee on Ways and Means, "Raising taxes would stifle the process of getting Americans back to work. This is a bad idea as our recovery is struggling to take hold."

My colleagues, over a million Americans are out of work. We do not need a tax increase. We need to get this economy moving again. Vote aye on the previous question, aye on the rule, and aye for the resolution to maintain the tax cut.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of the time.

I ask my colleagues on the other side, what part of \$1½ trillion raid on Social Security do you not understand about the next 10 years? What we are going to do is unlock the lockbox and box up the economy of America.

Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I am going to offer an amendment to the rule to remove from the suspension calendar H. Con. Res. 312, the sense of the House that the tax cuts enacted last year should go forward. I will replace it with legislation that will provide for a Social Security and Medicare lockbox for the sixth time in the House of Representatives.

Mr. Speaker, regardless of how Members feel about last year's tax cuts, it is critical that we first work to protect and preserve Social Security and Medicare. Under the new budget resolution presented by the President this week, there will be, over the next 10 years, a nearly \$1.5 trillion raid on the Social

Security Trust Fund and over \$.5 trillion from the Medicare Trust Fund. It is absolutely critical that we keep promises we have made to our Nation's senior citizens and protect their future. This bill is virtually identical to H.R. 2, which was passed nearly unanimously by the House last year.

Mr. Speaker, I ask unanimous consent to insert the text of the previous question immediately prior to the vote, and urge my colleagues once again to vote "no" on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BACHUS) on the issue the gentleman just raised about Social Security.

Mr. BACHUS. Mr. Speaker, there they go again. They are talking about Social Security and throwing out all these things, throwing out numbers. The bottom line is this: If my colleagues want a tax increase, then submit a bill, submit legislation, and tell the American people where they stand.

What I have done, what the gentleman from Illinois (Mr. WELLER) has done, we have submitted legislation to let the American people know where we stand, where everyone in this House and the Senate stands. Be honest. Submit legislation and increase taxes. We will have a vote on that.

The best way to ensure that we protect Social Security, which is what we all want, is to stimulate the economy. OMB Director Mitch Daniels testified yesterday before the House Committee on the Budget, and that is what he said. The sooner we return to economic growth, the better we can protect Social Security. That was his message. A few hours later, the Senate killed the stimulus package.

The way to get economic growth is to stick with President Bush's tax relief. Raising taxes or postponing or delaying the President's tax relief is a sure way to destroy this economy, that and obstructing an economic stimulus bill. That is how we will destroy Social Security, by driving up taxes and keeping spending high.

We have made a commitment to the American people to give them tax relief they need. We must keep that commitment. Cutting taxes is the right thing to do. It is the fair thing to do. It is the compassionate thing to do for families who are struggling from paycheck to paycheck.

We need to get this economy going. We need to create jobs. They do not want unemployment checks. They would much rather have a payroll check. Let us give them tax relief, let us resurrect that economic stimulus package. We lost 300,000 jobs last month through inactivity and 800,000 jobs since this House passed an economic stimulus package.

□ 1130

Mr. Speaker, let us give the American people relief. Let us stimulate this economy.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. ____
PROVIDING FOR CONSIDERATION OF MOTIONS TO
SUSPEND THE RULES

At the appropriate place in the resolution strike "(1)" and all that follows through "repealed." and insert in lieu thereof:

"(1) A bill to establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds printed in section 2 of this resolution."

At the end of the resolution insert the following new section:

"SEC. 2. The text of the bill is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security and Medicare Lock-Box Act of 2002".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) fiscal pressures will mount as an aging population increases the Government's obligations to provide retirement income and health services;

(2) social security and medicare hospital insurance surpluses should be used to reduce the debt held by the public until legislation is enacted that reforms social security and medicare;

(3) preserving the social security and medicare hospital insurance surpluses would restore confidence in the long-term financial integrity of social security and medicare; and

(4) strengthening the Government's fiscal position through debt reduction would increase national savings, promote economic growth, and reduce its interest payments.

(b) PURPOSE.—It is the purpose of this Act to—

(1) prevent the surpluses of the social security and medicare hospital insurance trust funds from being used for any purpose other than providing retirement and health security; and

(2) use such surpluses to pay down the national debt until such time as medicare and social security reform legislation is enacted.

SEC. 3. PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.

(a) PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"LOCK-BOX FOR SOCIAL SECURITY AND HOSPITAL INSURANCE SURPLUSES

"SEC. 316. (a) LOCK-BOX FOR SOCIAL SECURITY AND HOSPITAL INSURANCE SURPLUSES—

"(1) CONCURRENT RESOLUTIONS ON THE BUDGET—

"(A) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or an amendment thereto or conference report thereon, that would set forth a surplus for any fiscal year that is less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

"(B) EXCEPTION.—(i) Subparagraph (A) shall not apply to the extent that a violation of such subparagraph would result from an assumption in the resolution, amendment, or conference report, as applicable, of an increase in outlays or a decrease in revenue relative to the baseline underlying that resolution for social security reform legislation

or medicare reform legislation for any such fiscal year.

"(ii) If a concurrent resolution on the budget, or an amendment thereto or conference report thereon, would be in violation of subparagraph (A) because of an assumption of an increase in outlays or a decrease in revenue relative to the baseline underlying that resolution for social security reform legislation or medicare reform legislation for any such fiscal year, then that resolution shall include a statement identifying any such increase in outlays or decrease in revenue.

"(2) SPENDING AND TAX LEGISLATION.—

"(A) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

"(i) the enactment of that bill or resolution, as reported;

"(ii) the adoption and enactment of that amendment; or

"(iii) the enactment of that bill or resolution in the form recommended in that conference report,

would cause the surplus for any fiscal year covered by the most recently agreed to concurrent resolution on the budget to be less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

"(B) EXCEPTION.—Subparagraph (A) shall not apply to social security reform legislation or medicare reform legislation.

"(b) ENFORCEMENT.—

"(1) BUDGETARY LEVELS WITH RESPECT TO CONCURRENT RESOLUTIONS ON THE BUDGET.—For purposes of enforcing any point of order under subsection (a)(1), the surplus for any fiscal year shall be—

"(A) the levels set forth in the later of the concurrent resolution on the budget, as reported, or in the conference report on the concurrent resolution on the budget; and

"(B) adjusted to the maximum extent allowable under all procedures that allow budgetary aggregates to be adjusted for legislation that would cause a decrease in the surplus for any fiscal year covered by the concurrent resolution on the budget (other than procedures described in paragraph (2)(A)(ii)).

"(2) CURRENT LEVELS WITH RESPECT TO SPENDING AND TAX LEGISLATION.—

"(A) IN GENERAL.—For purposes of enforcing subsection (a)(2), the current levels of the surplus for any fiscal year shall be—

"(i) calculated using the following assumptions—

"(I) direct spending and revenue levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

"(II) for the budget year, discretionary spending levels at current law levels and, for outyears, discretionary spending levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

"(ii) adjusted for changes in the surplus levels set forth in the most recently agreed to concurrent resolution on the budget pursuant to procedures in such resolution that authorize adjustments in budgetary aggregates for updated economic and technical assumptions in the mid-session report of the Director of the Congressional Budget Office. Such revisions shall be included in the first current level report on the congressional budget submitted for publication in the Congressional Record after the release of such mid-session report.

"(B) BUDGETARY TREATMENT.—Outlays (or receipts) for any fiscal year resulting from social security or medicare reform legislation in excess of the amount of outlays (or

less than the amount of receipts) for that fiscal year set forth in the most recently agreed to concurrent resolution on the budget or the section 302(a) allocation for such legislation, as applicable, shall not be taken into account for purposes of enforcing any point of order under subsection (a)(2)

"(3) DISCLOSURE OF HI SURPLUS.—For purposes of enforcing any point of order under subsection (a), the surplus of the Federal Hospital Insurance Trust Fund for a fiscal year shall be the levels set forth in the later of the report accompanying the concurrent resolution on the budget (or, in the absence of such a report, placed in the Congressional Record prior to the consideration of such resolution) or in the joint explanatory statement of managers accompanying such resolution.

"(c) ADDITIONAL CONTENT OF REPORTS ACCOMPANYING BUDGET RESOLUTIONS AND OF JOINT EXPLANATORY STATEMENTS.—The report accompanying any concurrent resolution on the budget and the joint explanatory statement accompanying the conference report on each such resolution shall include the levels of the surplus in the budget for each fiscal year set forth in such resolution and of the surplus or deficit in the Federal Hospital Insurance Trust Fund, calculated using the assumptions set forth in subsection (b)(2)(A).

"(d) DEFINITIONS.—As used in this section:

"(1) The term 'medicare reform legislation' means a bill or a joint resolution to save Medicare that includes a provision stating the following: 'For purposes of section 316(a) of the Congressional Budget Act of 1974, this Act constitutes medicare reform legislation.'

"(2) The term 'social security reform legislation' means a bill or a joint resolution to save social security that includes a provision stating the following: 'For purposes of section 316(a) of the Congressional Budget Act of 1974, this Act constitutes social security reform legislation.'

"(e) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

"(f) EFFECTIVE DATE.—This section shall cease to have any force or effect upon the enactment of social security reform legislation and medicare reform legislation."

(b) CONFORMING AMENDMENT.—The item relating to section 316 in the table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows:

"Sec. 316. Lock-box for social security and hospital insurance surpluses."

SEC. 4. PRESIDENTS' BUDGET.

(a) PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.—If the budget of the United States Government submitted by the President under section 1105(a) of title 31, United States Code, recommends an on-budget surplus for any fiscal year that is less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year, then it shall include a detailed proposal for social security reform legislation or medicare reform legislation.

(b) EFFECTIVE DATE.—Subsection (a) shall cease to have any force or effect upon the enactment of social security reform legislation and medicare reform legislation as defined by section 316(d) of the Congressional Budget Act of 1974.

Mr. HASTINGS of Washington. Mr. Speaker, I encourage Members to vote

“yes” on the previous question and on the rule.

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

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. 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.

Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution, and then on the motion to suspend the rules on S. 1888 postponed from yesterday.

The vote was taken by electronic device, and there were—yeas 212, nays 204, not voting 19, as follows:

[Roll No. 8]
YEAS—212

Aderholt	Flake	Latham
Akin	Fletcher	LaTourette
Armey	Foley	Leach
Bachus	Forbes	Lewis (CA)
Baker	Fossella	Lewis (KY)
Ballenger	Galleghy	Linder
Barr	Ganske	LoBiondo
Bartlett	Gekas	Lucas (OK)
Barton	Gibbons	Manzullo
Bass	Gilchrest	McCreery
Bereuter	Gillmor	McHugh
Biggert	Gilman	McInnis
Bilirakis	Goode	McKeon
Blunt	Goodlatte	Mica
Boehlert	Goss	Miller, Dan
Boehner	Graham	Miller, Gary
Bonilla	Granger	Miller, Jeff
Boozman	Graves	Moran (KS)
Brady (TX)	Green (WI)	Morella
Brown (SC)	Greenwood	Myrick
Bryant	Grucci	Nethercutt
Burr	Gutknecht	Ney
Burton	Hansen	Northup
Buyer	Hart	Norwood
Callahan	Hastings (WA)	Nussle
Calvert	Hayes	Osborne
Camp	Hayworth	Ose
Cannon	Hefley	Otter
Cantor	Heger	Paul
Capito	Hilleary	Pence
Castle	Hobson	Peterson (PA)
Chabot	Hoekstra	Petri
Chambliss	Horn	Pickering
Coble	Hostettler	Pitts
Collins	Houghton	Platts
Combust	Hulshof	Pombo
Cox	Hunter	Portman
Crane	Hyde	Pryce (OH)
Crenshaw	Isakson	Putnam
Culberson	Issa	Quinn
Cunningham	Istook	Radanovich
Davis, Jo Ann	Jenkins	Ramstad
Davis, Tom	Johnson (CT)	Regula
Deal	Johnson (IL)	Rehberg
DeLay	Johnson, Sam	Reynolds
DeMint	Jones (NC)	Rogers (KY)
Diaz-Balart	Keller	Rogers (MI)
Doolittle	Kelly	Rohrabacher
Dreier	Kennedy (MN)	Ros-Lehtinen
Duncan	Kerns	Royce
Dunn	King (NY)	Ryun (KS)
Ehlers	Kingston	Saxton
Ehrlich	Kirk	Schaffer
Emerson	Knollenberg	Schrock
English	Kolbe	Sensenbrenner
Everett	LaHood	Sessions
Ferguson	Largent	Shadegg

Shays	Sweeney	Walsh
Sherwood	Tancredo	Wamp
Shimkus	Tauzin	Watkins (OK)
Shuster	Taylor (NC)	Watts (OK)
Simmons	Terry	Weldon (FL)
Simpson	Thomas	Weldon (PA)
Skeen	Thornberry	Weller
Smith (MI)	Thune	Whitfield
Smith (NJ)	Tiahrt	Wicker
Smith (TX)	Tiberi	Wilson (NM)
Souder	Toomey	Wilson (SC)
Stearns	Upton	Wolf
Stump	Vitter	Young (FL)
Sununu	Walden	

NAYS—204

Abercrombie	Gutierrez
Ackerman	Hall (OH)
Allen	Hall (TX)
Andrews	Harman
Baca	Hastings (FL)
Baird	Hill
Baldacci	Hilliard
Baldwin	Hinchev
Barcia	Hinojosa
Barrett	Hoeffel
Becerra	Holden
Bentsen	Holt
Berkley	Honda
Berman	Hooley
Berry	Insee
Bishop	Israel
Blumenauer	Jackson (IL)
Bonior	Jackson-Lee
Borski	(TX)
Boswell	Jefferson
Boucher	John
Boyd	Johnson, E. B.
Brady (PA)	Jones (OH)
Brown (FL)	Kanjorski
Brown (OH)	Kaptur
Capps	Kennedy (RI)
Capuano	Kildee
Cardin	Kilpatrick
Carson (IN)	Kind (WI)
Carson (OK)	Klecza
Clay	Kucinich
Clayton	LaFalce
Clement	Lampson
Clyburn	Langevin
Condit	Lantos
Conyers	Larsen (WA)
Costello	Larson (CT)
Coyne	Lee
Cramer	Levin
Crowley	Lewis (GA)
Cummings	Lipinski
Davis (CA)	Lofgren
Davis (FL)	Lowey
Davis (IL)	Lucas (KY)
DeFazio	Lynch
DeGette	Maloney (CT)
Delahunt	Maloney (NY)
DeLauro	Markey
Deutsch	Mascara
Dicks	Matheson
Dingell	Matsui
Doggett	McCarthy (MO)
Dooley	McCarthy (NY)
Doyle	McCollum
Edwards	McGovern
Ergler	McIntyre
Eshoo	McKinney
Etheridge	McNulty
Evans	Meehan
Farr	Meeke (FL)
Fattah	Meeks (NY)
Filner	Menendez
Ford	Millender-
Frank	McDonald
Frost	Miller, George
Gephardt	Mink
Gonzalez	Mollohan
Gordon	Moore
Green (TX)	Moran (VA)

NOT VOTING—19

Blagojevich	Luther
Bono	McDermott
Cooksey	Oxley
Cubin	Kelly
Frelinghuysen	Riley
Hastert	Roukema
Hoyer	Ryan (WI)
	Shaw

Murtha	Nadler
Napolitano	Neal
Oberstar	Obey
Olver	Ortiz
Owens	Pallone
Pascarella	Pastor
Payne	Pelosi
Peterson (MN)	Phelps
Pomeroy	Price (NC)
Rahall	Rangel
Rivers	Rodriguez
Roemer	Ross
Rothman	Roybal-Allard
Rush	Sabo
Sanchez	Sanders
Sandlin	Sawyer
Schakowsky	Schiff
Scott	Serrano
Skelton	Shows
Smith (WA)	Snyder
Solis	Spratt
Stark	Stenholm
Strickland	Tanner
Tauscher	Taylor (MS)
Thompson (CA)	Thompson (MS)
Thurman	Tierney
Towns	Turner
Udall (CO)	Udall (NM)
Udall (NM)	Velazquez
Viscosky	Walters
Waters	Watson (CA)
Watt (NC)	Waxman
Weiner	Wexler
Woolsey	Wu

Messrs. MEEHAN, McINTYRE, REYES, OWENS, GORDON and LIPINSKI changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Mr. STUPAK. Mr. Speaker, I ask unanimous consent that the House RECORD reflect that I was unavoidably delayed on rollcall No. 8. Had I been present, I would have voted “no.”

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on the resolution.

The resolution was agreed to. A motion to reconsider was laid on the table.

TECHNICAL CORRECTION OF ERROR IN THE CODIFICATION OF TITLE 36

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1888.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 1888, on which the yeas and nays are ordered.

This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 22, as follows:

[Roll No. 9]
YEAS—413

Abercrombie	Brown (SC)	DeFazio
Ackerman	Bryant	DeGette
Aderholt	Burr	Delahunt
Akin	Burton	DeLauro
Allen	Buyer	DeLay
Andrews	Callahan	DeMint
Armey	Calvert	Deutsch
Baca	Camp	Diaz-Balart
Bachus	Cannon	Dicks
Baird	Cantor	Dingell
Baker	Capito	Doggett
Baldacci	Capps	Dooley
Baldwin	Capuano	Doolittle
Ballenger	Cardin	Doyle
Barcia	Carson (IN)	Dreier
Barr	Carson (OK)	Duncan
Barrett	Castle	Dunn
Bartlett	Chabot	Edwards
Barton	Chambliss	Ehlers
Bass	Clay	Ehrlich
Becerra	Clayton	Emerson
Bentsen	Clement	Engel
Bereuter	Clyburn	English
Berkley	Coble	Eshoo
Berman	Collins	Etheridge
Berry	Combust	Evans
Biggert	Condit	Everett
Bilirakis	Conyers	Farr
Bishop	Costello	Fattah
Blumenauer	Cox	Ferguson
Blunt	Coyne	Filner
Boehlert	Cramer	Flake
Boehner	Crane	Fletcher
Bonilla	Crenshaw	Foley
Bonior	Crowley	Forbes
Boozman	Culberson	Ford
Borski	Cummings	Fossella
Boswell	Cunningham	Frank
Boucher	Davis (CA)	Frost
Boyd	Davis (FL)	Galleghy
Brady (PA)	Davis (IL)	Ganske
Brady (TX)	Davis, Jo Ann	Gekas
Brown (FL)	Davis, Tom	Gephardt
Brown (OH)	Deal	Gibbons

Ms. SANCHEZ, Mrs. MEEK of Florida, Ms. BROWN of Florida, and