

Schumer	Thompson	Ward
Scott	Thornton	Waters
Serrano	Thurman	Watt (NC)
Skaggs	Torres	Waxman
Skelton	Towns	Williams
Slaughter	Trafficant	Woolsey
Spratt	Tucker	Wyden
Stokes	Velazquez	Wynn
Studds	Vento	Yates
Stupak	Visclosky	
Tejeda	Volkmer	

NOT VOTING—7

Bishop	DeFazio	Stark
Chenoweth	Fields (LA)	
Cubin	Norwood	

□ 1439

Mr. CRAMER changed his vote from "no" to "aye."

So 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.

PARLIAMENTARY INQUIRY

Mr. FATTAH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman will state it.

Mr. FATTAH. Mr. Speaker, I am a duly elected Member of this House, and I am a member of the Committee on Government Reform and Oversight, which is ably chaired by a fellow Pennsylvanian, the gentleman from Pennsylvania [Mr. CLINGER]. We have been in a markup for a good part of today on a line-item veto, a very serious legislative matter to come before the House. We just recessed so that we could come to the floor in response to the bells ringing.

I would like to know whether there is some opportunity or protection in the rules that would allow Members like myself to be here for the debate on the floor on what is an important matter and hear the debate so that we are casting votes that are informed votes rather than to be handling one matter of business someplace else and then rushed to the floor.

I think this is a matter than should be of concern to Members on both sides of the aisle. I admit that I am new. I come from the Pennsylvania Senate, but this is at least, in my perception, no way to run a railroad.

The SPEAKER pro tempore. The gentleman from Pennsylvania will be advised that yesterday the House adopted a motion permitting committees to meet during the 15-minute debate.

Mr. FATTAH. Mr. Speaker, I thought that was in the Committee of the Whole.

The SPEAKER pro tempore. It is the responsibility of the gentleman from Pennsylvania to vote in the House, and how he works out his time otherwise between his committee and the floor is a matter for him to decide.

Mr. FATTAH. Mr. Speaker, further parliamentary inquiry. I thought that the motion that was handled in the House yesterday that the Chair referred to had to do with the carrying on in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman is correct.

Mr. FATTAH. Mr. Speaker, are we in the Committee of the Whole?

The SPEAKER pro tempore. No, we are not in the Committee of the Whole. This is the House meeting.

It is the responsibility of the gentleman from Pennsylvania to cast his vote in the House. It is his responsibility to decide how he allocates his time between committee and the House floor.

Mr. FATTAH. Mr. Speaker, I thank the Chair. I hope that the House will consider my comments.

TREATMENT OF SOCIAL SECURITY UNDER ANY CONSTITUTIONAL AMENDMENT REQUIRING A BALANCED BUDGET

Mr. FLANAGAN. Mr. Speaker, pursuant to House Resolution 44, as designee of the majority leader, I call up the concurrent resolution (H. Con. Res. 17) relating to the treatment of Social Security under any constitutional amendment requiring a balanced budget, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The text of House Concurrent Resolution 17 is as follows:

H. CON. RES. 17

Resolved by the House of Representatives (the Senate concurring). That, for the purposes of any constitutional amendment requiring a balanced budget, the appropriate committees of the House and the Senate shall report to their respective Houses implementing legislation to achieve a balanced budget without increasing the receipts or reducing the disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund to achieve that goal.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. FLANAGAN] will be recognized for 30 minutes and the gentleman from Michigan [Mr. BONIOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. FLANAGAN].

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

Mr. Speaker, there are those who claim that adding a balanced budget amendment to the U.S. Constitution would jeopardize Social Security benefits. The truth is the other way around, failure to pass a balanced budget amendment is what will harm Social Security.

It is the evergrowing Federal debt and interest payments that truly threaten Social Security. The balanced budget amendment is a way to put a halt to the spendthrift ways of Congress. Dr. Robert Myers, Social Security's former chief actuary and deputy commissioner has given his support to a balanced budget amendment as a means to protect Social Security. Dr. Myers has stated the case clearly as to how the Government's fiscal irrespon-

sibility threatens Social Security. Dr. Myers said:

In my opinion, the most serious threat to Social Security is the federal government's fiscal irresponsibility. If we continue to run federal deficits year after year, and if interest payments continue to rise at an alarming rate, we will face two dangerous possibilities. Either we will raid the trust funds to pay for our current profligacy, or we will print money, dishonestly inflating our way out of indebtedness. Both cases would devastate the real value of the Social Security Trust Funds.

Mr. Speaker, Mr. Jake Hansen, the vice president of government affairs for the non profit organization, the Seniors Coalition, recently elaborated on Dr. Myers' comments in a speech he gave to the National Taxpayers Conference. Mr. Hansen's speech, entitled, "The Balanced Budget Amendment: Key to Saving Social Security," was published in the January/February 1995 issue of the Senior Class, a bimonthly publication of the Seniors Coalition.

But more to the point today, Mr. Speaker, I bring to the House floor Concurrent Resolution 17, a resolution that places Members of Congress clearly on record as being committed to fulfilling the promises of the past when the Federal Government established Social Security.

Specifically, this resolution directs the Congress to leave the Federal Old Age and Survivors Insurance trust fund and the Federal Disability trust fund alone when it is forced to comply with the balanced budget amendment.

House Concurrent Resolution 17 is a straightforward resolution that does two things: First, it directs the appropriate committees of the House and Senate to report to their respective Chambers implementing legislation to achieve a balanced budget amendment; and second, it requires that in doing so, the committees shall not do anything to increase Social Security taxes or reduce benefits to achieve that goal.

Mr. Speaker, what that means is that the budget cannot be balanced on the backs of those currently paying Social Security taxes or on the backs of those currently receiving Social Security benefits.

The majority leadership thought it appropriate to report my resolution to the floor today before the House considers House Joint Resolution 1, the balanced budget amendment. Their reasoning, with which I completely agree, is that this resolution is necessary to fend off attacks by the critics of a balanced budget who claim that somehow proponents of a balanced budget amendment have secret plans to slash Social Security. Mr. Speaker, this has no basis in fact. Most Members of this body, including myself, have already been on record as pledging to protect the retirement benefits of the elderly. My resolution simply ensures that Members of Congress keep their Social Security protection pledge.

As an original cosponsor of House Joint Resolution 1, I believe the best

way to ensure retirement benefits are safe from the budgetary ax, now and in the future, is for the Congress to pass and the States to ratify a balanced budget amendment to the U.S. Constitution.

Mr. Speaker, many of us, on this side of the aisle, felt that it was necessary to bring forth this resolution as a way to offset the incorrect claims of critics who portray proponents of the balanced budget amendment in a false light. We were afraid that their fear mongering about the balance budget amendment would disseminate into the public as fact. The truth is, Mr. Speaker, a balanced budget amendment will be the first step toward guaranteeing the financial security of American retirees.

Some Members of Congress support a version of the balanced budget amendment which specifically carves out Social Security. This may be smart politics on the surface, but it is certainly not sound public policy.

Because Social Security is a program established by statute and not referred to in the Constitution, amending that historic document to provide an exclusion from balanced budget computations just creates an opportunity for potential, future mischief. Since Congress possesses the legislative authority to change statute, irresponsible lawmakers could, at some point in the future, by-pass balanced budget requirements by merely redefining future spending programs as, quote, "Social Security." Under this loophole, Congress could evade its responsibilities to balance the budget by making all manner and forms of spending Social Security programs.

Mr. Speaker, Members of Congress do not have to meddle with the Constitution in order to protect the Social Security trust funds. Instead, they could support House Concurrent Resolution 17 and vote for the balanced budget amendment. Mr. Speaker, I note that when I yield, it is for the purpose of debate only.

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

□ 1450

Mr. BONIOR. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this resolution is definitive proof that the Republicans intend to cut Social Security. There is no question about it.

However, if they really wanted to exempt Social Security from the balanced budget chopping block, they would have written that promise into their constitutional amendment. They would make it explicit that Social Security would not be cut. However, this resolution does no such thing. In fact, the resolution before us is more remarkable for what it does not do than what it does.

The Flanagan resolution does not exempt Social Security from the chopping block. It does not bind the House to exempt Social Security. It has no

point of order to prevent cuts in Social Security. It does not ask the President to sign legislation to say Social Security will not be cut, and it does not impose sanctions if Social Security is cut. It has no teeth to prevent Social Security from being cut.

In fact, Mr. Speaker, there is nothing in this resolution to prevent Social Security from being cut at all.

Mr. Speaker, this resolution is nothing but one big, giant fig leaf, one, big, giant fig leaf. It is one great big, trust me. All it says to the seniors of America is "Take our word for it, we won't slash Social Security."

I am sorry, Mr. Speaker, that is not good enough. Republicans have proven time and again in the past that we cannot take their word on Social Security.

During the 1980's two Republican Presidents tried to slash Social Security and Medicare time and time again. In 1986, the gentleman from Georgia [Mr. GINGRICH] himself offered a bill to eliminate Social Security as we know it. As recently as 2 weeks ago, Mr. GINGRICH said he expects Social Security to be on the table in 5 years.

In 1984 the gentleman from Texas [Mr. ARMEY] called Social Security a bad retirement, a rotten trick, and said it should be phased out over time. Mr. Speaker, this is from a man who based his first campaign for office on abolishing Social Security. This year, on the 27th of September, Mr. Speaker, the gentleman from Texas [Mr. ARMEY] said "I would never have created Social Security in the first place."

This mind-set that I have just described has trickled down through the Republican ranks. Social Security is not exempted from the Republican balanced budget amendment. In fact, in the one chance, the one chance that Republicans had to exempt Social Security in this Congress, in the Committee on the Judiciary 1 week ago, every Republican but one voted to keep Social Security on the chopping block.

Now, Mr. Speaker, they come here with this empty resolution and they ask the American people to take their word for it. Mr. Speaker, I may have been born at night, but I was not born last night. If Members truly want to exempt Social Security, the language must be in the amendment. It is that simple.

The way to do that is to support the Gephardt balanced budget amendment. Unlike this resolution, the Gephardt amendment explicitly takes Social Security off the table.

Mr. Speaker, 60 years ago Franklin Roosevelt made a solemn, a solemn promise to the American people. He called Social Security a sacred trust that must never, never be taken away.

The senior citizens of this country have given a lot to America. They fought in our wars, they built our economy, they struggled to give us a better life, and now many of them are struggling on \$680 a month on their Social Security check.

We are not going to let the other side balance this budget on their backs. We are not going to let the other side pick their pockets to fulfill this Contract. The American people are not going to be fooled by this fig leaf.

I suspect all of us are going to support this meaningless amendment, but the true test, the true test of whether we are serious about protecting Social Security is whether or not we vote to make that promise part of the constitutional amendment.

Mr. Speaker, I urge my colleagues, vote for this amendment, but do not be fooled by a fig leaf, because the American people will know where Members on the other side stand, and it will be in a few days.

Mr. FLANAGAN. Mr. Speaker, I thank the gentleman for his comments and his support.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. EWING].

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

Mr. EWING. Mr. Speaker, I rise today in strong support of this resolution, and I want to congratulate the gentleman from Illinois [Mr. FLANAGAN] for bringing it to our attention, and bringing it here to this House.

It is important that the seniors in this country know that we are not going to touch their Social Security with the balanced budget amendment. Republicans have said this over and over again. I come to the well today to say it again, because we hear so much rhetoric from the other side which is totally inaccurate.

This says nothing about cutting Social Security. In fact, we have proposed repealing the tax that the President and his party helped put on the senior citizens last year.

There is no reason for Social Security to be touched to balance the budget. We can easily balance the budget if we control spending. If we would grow our spending only 3 percent a year, instead of 5.4 percent, we could balance the budget.

Mr. Speaker, I wonder if most seniors know that in fact today the deficit is really the greatest threat to their continued receipt of Social Security. We are getting a surplus every year in the Social Security fund, but we use it to apply to the deficit.

Mr. Speaker, we have in the Social Security trust fund a giant drawer full of IOU's from the Federal Government. We are going to need those investments in the year 2013 to try and pay Social Security as it comes due. It will not be there if we have these continued deficits.

Mr. Speaker, it is a cruel hoax on the American senior citizens to continually bad-mouth the attempt to balance the budget as a way to cut Social Security.

I would say to the gentleman from Illinois [Mr. FLANAGAN], I reiterate that this is a good resolution. It states our

purpose. I thank the gentleman for bringing it to us.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. CONYERS].

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

Mr. CONYERS. Mr. Speaker, we must consider four questions if this is to be considered as a serious and compelling force to constitutionally bar cuts in Social Security benefits.

First, is it true that Social Security is currently off budget? Answer: Yes. In 1991 the Budget Enforcement Act did that.

Second, it is not true that the Balanced Budget Act puts the Social Security trust fund back on budget? Answer: True, it does.

Third, is it not true that even with the Flanagan amendment, Congress could subsequently raid the trust fund to balance the budget under the Balanced Budget Act without penalty? Answer: True.

Is it not true that the only ironclad protection for the Social Security trust fund is to write it into the balanced budget amendment, into the text, that Social Security would not be counted as either outlays or receipts?

Unless we do that, Mr. Speaker, what we are doing here is merely a rhetorical exercise of stating good intentions that will lead us no further along this compelling question, in the resolution of it, than we were before this concurrent resolution was adopted.

Please, Mr. Speaker, let us wait for the Gephardt amendment that would actually take care of this problem.

□ 1500

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. HASTERT].

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

Mr. HASTERT. Mr. Speaker, I am particularly pleased to rise in support of this concurrent resolution. I have long been a supporter of the balanced budget amendment. But one of the nagging concerns of some of my constituents and myself has been Social Security.

Although the record of the Republican Party has clearly shown that we have no intention of harming the Social Security program, it seems like not everyone believes us. The passage of this resolution will show the American people that we are serious when we say we are going to balance the budget and we are not going to do it by robbing the Social Security trust fund.

Mr. HASTERT. Here is what the resolution says:

"That, for the purposes of any constitutional amendment requiring a balanced budget, the appropriate committees of the House and the Senate shall report to their respective Houses implementing legislation to achieve a balanced budget without increasing the receipts or reducing the disbursements of the Federal Old-Age and Sur-

vivors Insurance Trust Fund and the Federal Disability Trust Fund to achieve that goal."

We also are not going to raise taxes to do it. That is the other part of the resolution.

Mr. Speaker, balancing the budget is a day-by-day, step-by-step process. If we start today by trimming away useless and wasteful programs, we are going to succeed in balancing the budget without resorting to new taxes.

I want to thank my good friend, the gentleman from Illinois, for offering this resolution. The American people have been demanding a balanced budget amendment for a long time. When the House passes that amendment this week, Americans will know that we do not need to raise taxes and that we do not intend to cut Social Security.

I strongly urge my colleagues to support the resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 3 minutes to the wonderful new freshman, the gentleman from Texas [Mr. DOGGETT].

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

Mr. DOGGETT. Mr. Speaker, as I look at this resolution, it is a little flimsy. It is a little short. It is only a sentence long. I do not think it is big enough to cover what is happening with reference to this resolution.

I thought it particularly curious to learn in the rather unyielding remarks of my colleagues from Illinois that the majority leader had suggested this resolution to guarantee that once again the Republicans are not going to have their fingers in the social Security system, that the majority leader was the one who inspired House Concurrent Resolution 17.

For it was only a few months ago, on an important day in the history of this country, September 27, 1994, when so many of our colleagues were out smiling on the steps of the Capitol with their contract that the majority leader was asked to take the pledge in public not to cut people's Social Security to meet these promises that were made here on the Capitol steps, and his response on public television September 27 was, "No, I'm not going to make such a promise."

The Republican Party has had a record of looking at the Social Security system askance and this is simply a way to cover for what is about to happen with the balanced budget amendment.

It was particularly unusual that—I think it is particularly curious that a Republican Member, a freshman Member would come forward with a commemorative resolution of this type, because this resolution will have the same effect as some of the other resolutions that Republicans have offered to this body.

I refer to National Quilting Day, Travel Agent Appreciation Day. These are commemorative resolutions very much like this document. They have absolutely the same effect. They will

not allow for a point of order to stand. They are purely political cover and not real protection for those with Social Security.

You can tell how serious our colleagues are on the subject of protecting Social Security because they did not even bother to print it in TV Guide which we have learned to be the source of most of what we know about the future of government in the United States today.

There are, of course, different versions of this resolution that may come about. I understand the final copy will be on the finest parchment in the land, will be read, interlined, will be in the archives of the United States. Perhaps a copy will be available to mount on the wall of the gentleman from Illinois to point to with everyone who has a Social Security card in this country, that they will have protection as a result of this resolution, a testament to the skill of his legislative hand.

But I would suggest that today in America, there are other people out there working with their hands. Men and women, many of whom have only a Social Security check to look for. And those people and their hands are left out of this resolution.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. FUNDERBURK].

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

Mr. FUNDERBURK. Mr. Speaker, I am pleased to support House Concurrent Resolution 17 of my friend, the gentleman from Illinois [Mr. FLANAGAN] to help fulfill the promise of the Contract With America by pledging to protect Social Security.

Mr. Speaker, the minority is at it again. Once again they are doing their level best to scare senior citizens into thinking that Republicans are out to destroy Social Security.

Mr. Speaker, that ploy did not work in November and it will not work now.

Even though the American people have changed managers of this House, the minority is still trying to use every available opportunity to make Social Security a frightening wedge issue. It should be said again that the Republican Party has taken Social Security off the table. The budget can and will be balanced by the year 2002 without touching the program most vital to our senior citizens.

The balanced budget amendment will protect Social Security because there will be no more borrowing from the trust funds which truly protect our Nation's retirees.

Compare that to what is happening now. Skyrocketing budget deficits guarantee that the Government will continue to borrow from trust funds to mask the deficit. Sooner or later we will have to begin paying back the trillions we have borrowed. Every dollar we borrow further burdens Medicare and other priority programs. Each time we borrow, the Congress feels more of

an urge to raise working people's taxes to make up for its fiscal irresponsibility.

While the other side talks a good game about protecting seniors, it was their 1993 budget which imposed \$25 billion in higher Social Security taxes on senior citizens. Now they want to create more mischief. If Social Security is excluded from budget calculations, it means that Congress will have to raise payroll taxes and make serious adjustments in Medicare and other senior programs to make up for the shortfall.

Let there be no mistake. A balanced budget is the first step toward guaranteeing the financial security of retirees. It puts a stop to trust fund borrowing and stops the deficit explosion. The best way, Mr. Speaker, to protect seniors and Social Security is to balance the budget now.

Mr. Speaker, I rise in support of the Flanagan resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the wonderful gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, the item that we are discussing right now is a concurrent resolution to protect Social Security. Yet as every Member on this floor knows, this resolution is powerless if this body decides to cut Social Security.

I also remember when many new Members were paying allegiance to the contract that some of them did have a caveat, and that caveat was that Social Security is off the table. That is because they realize that Social Security is a contract with the American people. There are benefits that the American people worked for week in and week out, and they expect to collect on their retirement.

That means that the Congress does not have the right to balance the budget at the expense of Social Security. Social Security did not bring about this deficit and Social Security should not be used to eliminate the deficit that we have before us and is so troublesome to all of us.

Let us protect Social Security. I think we all agree that that is a good thing to do. But let us do it for real, and we will have an opportunity later to, in this debate. But do not do it by a concurrent resolution. No matter how good is sounds, it is powerless to protect Social Security.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding me the time.

I want to salute the gentleman for the introduction of this resolution and try to clarify apparently some misunderstandings about where Republicanism are coming from. We appropriately have taken the Social Security trust fund off budget and that is where it should always reside. That does not mean it is a sacred trust, because we have to remember that we

have done this with other trust funds and we must remember our Democratic colleagues slashed \$56 billion out of Medicare funding and we have got to remember our Democratic colleagues put that tax increase on Social Security without a single Republican vote in support of either of those two positions.

□ 1510

So, we are going on record, we have made it clear where we are coming from, and I simply want to congratulate my colleague, the gentleman from Illinois [Mr. FLANAGAN], for introducing this resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the dynamic gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, last night, in an eloquent State of the Union Address, President Clinton asked Americans to forge a new covenant based on inalienable rights and solemn responsibilities.

The President urged Members of this body to work together to pass welfare reform, tax relief, and reduce wasteful spending. He also emphasized the need to balance the budget. We agree.

But, like the President, we're here to draw the line. We will not balance the Federal budget on the backs of seniors. We will not cut Social Security and Medicare to balance the budget.

Senior citizens built this country. They have worked hard, raised families, fought wars, and forged strong communities. Our senior citizens have lived up to their responsibilities. And, they have earned the right of a decent and dignified retirement.

We need a leaner, not a meaner Government. That's where Democrats and Republicans part company. While the Speaker has promised to spare Social Security, the Republican balanced budget amendment shows Social Security no mercy.

Instead, the Republicans have put forth the Flanagan fig leaf resolution we now have before us. This resolution does nothing to protect Social Security—it has no force of law. It does not ensure we will achieve a balanced budget that does not attack Social Security, because it does not guarantee a constitutional bar against cuts in Social Security benefits. So the Social Security trust fund surplus will still be used to mask the real size of the deficit.

The President was right last night. The final test of everything we do should be a simple one: Is it good for the American people? All of the American people. The Republican balanced budget amendment does not pass that test, and our senior citizens will not be fooled by this Flanagan fig leaf resolution.

Mr. Speaker, we are not trying to make Social Security a wedge issue. My Republican colleagues are trying to fool seniors into believing that this resolution will protect their benefits. This resolution ought to be called: Sen-

iors beware, your benefits are in trouble.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time and for introducing this bill.

Mr. Speaker, I listened with great interest to the comments from the other side of the aisle. One of the previous speakers was quite correct to point out that before there was this contract there was enacted a solemn contract with the American people that we call Social Security. And I rise in strong support of the Flanagan resolution. In contrast with my colleagues on the other side of the aisle, I cannot classify this as a fig leaf, for I remember, though I was not a Member of this body, in the 103d Congress, I remember a very clear record in that Congress, when the former majority rose and struck down benefits for seniors and taxed seniors' benefits, and strove to cut Medicare.

Friends, that is the real history of what has transpired, and this resolution serves to guide us always, to make sure that we understand the solemn commitment of the intergenerational contract with this Nation's seniors.

Mr. Speaker, actions speak louder than words. We saw terrible actions in the last Congress. This Congress has a strong commitment to preserve the rights of seniors.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, I rise in strong opposition to the resolution under consideration. It represents, in my opinion, the worst aspects of politics, even as we deliberate an issue as central to this country as amending the Constitution to require a balanced budget, what we are considering is a fraud.

Mr. Speaker, I favor a balanced budget amendment with one essential precondition and that is that the Social Security trust fund be placed off limits, not used to bail out unrelated Government spending.

In words alone, both parties agree, all Members are saying Social Security is off limits. Indeed, however, there are deep divisions within this body. Some of us will only support a balanced budget amendment if the Social Security trust fund, independent status of this vital program is protected. Unfortunately, the majority opposes this independent status.

If we all agree Social Security is off limits, let us get it in writing. If we buy a car, we buy a house and promises are made, we get them in writing. We get them in writing so that we can bind the contract in the future.

That is why the balanced budget amendment test has to clearly protect Social Security. It is the only way we

can bind this Congress, let alone a future Congress. The resolution is despicable, because it pretends to put in writing a Social Security commitment, but it does nothing, nothing at all. It is not worth the paper it is written on.

This amendment is politics at its worst because what it says in reality is you have a point on Social Security. You have every reason to be concerned about Social Security, but we are not going to deal with your problem. We will pass a meaningless resolution, we will pretend to deal with your problem. It could just as well say we think those of you who care about Social Security can be tricked. We can fool you into thinking we have protected Social Security when we have done nothing, nothing at all for your concerns.

Well, the people are not tricked by this resolution, Mr. Speaker. The National Committee to Save Social Security, the second largest advocacy group for seniors in the country, has called the Flanagan resolution meaningless and they state, and I quote "Seniors will not be fooled."

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois, Mr. HENRY HYDE, chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Speaker, I thank the gentleman for the 1 minute and I congratulate him for this resolution. I would just suggest to my friends who think this is a waste of time and the equivalent of a commemorative resolution, that they vote "no." They put their money where their mouth is and vote "no" on this and send a message that they are intellectually honest. You are not going to condemn it as a nothing and then vote for it, surely.

As far as I am concerned, I am going to vote for it, because it is in writing and when I vote that is my signature to the writing that says we are not going to touch Social Security. That is a solemn promise. It is an undertaking of mine that I would recommend my next opponent or the next six of them call me to account on if I break my word.

This is something. This is a statement of policy for all of those who sign it and for those who sign, know, it is a statement of their policy.

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman for yielding me this time.

Let me answer the prior speaker that was in the well.

The reason that it does not matter how anybody votes on this is because this side of the aisle is going to go on and do the real thing. We are really going to take Social Security off the chopping block. Obviously, if Social Security were not on the chopping block, we would not need this resolution at all. And we know that this lit-

tle piece of paper, this House Concurrent Resolution which is nothing more than what we use to declare National Pickle Day, has exactly the same impetus as National Pickle Day.

For those of us who have been around a long time, it took us a long time to get Social Security out of the general budget. We got it out of the general budget in 1991. And this resolution is a concession that this balanced budget amendment puts it back in the whole thing for the deficit. And that is, in other words, you would not need it.

Mr. HYDE. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I am happy to yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I just have a higher regard for the gentlewoman's vote than perhaps the gentleman does herself. When you vote for this, you are making a statement you are not going to touch Social Security. I believe you. I believe you.

Mrs. SCHROEDER. I tell my chairman I not only am not going to vote for this resolution, I am going to do it; and I am going to go on and vote for a real amendment that says we are not going to let any constitutional amendment do it, because as a parent I know what this is about. This is about the theory of Congressmen saying later on to Social Security recipients, but the Constitution made me do it, and they are hoping that the people will not figure out how the Constitution made them do.

Today is the day we are voting on the amendment that will say that the Constitution will make us do it and nothing will change that unless we vote for a real amendment to that constitutional amendment that takes Social Security out.

I hope all Members vote for the real thing. This is a play thing, and let us be perfectly clear, we are just playing with a play thing.

□ 1520

The SPEAKER pro tempore. The Chair will advise the Members the gentleman from Illinois [Mr. FLANAGAN] has 16 minutes remaining and the gentleman from Michigan [Mr. BONIOR] has 12 minutes remaining.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. WAMP].

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

Mr. WAMP. Mr. Speaker, I rise in support of the Flanagan resolution and thank my colleague from Illinois for bringing this issue into the balanced budget amendment debate in a productive manner.

The same special interests who have for years tied up the balanced budget amendment debate are now resorting to scare tactics to try to get older Americans on their side in opposition to the balanced budget amendment. They have scared seniors in my district by saying that balanced budgets will require cuts in their Social Security

benefits, cuts in their fixed incomes, and threaten their way of life.

But this is not true. In fact, the Seniors' Coalition, a national organization, supports the balanced budget amendment, because they know that spiraling deficits are the biggest threat to our national well-being.

We can achieve a balance without touching Social Security. Our party and our leadership are on record opposing cuts in Social Security—opposing cuts—and so am I.

Now, passage of this resolution would do three things. First, it would hold our feet to the fire in passing budgets under the balanced budget amendment that do not use the Social Security trust funds to mask the deficit or to raid those funds for other purposes, whether increased spending or deficit reduction.

Second, it would force each Member of this House to go on record by voting their intent to leave Social Security off the table once a balanced budget is passed.

And, third, it would allow us to debate the merits of a balanced budget amendment in this Chamber without restrictions from the distortions our opponents would like to throw at us about how this is all some evil attempt to steal someone's Social Security benefits. It is not.

What better guarantee can we give older Americans and all Americans that we have the political will and the strength of our convictions to balance the Federal budget without affecting Social Security or raising taxes than to pass this resolution first, then proceed to passing the Barton version of the balanced budget amendment?

I respectfully urge your "yes" vote on both measures.

Mrs. SCHROEDER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the prior speaker, asked the appropriate and relevant question: What better guarantee can we give our senior citizens that Social Security will be taken off the table? This is not the better guarantee, Mr. Speaker. The better guarantee is the Gephardt amendment to the constitutional amendment.

Now, we understand that there are going to be many Members who are going to vote for this to put their intent on the record. It is a pledge, it is a promise or a note. But what we want to see, Mr. Speaker, is for them to step up to the plate and them to really put their intent into purposes and into effect; that is on the Gephardt amendment which says we will have an amendment to the constitutional amendment that will emphatically and unequivocally take Social Security off the table.

They talk about their intent, Mr. Speaker. We have heard their intent

flop back and forward. They said it was on the table, they said it was off the table. Now it is time for them to put their money where their mouth is.

They say they are the party of action and not the party of words. Let us take action not on a mere symbolic commitment, not on a mere symbolic one, Mr. Speaker, like the Flanagan amendment, but a real-teeth amendment, enforceable amendment, like the Gephardt amendment.

Mr. FLANAGAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois [Mr. WELLER].

Mr. WELLER. Mr. Speaker, it is important that today we shed light on the scare tactics that are being used by some in the political arena to frighten America's senior citizens. Broadcasting false cuts in Social Security, these fearmongers are needlessly scaring our society's most vulnerable citizens by tying Congress' efforts of balancing the budget to alleged efforts to cheat seniors out of their hard-earned Social Security. This is inaccurate information purposely being delivered to the elderly in an attempt to conjure up false images of bone-chilling results at the cost of our American senior citizens.

These individuals who are painting the dark, inaccurate picture are doing so in an attempt to confuse and scare America's senior citizens of the reality, the true changes, that are taking place here on Capitol Hill.

Mr. Speaker, I strongly support the balanced budget amendment and commend my colleague, the gentleman from Illinois [Mr. FLANAGAN], of the Land of Lincoln, the State of Illinois, for his initiative to put everyone's name with an "aye" or a "nay" and put us all on the record in saying whether or not we want to protect Social Security.

Republicans have made it clear that Social Security must not be touched as we work to balance the budget.

I urge my colleagues on the Democratic side of the aisle to join with us in our commitment to America's senior citizens by voting to adopt the Flanagan resolution to protect Social Security.

Mrs. SCHROEDER. Mr. Speaker, I yield 1 minute to the wonderful gentleman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I am very grateful for every opportunity I get to protect Social Security.

But I want to do it with law, not with smoke and mirrors. Now, this is a feel-good resolution. But, of course, it means nothing, absolutely nothing.

Now, I like to do things that feel good, but I am paid to legislate. If my colleagues want to protect Social Security, let them do something real; let them vote for the three balanced budget amendments that protect Social Security.

Let us, all of us, earn our pay, not just feel good.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time, and I commend him for bringing this important resolution to the floor.

Mr. Speaker, with the Flanagan resolution we resolve that in our efforts to bring fiscal responsibility to this institution we will not balance the budget upon the backs of older Americans.

Let us not forget that America's older citizens have borne great burdens for this country. It was my mother's generation who won World War II. Their stout hearts crushed the twin evils of fascism and communism and built a half century of prosperity at home. It is that generation of older retired Americans we have to thank for advancing this country to her rightful place of leadership in the world. They have served this country valiantly and have planned their retirement based on the Social Security system.

We shall not repay their sacrifices by threatening the incomes of older Americans. The real party that wants to cut Social Security is the party of Alice Rivlin, the Democratic Party.

The only plan to cut Social Security that came out in the last election was in President Clinton's secret memo to drastically cut that program. The Clinton administration's record is clear. They taxed Social Security. No Republican voted for that. They cut Medicare. No Republican voted for that.

Let us set the record straight: Democratic fearmongers are wrong. This Republican Congress will never, never, never, vote to cut Social Security benefits.

We can and will balance the budget without touching Social Security. If my colleagues in the Democratic Party are sincere, they will quickly vote unanimously to pass the Flanagan resolution and protect older Americans and then pass the balanced budget amendment to protect the country from runaway debt caused by 40 years of tax-and-spend policies.

Mrs. SCHROEDER. Mr. Speaker, I yield 1 minute to the very distinguished gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Speaker, this resolution has no more meaning and no more use than side pockets on a cow. This is a fraud. This is a sham.

My Republican colleagues are suddenly concerned that the senior citizens have discovered that nowhere in this amendment to the Constitution which they are pushing is there any protection for senior citizens on Social Security. So all of a sudden they come forward with this wonderful document, but this document means nothing. It has no more significance than the soup made from the shadow of a pigeon which stood in place yesterday.

It affords no protection to the senior citizens of this country whatsoever. It can be ignored at any time the Congress chooses. It has no enacting clause. It has no force and effect on the rules of the House or Senate.

□ 1530

It has no constitutional meaning, it is absolutely nothing, it is a sham, it is a fraud, it is nothing.

I will tell my Republican colleagues: You can run but you cannot hide. And, you assuredly cannot hide behind this nonsensical piece of hooey.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. LAHOOD].

Mr. LAHOOD. I thank the gentleman for yielding this time to me.

Mr. Speaker and ladies and gentleman, I do not know a politician anywhere in America, not one, not one Democrat, not one Republican anywhere in this House that wants to cut Social Security. The biggest fig leaf is to have the distinguished Democratic whip come on the floor and offer 4 minutes and 50 seconds of remarks speaking against the resolution and then tell us he is going to support it. He does not want to cut Social Security; I do not want to cut Social Security, no Republican wants to cut Social Security. The gentlewoman from Colorado does not, I know. Nobody does. So do not stand there, do not come to the floor, do not accuse us of wanting to do that.

Help us pass the resolution.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. WYDEN].

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

Mr. WYDEN. Mr. Speaker, it seems to me that it is very revealing that when my Republican friends feel strongly about the budget, they enshrine their views in the Constitution. But when it comes to protecting senior citizens, for the last half hour we have heard every manner of argument as to why Social Security really does not need constitutional protection.

I am of the view that on a bipartisan basis Social Security deserves legally binding, constitutionally protected safety. Unfortunately, this resolution does not do that.

Senior citizens deserve better, and on a bipartisan basis we should make sure that it gets done.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. WYDEN. I yield to the gentleman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I thank the gentleman for yielding.

I really appreciate what the gentleman was saying because he is absolutely right. We all do not want to touch Social Security, and there is one way we can guarantee it, and that is to vote for the amendment that says in

the Constitution it is not on the chopping block. When it comes to these resolutions, we have a statement from Mr. CLINGER about a prior resolution of this order, who said it was totally devoid of substance and offered little more than a parliamentary parlor game. That is what resolutions are, they are something that you hide behind but they do not stop a budget knife.

So we may not want to touch it, but the budget knife can go ahead and touch it unless we do the real thing.

I really thank the gentleman from Oregon [Mr. WYDEN] for yielding and for pointing that out because we want to make that point. We want to do the real thing, and that is to protect Social Security with a protecting amendment.

Mr. FLANAGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. CHAMBLISS].

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

Mr. CHAMBLISS. Mr. Speaker, when I was elected to this Congress in November, I felt a tremendous sense of honor and pride to have the opportunity to represent the many good people of Georgia's Eighth District. I was excited to advance the contract that I made with the people of my district, in particular the piece of legislation we will take up today, the balanced budget amendment.

Poll after poll reflects the same truth, Mr. Speaker: The people want this Congress to deal with the deficit, and they want us to pass a balanced budget amendment.

Mr. Speaker, the American people elected a new leadership that will take up the critical issues that will effect the type of change demanded in every town hall and around every kitchen table in America.

Now that the former leadership is reduced to a minority status, they have taken on a new strategy for killing the amendment: scare tactics. It seems odd that the Democrats are such experts in telling the American people and the new majority what programs it must cut to balance the budget when it has been utterly incapable of doing so in recent memory. I have a news flash for the old leadership: We can balance the budget, and we will balance the budget. But make no mistake about it, we will not sacrifice the future of our senior citizens to do it.

I commend the gentleman from Illinois for offering this well-meaning resolution as our way of assuring the elderly of our society that this leadership will not renege on this Government's contract to provide for seniors, one of whom is my mother, in their sunset years.

I would also like to personally take this opportunity to assure the seniors that I represent, seniors in my home town of Moultrie, and in towns like Cochran, Eastman, and Pearson that our Contract With America is for real and that this balanced budget amend-

ment is for real. We will not turn our backs on the men and women who worked so hard to make this country the greatest democracy the world has ever known, and so I urge Members to adopt this resolution.

Mr. Speaker, let us send a message of assurance to seniors of this great Nation.

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the dynamic gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. I thank the gentlewoman for yielding.

Mr. Speaker, I offered a free standing substitute that would have protected Social Security and would have met the argument that, "Oh, you could then call anything Social Security."

I offered an amendment to the Committee on Rules which would have taken the Barton amendment and simply added language that said, "When you calculate whether or not there is a surplus or a deficit, you exclude Social Security," and defined it to be an old age and survivors program with payments.

So it was not open to that.

The Committee on Rules said "No." I know now why they took Claude Pepper's picture down. They did not want Claude Pepper looking on when they killed an amendment that would have protected Social Security. But then they had second thoughts. They came up with about as meaningless a resolution as I have ever seen. Members keep saying, "We don't want to cut Social Security." But you are trying to pass a constitutional amendment that will create an incentive to cut Social Security because under the amendment being offered, if there is a deficit elsewhere, it could be offset by a Social Security surplus.

We have had the Speaker of the House say that we must recalculate the consumer price index so that it provides less. That is primarily a means of reducing cost-of-living increases for Social Security recipients.

Put the two together.

The Speaker threatens the Bureau of Labor Standards and says, "You had better cut the CPI." The main fiscal impact of reducing the consumer price index is to reduce the cost-of-living increase for Social Security recipients, which then swells the surplus, which you then, under your constitutional amendment, without our language, will use to hold down that deficit.

So this piece of paper, being on Social Security and knowing that you are going to create a constitutionally driven incentive to reduce benefits to help with the surplus, is like being on the Lusitania and getting word that the Titanic has just set sail to save you.

You have an entirely meaningless resolution, not binding on anybody, that is supposed to offset a constitutionally created incentive that people will have to cut Social Security.

Mr. FLANAGAN. Mr. Speaker, I thank the Titanic speaker for his remarks.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. BRYANT.]

(Mr. BRYANT of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Tennessee. Mr. Speaker, in the debate over a balanced budget amendment, we are hearing from the opposition a worn-out and failed argument. They use it every time we try to bring spending under control.

They are trying to prevent fiscal responsibility and change.

The opponents of a balanced budget amendment are now saying it will cut into Social Security.

Mr. Speaker, that just is not true and is misleading.

Mr. Speaker, our budget can be balanced without touching Social Security.

Social Security benefits will not be affected by a balanced budget amendment. I would not support one if it did.

I do not want to hurt the 900,000 people in my State who benefit from Social Security.

Mr. Speaker, we owe those who have paid their hard-earned dollars into Social Security their benefits.

Mr. Speaker, for those out there who would like to vote for this, I commend this resolution to my colleagues for their full support.

□ 1540

Mrs. SCHROEDER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, Members, I thank the gentlewoman from Colorado [Mrs. SCHROEDER] for yielding this time to me.

Mr. Speaker, Members, all this rhetoric this afternoon would not be necessary if, in fact, the Committee on Rules would have adopted the amendment offered by the gentleman from Massachusetts [Mr. FRANK] or my amendment to the Barton bill which would provide an exclusion from Social Security in the balanced budget amendment. So, all this talk of protection and all the other rhetoric we are hearing, would not have been necessary, but let me quote for my colleagues from some senior citizen organizations which have written to us in the past couple of days. Probably the most respected is the Association of Retired Persons, AARP.

They indicated that the House Committee on the Judiciary voted to keep Social Security on the table. To exclude it, according to its chairman, would require us to make spending cuts more sweeping than currently contemplated. This scare tactic is a quote from our chairman of the Committee on the Judiciary, and it is from a senior citizen group who represents seniors throughout the country who received a news release here from the National Committee to Preserve Social

Security. They indicate that this rule shows, and I quote:

"This rule shows it's gimmicks as usual. Instead of allowing a simple up and down vote on Social Security, the House instead will vote on the meaningless Flanagan concurrent resolution. Seniors will not be fooled."

Here is a senior group indicating that.

Another senior group did a poll nationally, not of only seniors, but of all Americans, and they indicated that a national poll shows that 80 percent of the voters want Social Security excluded from the balanced budget amendment. So, these are people who are asking us to include it as part of the balanced budget amendment and not this meaningless resolution.

What is a sense-of-Congress resolution? As the gentlewoman from Colorado indicated, the way that we made this pickle National Pickle Week was to pass a resolution just like this. So the resolution we are going to vote on shortly has the same effect as making this pickle National Pickle Week.

The seniors will not be fooled. That is what the effect is.

Does this go into the statutes? No.

Does the President sign it? No.

I am reminded of the commercial of kids sitting around the table. The leadership looked, and they found out they needed to have this introduced, and they said, "Let Mikey do it."

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Speaker, my colleagues on the Democrat side of the aisle continue to engage in political maneuvering, but, Mr. Speaker, the facts are very simple. For 25 years the Democrats could not or would not balance our budget. For 25 years the Democrats played games with America's books. For 25 years they recklessly placed Social Security in jeopardy.

Well, at long last there is finally some good news because we Republicans will stand firm for all of our people, especially our seniors. Republicans will ensure we have a real balanced budget in place and that Social Security will be soundly protected. We are not going to play games and flap at the jaw like the Democrats who could not produce in 25 years.

I say to my colleagues, "Work with us, and watch us do it right before your eyes now, in real time, so that all of our people, especially our seniors, folks like my mom and dad who are counting on Social Security, will say, 'Thank goodness we have a new Republican majority'."

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee [Mr. HILLEARY].

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

Mr. HILLEARY. Mr. Speaker, I rise in strong support of the House Concurrent Resolution 17 and congratulate the gentleman from Illinois [Mr.

FLANAGAN] for raising this important issue.

The folks in my district have been frightened by some interest groups into believing that the balancing of the Federal budget will mean cuts in Social Security benefits. Social Security actually takes in more taxes than it pays out in benefits. The real threat to the future of the Social Security system is the annual budget deficits of \$200 billion.

As long as the Federal Government continues to fund wasteful and inefficient programs, the Social Security trust fund, which had a surplus of over \$50 billion in 1994, will continue to fund wasteful projects. The best way to protect the trust fund is to restrain deficit spending and to balance the Federal budget.

This legislation before us makes it clear that the Congress cannot touch Social Security benefits as it makes the tough decisions to cut programs and balance the budget. Our job, my colleagues, is to support this resolution.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. ENGLISH].

(Mr. ENGLISH of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise in support of the resolution offered by my colleague from Illinois.

During my campaign, Mr. Speaker, I promised the voters in my district that I would work to balance the Federal budget. The new reform Congress has an unprecedented opportunity to put a decisive end, once and for all, to the Government's unlimited power to spend and borrow. It is time we apply to the Federal budget the common discipline of the family budget. I have yet to meet a single individual in my district who does not agree that Government spending is out of control and that something needs to be done about it.

We actually hear Members of this body who will argue that a balanced budget amendment is a dangerous idea. How do they justify this argument? They will prey on the vulnerabilities of the voters. They will say that those in favor of this amendment will balance the budget at the expense of older Americans by cutting Social Security. This is simply nonsense.

We need to streamline Government in areas which have been abused, inflated and mismanaged before even considering sacrificing a fragile vital program like Social Security. At a time when some are talking about a new covenant we should signal our clear intent to honor our social contract with those who have participated in and contributed to the Social Security system.

I support this amendment.

Mr. FLANAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise in strong support of this resolution offered by my neighbor, the gentleman from Illinois [Mr. FLANAGAN].

Before we recess tomorrow, Mr. Speaker, this body should pass a strong balanced budget amendment. Passage of the Flanagan resolution will help ensure the balanced budget amendment meets its goal of protecting senior citizens.

Mr. Speaker, it is our enormous national debt that places Social Security at tremendous risk, not a balanced budget amendment. It is the trust fund behind that debt that allows Congress to mask the true size of that debt, and big spenders in Congress are too often tempted to dip into these critical reserves to fund their big government initiatives. This resolution makes clear that Congress will work toward a balanced budget amendment that ultimately protects, not endangers, American senior citizens.

I join my colleagues in supporting this resolution to ensure that the budget will not be balanced on the backs of seniors, and it will ensure that future retirees will have Social Security.

Mrs. SCHROEDER. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, this is a trust. This is a trust we have with the American people.

In talking to a person in my district who worked in a simple, hard-working job; he asked if he would be able to have the confidence that Social Security exists when he retired. Mr. Speaker, I think it is most important that we uncover the coverup. We really need to talk about bipartisanship. We can get to the bottom of this by supporting the Gephardt-Bonior Social Security protection.

Mr. Speaker, it is so very important that we acknowledge that this could be easily repealed. Mr. Speaker, let us support the Gephardt-Bonior amendment.

Mrs. SCHROEDER. Mr. Speaker, I yield the balance of my time to the gentleman from Missouri [Mr. GEPHARDT], our distinguished Democrat leader.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Missouri is recognized for 2½ minutes.

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

□ 1550

Mr. GEPHARDT. Mr. Speaker, I urge my colleagues to defeat the Flanagan resolution, to defend one of the greatest acts of Government that this Nation has ever known, the Social Security Act. Social Security needs to be defended, because Republican Members of the House are pushing a balanced budget amendment that could open the

floodgates to devastating cuts in this program.

Let us be clear about what is at stake: Social Security is not just another line on a spreadsheet. It is not just a poker chip to be bargained away while Republicans renegotiate their faulty contract. Social Security is every American's guarantee of dignity and decency and security in their golden years.

That is why this party, the Democratic Party, fought to create it 60 years ago. And now, six decades later, it is incomprehensible that an elderly American would die in poverty. That is our contract with the American people, a contract not forged in a focus group, but on the bedrock of decency and humanity that has always been at the heart of this country.

For years now we have been saying let us balance the Federal budget. Let us pass a constitutional amendment even to do it. But let us not balance our books on the backs of the senior citizens of this country.

The fact is Social Security pays its way. And if we try to use it to close the deficit, we threaten the program's very solvency and integrity.

When we ask Republicans what gets cut, who gets hurt, they squirm in their seats. When we say promise us you will not cut Social Security, they say trust us. They give us the Flanagan resolution, a nonbinding, noncommittal, and in my view, nonsensical fig leaf that promises nothing and accomplishes nothing.

We can do this. We can defeat this see-through resolution and include an amendment that will truly exempt Social Security. If we want to pass a resolution, if Social Security is so important that we need this resolution, why would we not put this in the Constitution? If it is important enough to say in the Constitution we are going to balance the budget, let us put into the Constitution we will not balance the budget on the backs of the senior citizens of this country.

Do not vote for a fig leaf. Do not vote for a see-through resolution. Vote for the real thing. Vote for the Gephardt amendment and put the exemption in the Constitution of the United States of America.

Mr. FLANAGAN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 2½ minutes.

Mr. FLANAGAN. Mr. Speaker, we have heard the arguments for and against this resolution and, in my opinion, the proponents have won the day. I see no reason why anyone would object to this piece of legislation which states in a loud and clear voice, that the Social Security trust fund is off limits when complying with the balanced budget amendment.

My resolution, along with House Joint Resolution 1, the Barton-Hyde-Tate balanced budget amendment, are important first steps in guaranteeing

that the retirement benefits of the elderly are preserved and protected.

Mr. Speaker, never-ending deficit spending compels Congress to keep piling more annual budget deficits on top of the current \$4.6 trillion national debt. Consequently, the Government must continue to borrow from the Federal old-age and survivors insurance trust fund and Federal disability insurance trust fund. If that trend continues through 2013—the year Social Security benefit payments are projected to exceed what the system collects in payroll taxes—Congress then will have to decide what benefits will be reduced or which payroll taxes are raised.

Mr. Speaker, we must stem that tide now and affirmatively state that these trust funds will be held harmless in budget balancing considerations.

The only way Congress can keep its promises to the American people, including Social Security, Medicare, student financial aid, and a whole host of other Federal programs, is for the Congress to balance the budget. House Joint Resolution 1 will do just that, and House Concurrent Resolution 17 will help ensure that senior citizens will not have to be sacrificed to obtain deficit reduction.

The important thing is that we protect Social Security against being altered solely for the purpose of balancing the budget. And that's exactly what this resolution does.

Mr. Speaker, I urge all my colleagues to support my resolution, as well as the Barton-Hyde-Tate balanced budget amendment.

Mr. REED. Mr. Speaker, I rise in support of protecting Social Security, but I would like Rhode Island's senior citizens to realize that the Flanagan resolution, House Concurrent Resolution 17, is weak, nonbinding, and political cover.

Supposedly, House Concurrent Resolution 17 puts the Congress on record as opposing cuts in Social Security to achieve a balanced budget. However, nothing could be further from the truth.

Unfortunately, House Concurrent Resolution 17 is the same kind of nonbinding resolution that was used in past Congresses to commemorate "National Pizza Week"—concurrent resolutions are not law and they certainly do not supersede the Constitution of the United States.

If Members truly want to protect Social Security from the cuts needed to achieve a balanced budget, they should vote for the WISE, GEPHARDT, OWENS, or CONYERS versions of the balanced budget amendments. These proposals would really protect Social Security because they would prohibit Social Security cuts under the Constitution.

Indeed, if resolutions and laws are enough to protect Social Security, why aren't they sufficient to force Congress to balance the budget. As a wise person once said, "what's good for the goose is good for the gander."

Mr. Speaker, I will vote for the Flanagan resolution, but more importantly I will support those versions of the balanced budget amendment which provide constitutional protection for Social Security.

Mr. YOUNG of Florida. Mr. Speaker, as one who has protected the fiscal integrity of Social Security Program as vigorously as any Member in this House, I rise in strong support of this resolution.

Social Security is a self-financing program where the payroll taxes paid by employees and employers go into a separate, actuarially sound trust fund and can only be used to pay retirement benefits to retired and disabled workers and their families. The Social Security trust funds cannot be used to provide for our national security, to pay for health care, or to build roads or bridges or anything else—except—Social Security. They can only be used to pay the benefits promised to retired workers.

This resolution expresses the sense of this Congress that in implementing a constitutional amendment providing for a balanced Federal budget, the Social Security Program and trust fund should be off limits. It reaffirms what I have long said and supported that in reducing the Federal budget deficit we should look to cutting spending in those areas which are driving our Nation deeper into debt. That certainly is not the Social Security trust fund which actually runs an annual surplus, last year which totaled \$61 billion.

The passage of this legislation prior to the general debate on the balanced budget amendment reaffirms our commitment to protect our Nation's Social Security recipients from attempts to balance the Federal budget at their expense. Instead, with the passage of the balanced budget amendment, Congress will be forced to make the tough choices to reduce Government spending, the kind of votes I have made time after time in this House, instead of succumbing to the temptation to raid the Social Security trust funds.

As a Member who probably represents more Social Security beneficiaries than any Member of this House, I am well aware of the tactics that have been used by those who want to kill the balanced budget amendment by scaring older Americans into believing that it will have a severe impact on the Social Security program. As I said time after time, I believe a balanced budget amendment actually ensures the financial security of the Social Security trust fund and benefits for current and future retirees.

Without the fiscal discipline imposed by a balanced budget amendment, Congress will allow the national debt to continue its upward spiral, driving our Nation deeper into debt as the annual interest payment to finance our deficit spending continues to be the fastest growing component of the Federal budget.

These rising interest payments, estimated to be \$339.1 billion in the current fiscal year, coupled with the past inability of Congress to set fiscal priorities and make the tough decisions about which programs to fund and which programs to eliminate, are the real threat to older Americans, not the balanced budget amendment.

Rather than cast the tough votes to cut spending and reduce the reach of the Federal Government required to get our fiscal house in order, Congress has continued to spend now and worry about the deficit later. The day of reckoning, however, that I have long warned about has arrived as our Nation faces a rising mortgage payment on our Nation's debt. The discipline imposed on Congress by a balanced budget amendment will force the House and

Senate to once and for all eliminate those programs our Government can no longer afford, to permanently reduce spending and bring the Federal budget into balance. This relieves the future threat to the Social Security Program because Congress will wean the Federal Government off American tax dollars by cutting spending on programs, rather than by cutting Social Security benefits or raising Social Security payroll taxes.

There are those who say that the balanced budget amendment should include a reference to the Social Security trust fund. Just the opposite is true, however. By writing into the Constitution an exemption for the Social Security Program, Congress will leave a loophole to shelter a whole host of other programs for scrutiny. Congress could later move program after program under the veil of the Social Security trust fund to provide protection from the reach of the balanced budget amendment. In the end, the fiscal integrity and independence of the Social Security Program would be violated, not protected. Equally important, Congress would once again avoid casting the tough votes on those programs that are the cause for our rising national debt.

As the founder and chairman of the bipartisan Social Security Caucus, I have long led the battle to preserve the long-term financial stability of the Social Security trust fund and ensure that the promised retirement benefits will be available to current and future generations of American workers. A constitutional amendment to require a balanced Federal budget will remove any incentives for Congress to tamper with Social Security benefits, by finally forcing Congress to make the tough decisions required to address the threat posed to all of us by an ever-increasing national debt. Social Security is not the cause of our Nation's growing debt. It certainly should not be and will not be a part of the solution as long as this Member serves in the House.

Mr. Speaker, I support this legislation today to reaffirm the commitment of this Congress to protect the Social Security Program while at the same time taking definitive action to eliminate Federal deficit spending with the enactment of a balanced budget constitutional amendment.

PARLIAMENTARY INQUIRY

Mr. FATTAH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman will state it.

Mr. FATTAH. Mr. Speaker, I would like to know the legal effect of the resolution in front of us. Is it binding?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. FATTAH. I am trying to understand the distinction between a concurrent resolution as it is presently before the House.

The SPEAKER pro tempore. Pursuant to House Resolution 44, the previous question is ordered on the concurrent resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the concurrent resolution.

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

Mr. FLANAGAN. 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.

The vote was taken by electronic device, and there were—yeas 412, nays 18, not voting 4, as follows:

[Roll No. 40]

YEAS—412

Abercrombie	Crapo	Hansen
Ackerman	Cremeans	Harman
Allard	Cubin	Hastert
Andrews	Cunningham	Hastings (FL)
Archer	Danner	Hastings (WA)
Armey	Davis	Hayes
Bachus	de la Garza	Hayworth
Baessler	Deal	Hefley
Baker (CA)	DeFazio	Hefner
Baker (LA)	DeLauro	Heineman
Baldacci	DeLay	Herger
Balinger	Dellums	Hilleary
Barcia	Deutsch	Hilliard
Barr	Diaz-Balart	Hinchey
Barrett (NE)	Dickey	Hobson
Barrett (WI)	Dicks	Hoekstra
Bartlett	Dixon	Hoke
Barton	Doggett	Holden
Bass	Dooley	Horn
Bateman	Doolittle	Hostettler
Becerra	Dornan	Houghton
Beilenson	Doyle	Hoyer
Bentsen	Dreier	Hunter
Bereuter	Duncan	Hutchinson
Berman	Dunn	Hyde
Bevill	Durbin	Inglis
Billbray	Edwards	Istook
Bilirakis	Ehlers	Jackson-Lee
Bliley	Ehrlich	Jacobs
Blute	Emerson	Jefferson
Boehlert	Engel	Johnson (CT)
Boehner	English	Johnson (SD)
Bonilla	Ensign	Johnson, E.B.
Bonior	Eshoo	Johnson, Sam
Bono	Evans	Johnston
Borski	Everett	Jones
Boucher	Ewing	Kanjorski
Brewster	Farr	Kaptur
Browder	Fawell	Kasich
Brown (CA)	Fazio	Kelly
Brown (FL)	Fields (TX)	Kennedy (RI)
Brown (OH)	Filner	Kennelly
Brownback	Flake	Kildee
Bryant (TN)	Flanagan	Kim
Bryant (TX)	Foglietta	King
Bunn	Foley	Kingston
Bunning	Forbes	Klink
Burr	Ford	Klug
Burton	Fowler	Knollenberg
Buyer	Fox	Kolbe
Callahan	Frank (MA)	LaFalce
Calvert	Franks (CT)	LaHood
Camp	Franks (NJ)	Lantos
Canady	Frelinghuysen	Largent
Cardin	Frisa	Latham
Castle	Frost	LaTourette
Chabot	Funderburk	Laughlin
Chambless	Furse	Lazio
Chapman	Gallely	Leach
Chenoweth	Ganske	Levin
Christensen	Gejdenson	Lewis (CA)
Chrysler	Gekas	Lewis (GA)
Clayton	Gibbons	Lewis (KY)
Clement	Gilchrest	Lightfoot
Clinger	Gillmor	Lincoln
Clyburn	Gilman	Linder
Coble	Gonzalez	Lipinski
Coburn	Goodlatte	Livingston
Coleman	Goodling	LoBiondo
Collins (GA)	Gordon	Lofgren
Collins (IL)	Goss	Longley
Collins (MI)	Graham	Lowey
Combest	Green	Lucas
Condit	Greenwood	Luther
Conyers	Gunderson	Maloney
Cooley	Gutierrez	Manton
Costello	Gutknecht	Manzullo
Cox	Hall (OH)	Markey
Coyne	Hall (TX)	Martinez
Cramer	Hamilton	Martini
Crane	Hancock	Mascara

Matsui	Pickett	Spence
McCarthy	Pombo	Spratt
McCollum	Pomeroy	Stark
McCrery	Porter	Stearns
McDade	Portman	Stockman
McDermott	Pryce	Stokes
McHale	Quillen	Studds
McHugh	Quinn	Stump
McInnis	Radanovich	Stupak
McIntosh	Rahall	Talent
McKeon	Ramstad	Tanner
McKinney	Rangel	Tate
McNulty	Reed	Tauzin
Meehan	Regula	Taylor (MS)
Meek	Reynolds	Taylor (NC)
Menendez	Richardson	Tejeda
Metcalfe	Riggs	Thomas
Meyers	Rivers	Thompson
Mfume	Roberts	Thornberry
Mica	Roemer	Thurman
Miller (CA)	Rogers	Tiahrt
Miller (FL)	Rohrabacher	Torkildsen
Mineta	Ros-Lehtinen	Torres
Minge	Rose	Towns
Mink	Roth	Traficant
Moakley	Roukema	Upton
Molinaro	Roybal-Allard	Velazquez
Mollohan	Royce	Vento
Montgomery	Rush	Volkmer
Moorhead	Sabo	Vucanovich
Morella	Salmon	Waldholtz
Myers	Sanders	Walker
Myrick	Sanford	Walsh
Nadler	Sawyer	Wamp
Neal	Saxton	Ward
Nethercutt	Scarborough	Waters
Neumann	Schaefer	Watts (OK)
Ney	Schiff	Waxman
Norwood	Schroeder	Weldon (FL)
Nussle	Schumer	Weldon (PA)
Oberstar	Seastrand	Weller
Obey	Sensenbrenner	White
Olver	Serrano	Whitfield
Ortiz	Shadegg	Wicker
Orton	Shaw	Wilson
Owens	Shays	Wise
Oxley	Shuster	Wolf
Packard	Sisisky	Woolsey
Pallone	Skeen	Wyden
Parker	Skelton	Wynn
Pastor	Slaughter	Yates
Paxon	Smith (MI)	Young (AK)
Payne (NJ)	Smith (NJ)	Young (FL)
Payne (VA)	Smith (TX)	Zeliff
Peterson (FL)	Smith (WA)	Zimmer
Peterson (MN)	Solomon	
Petri	Souder	

NAYS—18

Clay	Kleczka	Skaggs
Dingell	Moran	Stenholm
Fattah	Murtha	Tucker
Gephardt	Pelosi	Visclosky
Geren	Poshard	Watt (NC)
Kennedy (MA)	Scott	Williams

NOT VOTING—4

Bishop	Thornton
Fields (LA)	Torricelli

□ 1613

Mr. MORAN and Mr. KENNEDY of Massachusetts changed their vote from "yea" to "nay."

Mr. HASTINGS of Florida and Mrs. MALONEY changed their vote from "nay" to "yea."

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.

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore (Mr. KOLBE). Pursuant to House Resolution 44 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union