Items could be added knowing that the President could remove them. Majority will would be compromised. The President could use the veto power to punish Members who did not go along with the White House on key votes. Small States would be especially vulnerable.

During the course of this debate an expedited judicial review amendment was accepted. This acknowledges the very point that I make. That this bill is incompatible with the Constitution of the United States.

Further, this bill would grant power to the President to item veto targeted tax benefits. Another word to describe what a targeted tax benefit is a tax loophole. The bill initially allowed the President veto power only over tax loopholes which affected five or fewer people. The committee extended this veto power to tax loopholes affecting 100 or less taxpayers. We should not be protecting any special tax loophole no matter what the size of the group receiving this selective treatment under the Tax Code. No matter how we stand on this issue of the line-item veto, we ought not be protecting a group of taxpayers merely because there are more than 100 of them in the group. If it is a bad loophole, the President ought to have the power to veto it no matter whether if affects 100 or 5,000 taxpayers or more. This selective treatment of targeted tax benefits by number of taxpayers who enjoy it, is clearly inequitable and should be stricken from the bill to allow the President power to strike any and all of them.

I do not understand the rationale of those who argue that the line-item veto is needed to balance the budget. The record will show that the Congress has systematically underspent the President's budget recommendations. Further, the Congress has exceeded the President's rescissions submitted to the Congress after the appropriations bills have been signed into law. Over the past 20 years the President has proposed $72 billion in rescissions and the Congress has passed $92 billion in rescissions, $20 billion more than the President.

Finally, the most egregious power granted to the President under this bill is not only that he can veto any item in an appropriations bill, but he can reduce any discretionary budget authority. This is tantamount to Congress abdicating the power to appropriate. The Constitution clearly grants to Congress the legislative power to appropriate. Only the Congress can by majority vote decide against funding a project and only Congress can cut the funding of a project or of a department.

If the Congress, for instance, votes by a majority vote to fund the Corporation for Public Broadcasting, or Head Start, it is inconceivable that we would allow the President to not only rescind this decision or veto it, but to also reduce the funding which then can only be reversed by a two-thirds vote. What this means is that one-third of the House and the Senate will ultimately decide what gets funded and what does not.

The foundations of our democracy will be shattered. However you feel about congressional funding decisions, there is no justification for enlarging the power of the President to appropriate money as well as to rescind. The tyranny of one-third of the Congress in combination with the White House could cut funding of programs that a clear majority of the people of this country support.

If we are to submit our spending bills to this inordinate executive power, then surely it should only be by constitutional amendment.

If this measure went to the States for ratification as a constitutional amendment, it clearly would fail to receive the three-fourths vote of 38 States. Thirteen small States could see the handwriting on the wall, and not vote to ratify. I suspect this is why the line-item veto is not being proposed as a constitutional amendment. It simply would not be ratified.

I urge H.R. 2 be voted down. It is an unwarranted invasion of the most important legislative powers granted to the Congress by the Constitution.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

LINE-ITEM VETO

Mr. LAZIO. Mr. Chairman, in passing the balanced budget amendment by an overwhelming margin, the House of Representatives took an historic first step to finally controlling Federal spending. Now, for the second time in the 104th Congress we have another opportunity to pass a measure which will give us the tools needed to tackle the huge task of balancing the budget. I urge my colleagues to join me in giving the President of the United States the line-item veto that 43 of our Governors already have.

Passing the line-item veto will better enable Congress and the executive branch to do what we should have done a long time ago—cut wasteful spending. The line-item veto will force Congress and the President to be fiscally responsible and answerable to the American people.

According to the General Accounting Office [GAO] a presidential line-item veto could have cut $70.7 billion in needless spending from fiscal years 1984–89. We need to learn from what has not worked in the past and pass this bill that will help in the future.

The American people want us to cut unnecessary spending. Let us pass this measure and continue our journey to a balanced budget.

Mr. BENTSEN. Mr. Chairman, I rise today in opposition to House Resolution 2, the Line-Item veto legislation.

I want to be clear about my intentions. I support giving the President the authority to eliminate wasteful spending. For too long, Government has spent more than it receives. In addition, projects have been funded which are not merited. Both Congress and the President have participated in this exercise.

However, this legislation is not the correct mechanism to reduce Federal spending. As drafted, House Resolution 2 will disrupt the balance of power between the legislative and executive branch and concentrate too much power in the Executive. The President will dictate the spending priorities to Congress that the founding fathers clearly placed under the legislative branch.

I am committed to reducing our Federal deficit. However, I am concerned that this legislation will not actually reduce spending. Taxpayers should have full disclosure on how this legislation will work. House Resolution 2 does not require Congress to reduce spending caps, when it approves spending cuts. In effect, Congress could support spending cuts, without applying the reductions to the federal deficit.

Today, we considered an amendment offered by Congressmen STENHOLM and SPRATT that would have ensured that any generated savings from spending cuts are applied directly to the deficit. This lock-box requirement is critical to successful deficit reduction. House Resolution 2 does not contain such a mechanism.

Another important feature of the Stenholm-Spratt amendment is a provision that gives the President authority to submit rescissions for projects within a larger program. If the President disapproves of a certain project, the President could lower the budget authority for a certain program without eliminating the entire program. For instance, the President may wish to eliminate the Lawrence Welk Museum without eliminating other agriculture programs.

House Resolution 2 is further flawed in that it does not cover all Federal spending including contract authority for infrastructure, and special tax breaks for wealthy individuals and corporations.

Finally, I am concerned about the provision in House Resolution 2 that would require a two-thirds vote to overturn the President's package of rescissions. That concentration of power in the hands of a minority of the Congress is contrary to our Constitution.

Congress must learn to review Federal spending more carefully each year. We have the opportunity to vote upon each program during the appropriations process. I strongly believe that we must exercise our rights to kill inefficient, wasteful projects.

For all of the reasons outlined above, I cannot support House Resolution 2 in its present form.

Mr. BUYER. Mr. Chairman, the American people have spoken and we in return have proposed an aggressive agenda for the 104th Congress. We made a promise that this new Congress would bring to the floor of the House a true line-item veto bill. Today, Republicans will again hold true to our promise in the Contract With America and we will vote on the line-item veto, H.R. 2.

In the Fifth District of Indiana, whether it be Wabash, Kokomo, Plymouth, or Crown Point, Hoosier families continue to be concerned about wasteful Federal spending. They do not want their legacy to their children to be one of saddling future generations with increasing debt. They want Congress to pass a line-item veto.

The line-item veto will no longer allow useless projects to be funded and buried in the budget without accountability. H.R. 2 forces the President and Congress to be responsible. In essence, it makes Congress stop its habitual practice of wasteful and excessive spending. This is an opportunity we cannot let pass.

By giving President Clinton and those who follow him the same tools for which 43 Governors currently use, we will take a giant step in restoring fiscal responsibility to the Federal budget process.

We must answer the public's call for a leaner, more efficient, and less costly effective Federal Government. I support passage of the line-item veto as a necessary budget reform

tool. We must restore our Nation's fiscal responsibility.

Mr. STOKES. Mr. Chairman, I rise in strong opposition to H.R. 2, the Line-Item Veto Act of 1995. While I am aware of the excitement in the Congress to do anything perceived as promoting deficit reduction, I am also mindful of my duty as a Member of Congress to act in the best interest of the people I represent and in the best interest of the U.S. Constitution I have sworn to uphold. We cannot and should not, in an attempt to decrease the deficit or put an end to pork-barrel programs, shirk our responsibility to act in the best interest of the American people by disrespecting the founding document of this Nation—the U.S. Constitution. This shortsighted and rushed legislation will not only fail to put a dent in the deficit, but will endanger the delicate balance of power so skillfully and wisely laid down in the U.S. Constitution.

The bill before us today, the Line-Item Veto Act of 1995, will not only attempt to curtail unwanted spending, but will also make it more difficult to pass into law good legislation to which the President alone may object. Such an abdication of congressional responsibility will certainly undermine many of our most important efforts to improve the quality of life for all Americans.

Mr. Chairman, the stated purpose of the Line-Item Veto Act is to provide a statutory item veto for both appropriations and targeted tax benefits. The bill will permit the President to rummage through legislation so that he can eliminate whatever he wants to of all or part of any appropriation item or any targeted tax benefit. Under this bill, Presidential line-item vetoes would take effect unless both Houses obtain a two-thirds vote to override the veto.

This legislation to limit Congress' ability to fulfill the will of the American people warps the constitution to such an extent that the constitutionality of the Line-Item Veto Act is obviously in question. While I agree that Congress should continue to make significant strides to reduce the budget deficit, this proposed measure goes well beyond the legitimate objective of balancing the budget. In fact, this bill is specifically designed to inhibit the will of the people by transferring congressional power to the President that has been granted exclusively to Congress by the U.S. Constitution.

Mr. Chairman, transferring the power of the purse to the President is clearly contrary to the explicit language in the Constitution. The Constitution clearly places with the Congress the power to legislate appropriations bills. The Line-Item Veto Act will transfer a significant portion of this constitutional power to the President. The great constitutional significance of the separation of powers cannot be questioned. In his famous *Myers* v. *United States,* 272 U.S. 52 (1926) dissent, Justice Louis D. Brandeis said:

> The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the excercise of arbitrary power. The purpose was not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy. (P. 293).

It is also apparent that the Line-Item Veto Act is also redundant. Under current law, the Constitution gives the President two opportunities to provide input into the Federal budget process. The President's budget is his first opportunity to express his views regarding funding for particular programs. Congress may then either accept or reject the President's recommendations.

The President may also veto any appropriations bill if he does not agree with the funding provisions contained in it. On several occasions we have seen Presidents exercise this option in order to prevent Federal funds from being used for various programs. Congress did not override these vetoes and the President's will prevailed. Therefore, granting the President an additional means through the line-item veto to attack legislation is completely unnecessary and duplicative. The President already has all of the veto power that is constitutionally permissible.

Mr. Chairman, I must also stress that reports of the deficit reducing impact of the line-item veto have been greatly exaggerated. Of the 43 States which have already enacted a line-item veto, there has been, overall, negligible progress toward State deficit reduction as a result of this law. A study conducted by the University of Wisconsin examining the deficit reducing power of the line-item veto revealed that vetoes produce budget cuts that ranged from .006 to 2.5 percent. Several other studies also reveal that, contrary to the representations made in the slick sales packaging of this bill, line-item vetoes are primarily used as a tool of policymaking and partisan advantage rather than fiscal restraint.

Such a compromise of authority could result in the undermining of important legislation and Government programs that a majority of Congress has deemed necessary for this Nation. Considering the majority party's historic hostility toward antipoverty programs, it is not a surprise that they support legislation that would grant the President greater power to use the line-item veto to act as a tool of policymaking and political advantage. I fear that the election of a President hostile to antipoverty and equal opportunity legislation would initiate an unwarranted and unprecedented line-item veto attack on aid to families with dependent children, public housing, food stamps, equal opportunity efforts, and other programs for the disadvantaged.

Mr. Chairman, this legislation is unsurpassed in its compromise of the balance of powers in our Nation. With very little opportunity for open hearing, and with limited debate, this measure has been placed before us. A measure of this kind requires detailed analysis of the impact it may have on the American people, and the greatest pillar of the American Republic: The separation of powers—but no such review has, or will, take place. In the current rush to force this bill through the House, the will of the American people and the Constitution I have sworn to uphold will certainly be compromised. I urge my colleagues to join with me and vote against this bill.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of H.R. 2, the Line-Item Veto Act, which I have cosponsored in this 104th Congress and in the six previous Congresses.

With the passage of this legislation, we fulfill our commitment made in the Fiscal Responsibility Act, the first legislative item in our Contract With America. We completed the first half of this act last month with the passage of the balanced budget amendment. Tonight we send the Senate legislation giving current and future Presidents the line-item veto authority already available to 43 Governors.

The American people have made clear their desire to eliminate wasteful Federal spending and this powerful tool gives the President a way to eliminate programs he deems wasteful without having to veto an entire appropriations bill or other major legislation that may also contain many important and timely programs.

Under current law, wasteful or questionable projects or programs often find their way into law because the President cannot afford to veto the important overall legislation in which they are included. Today's line-item veto legislation will change that procedure by allowing the President to single out specific projects and force Congress to vote on each of them individually. This makes both Congress and the President more accountable to the American taxpayers for every dollar in the Federal budget, and injects greater honesty and openness into the budgetary process, another important goal of the Contract With America.

More than any other provision of our Contract With America, our support for this bill indicates Republicans' deep commitment to cut the budget deficit, balance the Federal budget, and restore fiscal sanity to the Federal Government.

In the past, Democrat-controlled Congresses not only refused to give this authority to Republican Presidents, they also failed to give it to Presidents of their own party. The Republican Contract With America puts the welfare of the country above partisan differences, and will not only give future Presidents of any party a greater ability to keep the size and scope of the Federal Government under control, but this legislation, when enacted, will give President Clinton a line-item veto authority the day he signs it into law.

By granting Presidents greater power to control spending, Congress also places upon them a responsibility to use this tool to cut waste as demanded by the American taxpayers. The line-item veto creates a bias in the Federal Government in favor of saving tax dollars, not spending them. I urge my colleagues to join me in voting for this important governmental reform to take another step toward getting our Nation's fiscal house in order.

Mr. HALL of Texas. Mr. Chairman, I rise today in support of legislation that will save taxpayers billions of dollars by eliminating wasteful and unnecessary spending, namely, H.R. 2, the Line Item Veto Act of 1995. For too many years Congress has been spending the taxpayers' money as if there were no tomorrow. Mr. Chairman, yesterday's tomorrow has become today's reality. We can no longer pretend that the problem will go away.

The House measured up to the first challenge last week when we passed a balanced budget amendment to the Constitution. That was the first step toward restoring fiscal accountability and responsibility in the Federal budget. The next step is before us, Mr. Chairman, in the form of the Line-Item Veto Act, which would give the President the authority to strike all or part of any appropriation item or any special tax benefit. Congress would still have the option of disapproving this action and then overturning a Presidential veto, if necessary.

There has been much publicity in recent years about waste in government, and there has been a lot of finger-pointing. Actually, most Americans probably have benefited in

some way, at some time, from some special authorization, whether in the form of a tax benefit, a special service, or simply a new bridge in their district. The time has come, though, to review our budget item by item and make the difficult choices that every family in America must make when they attempt to balance their budgets and live within their means each year.

We are talking about tough choices for tough times, Mr. Chairman. The line-item veto will give the President a check and balance on the budget process and ultimately will encourage Congress to submit fiscally responsible budgets. It also will help restore the American people's confidence and trust in government and help ensure that they are getting the most value for their tax dollars.

Mr. Chairman, I urge my colleagues to overwhelmingly approve this legislation and send a message to the Nation that ''the buck stops here.''

Mr. ENSIGN. Mr. Chairman, by the close of business today, the House will have taken another great strike toward its commitment to greater fiscal responsibility.

The House's approval of H.R. 2, the Line-Item Veto Act, will ensure that the budget President Clinton sends to Capitol Hill today, and the budgets of future Presidents, are no longer considered dead on arrival. Congress will have to start paying attention to what's in those budgets.

The Line-Item Veto Act, along with the balanced budget amendment, are the only measures strong enough to hold Congress accountable for its spending. The line-item veto is crucial in our efforts to eliminate wasteful pork in the budget because the President can require the Congress to justify, with the veto, its spending priorities. Current rescission powers granted to the President have failed miserably because the law simply allows Congress to sit on its hands and do nothing. Forty years of hand sitting has given us an annual deficit of $200 billion.

Mr. Chairman, 43 of our Nation's Governors have the power to pare down wasteful pork-barrel spending. Beginning today, we take yet another step and recognize that Washington should live under the same discipline that our State governments have exercised for some time.

Support for the line-item veto is bipartisan; 77 percent of Americans favor it. In the spirit of bipartisanship, the Republican Congress will give line-item veto authority to our Democratic President. Passage of the Line-Item Veto Act will give future Presidents—Republicans and Democrats—the necessary authority to scrutinize every dollar of discretionary spending.

Mr. Chairman, I urge my colleagues to join me in support of the Line-Item Veto Act, and I yield back the balance of my time.

Mr. SKAGGS. Mr. Chairman, the Framers of the Constitution set up a system of three branches of Government because they knew that concentration of power is dangerous. No matter how much faith we might have in any individual, or branch of Government, we should remember the warning of Lord Acton about the corrupting effects of power. That warning is especially on point today as we consider the line-item veto.

Once again, we are engaged in tampering with the Constitution simply to comply with an obsession to meet a mindless 100-day goal for enacting, without careful consideration of the consequences, the Contract With America.

We should have passed the Wise-Stenholm-Spratt amendment last week. It provided for expedited rescissions, and represented a constitutionally acceptable approach to this issue, requiring each member of Congress to be accountable with a specific vote on any items a President might find objectionable enough to rescind. Without it, H.R. 2 is clearly unconstitutional.

Last month we passed a change to the House Rules to require a three-fifths majority vote to raise tax rates. I argued then that the Constitution permits no such way to change the basic rules of the Republic. And we can no more change the basic constitutional requirement of majority rule by statute than by House rules. So, to the sponsors of this legislation, I say: If you want to make this kind of change in how our laws are passed, you must do so through an amendment to the Constitution.

Article I, section 7, clause 2 states that:

> Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approve it, he shall sign it, but if not, he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their journal and proceed to reconsider it.

The Framers then went on to spell out the two-thirds majority requirement for overriding the veto.

The language in the Constitution clearly gives Congress the responsibility for crafting legislation, while the President is limited to simple approval or disapproval of bills presented to him. Article I, section 7 refers to the President returning a bill, not pieces of a bill. Yes, the Constitution allows the President to state his objections to a bill upon returning it, but the objections merely serve as guidelines for Congress should it choose to redraft the legislation.

Thus, there's a clear constitutional delineation of responsibilities, and we are obliged by our oath of office to adhere to it. The Constitution does not allow the President to approve only those parts of a bill with which he agrees. We have no legitimate power to pass a statute to the contrary. The Constitution does not allow the President to amend a bill by striking a spending level approved by Congress and substituting another of his own choice. We have no legitimate power to pass a statute to the contrary.

As the Supreme Court noted in its decision in I.N.S. versus Chadha, ''Explicit and unambiguous provisions of the Constitution prescribed and define the respective functions of the Congress and of the Executive in the legislative process.'' The Court continues, ''These provisions of Article 1 are integral parts of the constitutional design for the separation of powers.'' The line-item veto proposal in H.R. 2 would impermissibly alter that ''constitutional design for the separation of powers'' between the executive and legislative branches by allowing the president singlehandedly to amend legislation which Congress has already approved.

The Framers were deliberated and precise in dividing legislative powers. In the Federalist papers, Hamilton and Madison both expressed the view that the legislature would be the most powerful branch of Government. Thus, they also recognized the need for some checks on its powers. So, the Constitution provides for a bicameral legislature, with each body elected under different terms and districts. And it affords the President a veto power. Other constraints are also imposed, such as requirements for origination of certain legislation in the House.

The President's veto power, as a check on Congress, was recognized to be a blunt instrument. As Hamilton explains in Federalist 73, the Framers acknowledged that with the veto power ''the power of preventing bad laws includes that of preventing good ones.'' It was their sense, however, that ''the negative would be employed with great caution.''

The line-item veto proposed in H.R. 2, by providing the President with the authority to veto subsidiary parts of legislation, turns the framework defined in article I, section 7 on its head. What the President might decide to eliminate is simply eliminated, unless the Congress goes through an entire repetition of the article I legislative process, including a two-thirds vote of both Houses. This would allow the President and a majority in only one House of Congress to frustrate the will of the majority—an outcome that flies in the face of the constitutional principle of majority rule.

Mr. Chairman, this proposal goes too far in fuzzing the separation of powers set forth in the Constitution. I urge my colleagues to reject it before it is rejected by the courts.

The problem here isn't just that this measure is unconstitutional. It's also unwise. Common sense tells us that enactment of the line-item veto would make the operation of the Federal Government less responsive to the will of the people.

Consider just one recent example of the sort of havoc a single individual might wreak if that individual—the President—is given this additional authority. Some of us here remember that during the 1980's, President Reagan sent up budgets proposing to end most Federal aid to education. He wanted to zero out direct student loans. He wanted to eliminate aid to public libraries. He wanted to end aid for disadvantaged students at the elementary and secondary level, and Federal/State vocational rehabilitation programs, and college work study programs, and funding for the Individuals With Disabilities Education Act. To be fair, he did propose replacing some of these programs with block grants to the States for ''educational purposes.'' But if he had the line-item veto, it's fair to assume he would have used it on many or most of these items.

If President Reagan had been able to exercise a line-item veto like the one in H.R. 2 to kill these education programs, he almost certainly would have succeeded, even though those programs were supported by a vast majority of Americans and of their representatives in Congress.

How could he have prevailed with only minority support? Because under the bill before us, even if every single Member of the House, and a large majority of the Senate, voted to pass a joint resolution disapproving his line-item veto, the President could, and presumably would, veto that joint resolution. And if just 34 Senators out of the entire 535 Members of Congress voted to uphold that veto, the veto would stand. And, by the way, it's possible to have a group of 34 Senators who

represent barely 7 percent of the American people.

Mr. Chairman, that would represent an enormous shift in the constitutional balance of power. And that should trouble us much more than any of the problems inherent in our current appropriations process, in which Presidents have frequently succeeded with the veto of an entire bill in order to force the excision of an offensive item or two.

The Framers gave Members of Congress the power of the purse for a reason. Congressional decision reflect a consensus of the many elected representatives, not the solitary decision of a single individual. Members of Congress are closer to the people they represent, and know better their needs and views. And Members of the House, where all spending bills originate, are accountable to the electorate every 2 years, making them more immediately accountable to the people than the President. The tremendous power of setting the budget is diffused among hundreds of people working together, and responsible to each other. We should not now cede it to a single individual.

None of this should be taken to mean that we shouldn't find a way to make it easier to eliminate wasteful programs. For example, I supported the enhanced rescission bill that was passed by the House in the last Congress. That bill would have forced Congress to act on every proposed Presidential rescission, but Congress would have had to act affirmatively for the rescission to take effect. Unfortunately, the Senate failed to take action on that legislation. The text of that enhanced rescission bill was before us again as the Wise-Spratt-Stenholm substitute to H.R. 2, but unfortunately it failed to pass. Without the mitigating effect of that substitute, H.R. 2 remains an unmitigated affront to the Constitution. I urge my colleagues to defeat it.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 2, the Line-Item Veto Act. I firmly believe that we cannot have meaningful budget reform without the Presidential line-item veto. Regardless who is President, we need this added check and balance on spending if we have any hope of getting Federal spending under control.

Most people don't fully understand the importance of the line-item veto. If it does nothing else, the line-item veto will place the public spotlight on Federal spending that deserves closer scrutiny.

Under current Federal law, Congress sends the President legislation containing hundreds of spending items and the President, whoever he or she may be, has only two options—sign the bill or veto it.

With this act, we are proposing that the President would have a third option—to choose those individual spending items that are questionable, and just veto those items, while signing the bill as a whole.

Congress would be given the power to override the President's veto with a two-thirds vote.

The line-item veto will force Congress and the President to work more closely on spending decisions, as the Governors and legislators in 43 of the 50 States do now.

As the chairman of the New Jersey Assembly Appropriations Committee in Trenton, I worked with Jim Florio, a Democrat, and Christine Whitman, a Republican, under the line-item veto law, and I can tell you that I defend the line-item veto for all chief executives, regardless of party as necessary and desirable.

I don't worry about the transfer of power from the legislative to the executive branch, because I know that it may end gridlock by forcing everyone to sit down at the same table and work out our differences. We have seen the alternative in Washington year after year, and it is not the best way to run the Government.

Mr. CARDIN. Mr. Chairman, I rise in support of a strong line-item veto proposal.

The debate over the line-item veto is mostly about shining the bright light of public attention on bad small ideas. Battles in Congress tend to be fought over big ideas. When Congress and the President clash over major policy issues, the constitutional authority of the President to veto legislation serves as a meaningful tool.

President Bush used the veto effectively in headline issues like most-favored-nation status for China, the gag rule on abortion counseling, family and medical leave, and campaign finance reform legislation. Individual Members might agree or disagree with those vetoes, but we can agree that the veto power served the President well and functioned as the Founding Fathers envisioned.

The reason we are here today is that the veto power provided the President is virtually useless to combat small bad ideas. Any of the individual 13 regular appropriations bills sent to the President each year is likely to include major spending decisions that are supported by broad majorities of the American people. Funding for the interstate highway program, for instance, enjoys broad support.

But the bills are also likely to include special pet projects, sought by individual Members, that might not have the same national base of support. Under the current structure, the President has a choice. He can stop the smaller projects, at the risk of delaying the national priorities and shutting down entire agencies of Government. Or he can hold his nose and sign the bill, accepting the crumbs in order to keep the main program on track.

Those of us who support the line-item veto say the President should have a third choice. He should be able to weed the garden. He should have the option of identifying spending or tax items which he considers wasteful and unjustified and forcing Congress to act specifically on those items.

The value of line-item veto is in its potential to help restore confidence in Government. The public perception of Members of Congress hiding away goodies in spending and tax bills underscores the public's suspicion and distrust of this institution and their Government. Let's shine a spotlight on wasteful spending and tax loopholes, and help restore the confidence of the American people that we're managing their money wisely.

Mr. BUNNING. Mr. Chairman, I rise in strong, enthusiastic support for H.R. 2, the long overdue line-item veto bill that we are considering today.

Persistence does pay off.

When I came to Washington, a little over 8 years ago, the first two pieces of legislation I cosponsored were the balanced budget amendment—which we finally passed the week before last—and the line-item veto—which we are going to pass today.

And it's about time.

The balanced budget amendment will give Congress the budgetary backbone it has always lacked.

And the line-item veto that we pass today will give the President the scalpel he has always needed to trim out unnecessary spending from major appropriations bills.

It's time for the Christmas tree to come down. The line-item veto will do that.

It's time to take the pork out of the barrel. The line-item veto will do that.

It's time to establish a rational way for the President of the United States to strip wasteful, special interest or local interest projects out of omnibus spending bills. The line-item veto will do that.

It is not cure-all. Nobody claims that it is. By itself, it won't balance the budget.

But this bill will give the President a very valuable tool that will help him cut Federal spending, weed out Federal waste and root out Federal boondoggles.

That might not balance the budget—but it will reduce spending and it will help restore the confidence of the American people that the system works.

Considering the size of our Nation's national debt, there is simply no way that we can refuse to take advantage of such a promising tool.

It would be foolhardy to turn back now that we are so close.

There is no magic or voodoo or smoke and mirrors here. We know the line-item veto works. We have seen it work at the State level. 43 Governors have—and use—the line-item veto authority. It works.

This is not a partisan issue. Presidents of both parties get the same authority.

It is a good government issue. And I urge my colleagues—of both parties—to join me in supporting this measure and give the President of the United States the line-item veto authority.

In November, the American people made it very clear that they want a leaner, cleaner, smaller Federal Government. The line-item veto will be a great help in achieving that goal.

Mr. CRANE. Mr. Chairman, I rise in strong support of H.R. 2, the Line-Item Veto Act.

As a supporter of the line-item veto since the 98th Congress, I believe that floor consideration of such legislation is long overdue. While Congress has failed to address its wasteful spending habits, our annual deficits have routinely exceeded $200 billion. Inaction is no longer an option.

When our Founding Fathers wrote article I, section 7 of the Constitution, they provided for the means by which a bill becomes law. According to section 7, legislation passed by both Houses of Congress shall be presented to the President for approval. If the President does not approve of the bill, he may return it to Congress, with his objections.

I provide this history lesson because some of my colleagues who oppose H.R. 2 apparently believe that Congress would somehow abdicate its constitutional obligations to the Executive by enacting a line-item veto. Clearly, the Executive plays a vital role in the process by which bills become law. I assure my colleagues that the line-item veto is completely appropriate, and, in fact, would argue that it has always been a legitimate prerogative of the Executive.

The line-item veto, while not a panacea to our runaway national debt, will provide an important check on wasteful pork-barrel spending. When combined with the balanced budget requirement just passed by the House, we will finally be able to tilt the effort of the Federal Government away from the profligate spending habits that have left us with a $5 trillion debt.

The benefits of a line-item veto have been demonstrated by 43 of the Nation's Governors who have this prerogative. One study has estimated that if the executive branch had exercised such fiscal restraint, the budget deficit for 1995 would be almost $23 billion smaller.

I urge my colleagues to vote for H.R. 2.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. KLUG) having assumed the chair, Mr. BOEHNER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2) to give the President item veto authority over appropriation acts and targeted tax benefits in revenue acts, pursuant to House Resolution 55, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. COLLINS] be permitted to speak out of order for 5 minutes and then I be permitted to follow her remarks for 5 minutes out of order.

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

There was no objection.

□ 1830

Mrs. COLLINS of Illinois. Mr. Speaker, we have heard a lot during this debate about the need to reduce the Federal deficit and to control Federal spending. However, we have not heard very much about what H.R. 2 the Line-Item Veto Act, will actually do.

This bill does one thing: It makes it possible for a President acting on his own to change a law after it has been signed. Is there any one of us who would claim that changing a law is not a legislative function? Is there any circumstance from the past in which changing a law has been regarded as an executive function rather than a legislative function? I think not.

The Constitution, which each of us has sworn to uphold, is very clear on who has legislative responsibility. Section 1 of Article I of the Constitution states unequivocally that all legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and a House of Representatives.

Now, let me repeat this for my colleagues. All legislative powers shall be vested in a Congress of the United States.

This is critical. The Constitution did not say only some legislative powers shall be exercised by the Congress. It does not say the Congress has to share its legislative responsibilities with any other branch. Perhaps most importantly from the standpoint of this debate, the Constitution does not give the Congress the power to delegate its legislative powers to the President or to anyone else.

Under the Constitution, you, my colleagues and I, are solely and exclusively empowered to make the laws of our land. If we do not vote as an assembled body to enact a bill, that bill under the Constitution cannot become law. The Framers gave Congress the exclusive power to legislate as a check on the power of the President. Once Congress passes legislation, the Constitution surely does give the President the power to veto, which he can use if he disagrees with the matter Congress presents him.

The Framers understood that provisions needed to be made for those instances in which the Congress, like the President, may abuse its power or legislate unwisely. The line-item veto authority in H.R. 2 is very-different than the veto authority the Framers of the Constitution had in mind. Rather than enabling the President to check abuses by the Congress, H.R. 2 allows the President to be virtually certain that he can abuse and infringe on the legislative powers of this body, of the Congress.

Under this legislation, the President is guaranteed that he can make his rescission effective as long as he has the support of a mere one-third plus one of the Members of this House or of the Senate. This makes it highly unlikely that the Congress will ever disapprove a Presidential rescission.

The authority of H.R. 2 is so extraordinary that even some proponents of the line-item veto did not support the bill. For example, Senator DOMENICI supports taking the approach that our colleagues, the gentleman from Texas [Mr. STENHOLM] and the gentleman from South Carolina [Mr. SPRATT], advocated in the expedited rescission authority they proposed to add to H.R. 2. In addition, many of my colleagues appear to not fully understand the authority H.R. 2 would give the President that is very different than the authority most Governors have. They have repeatedly said that 43 Governors have this and therefore the President ought to have it too.

Well, the fact is that only 10 of the 43 governors have anything like the authority that the power of H.R. 2 gives to the President. It does not simply let the President veto a particular line of spending authority in the appropriation bill as many governors certainly do have. Instead, as the director of Congressional Budget Office says, H.R. 2 gives the President ''greater potential power than a constitutionally approved item veto.''

We have heard time and again during this debate that President Clinton has asked Congress to give him the strongest possible line-item veto authority. Of course he wants that. Every President wants that. My colleagues should know, however, that President Clinton's own Justice Department thinks H.R. 2 gives the President, any President, Democrat or Republican, too much power. His own Justice Department says that.

Testifying before the Senate Committee on the Judiciary, Assistant Attorney General Dellenger challenged the constitutionality of H.R. 2. He said it is constitutionally problematic and would appear to ''violate the plain textual provision of Article I, Section 7 of the Constitution, governing the manner in which Federal laws are to be made and altered.''

He very clearly states further that the Congress, not the President, has the responsibility for making and changing Federal laws. That power, Mr. Speaker, is ours. If we give it away in this legislation, we will never, ever get it back again.

While it is questionable what effect this legislation might have on Federal spending, there is absolutely no doubt that this legislation will give the President power to threaten elimination or cuts in spending for projects and programs Members of Congress may find critical. That kind of leverage ensures that future Presidents will be able to stop any effort to change or alter his line-item veto authority, once Congress gives it to him.

I, therefore, urge my colleagues to think carefully about the vote they will cast on this legislation. At issue is not just needed cuts in Federal spending. Instead, our whole structure of government is at stake. If H.R. 2 becomes law, the President—any President, Democrat or Republican—would, for the first time, have legislative power that the Constitution gives exclusively to the Congress.

I urge my colleagues to vote against H.R. 2.

The SPEAKER pro tempore. (Mr. KLUG). The gentleman from Pennsylvania [Mr. CLINGER] is recognized for 5 minutes.

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

Mr. Speaker, after years of talking about giving the President the line-item veto, we are on the threshold, the verge, of giving him that power, a power which 43 governors have had and have not abused, a power which has been sorely needed to bring some order to our fiscal house.

I want to thank everybody who participated in this debate. I think it was a very, very open debate. We did this bill again under an open rule. Everybody who had an amendment to offer

had an opportunity to offer it and to fully discuss it. I think it was in the best traditions of this House to have an open, complete debate on all of the issues involved.

I want to particularly thank the staff who was instrumental in helping us throughout, particularly Monty Tripp on my staff, who did a superb job, and all who participated in this historic debate.

Mr. SPEAKER, I yield the balance of my time to the Speaker of the House, the gentleman from Georgia [Mr. GINGRICH].

The SPEAKER pro tempore. The gentleman from Georgia [Mr. GINGRICH] is recognized for 4 minutes.

Mr. GINGRICH. Mr. Speaker, I thank the Chair, and I thank my friend from Pennsylvania for recognizing me, and I thank the House for the orderly speed with which we have managed this bill, only 3 days, as opposed to unfunded mandates. I think we are moving and learning how to do some of this.

I think of this evening as a very historic evening. We have a bipartisan majority that is going to vote for the line item veto. For those who think that this city has to always break down into partisanship, you have a Republican majority giving to a Democratic President this year without any gimmicks an increased power over spending, which we think is an important step for America, and therefore it is an important step on a bipartisan basis to do it for the President of the United State without regard to party or ideology. I think compared to what people all too often expect of this city, this is the kind of positive effort to work together that is good for America.

The line-item veto is an idea which has been around a long time. Ronald Reagan campaigned on it, but, frankly, Jimmy Carter used it when he was governor of Georgia, and Bill Clinton used it when he was the governor of Arkansas. Again and again on a bipartisan basis, president after President has said it is something that would be good for America, because it would allow the President to cut out some of the worst of the spending, to set some fiscal discipline, and to indicate where the President stood. Yet it is being done in such a way that when it is totally inappropriate, the Congress can override it and the Congress can insist on spending if there is a distinct disagreement.

Governor after governor, I think 43 governors have this power. Again and again they say it does help, it cuts the cost of government, it does cut spending.

□ 1840

It is particularly, I think, symbolic to be passing it today. There are two birthdays today, as many of my colleagues know.

This is President Ronald Reagan's 84th birthday. I think the hearts of every Member of this body go out, without regard to party or to ideology, to what President Reagan and Nancy Reagan are going through. I think all of us have them in our prayers. I think he will appreciate the symbolism of the scheduling. I particularly commend the majority leader, the gentleman from Texas [Mr. ARMEY], for his thoughtfulness in arranging for this debate and insisting that we do it on this date.

Secondly, this is the 100th anniversary of the birthday of Babe Ruth. In a sense this is a very symbolic home run for this Congress to hit out of the park for the people of the United States.

On behalf of the former President, on behalf of the many millions of Americans who want this to pass, I urge all of my colleagues to vote yes and help us pass the line-item veto.

The SPEAKER pro tempore (Mr. KLUG). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MRS. COLLINS OF ILLINOIS

Mrs. COLLINS of Illinois. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. COLLINS of Illinois. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. COLLINS of Illinois moves to recommit the bill H.R. 2 to the Committee on Government Reform and Oversight with instructions to report the same back to the House forthwith the following amendment:

Paragraph (3) of section 4 is amended to read as follows:

(3) The term ''targeted tax benefit'' means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers whether or not such provision is limited by its terms to a particular taxpayer or class of taxpayers. Such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

Mr. CLINGER (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, under my motion, the line-item veto authority, originally proposed in the Contract With America would be adopted. Unlike H.R. 2, the line-item veto authority in my motion would apply to all tax benefits designed to reduce tax obligations of persons or classes of persons in order to promote certain types of activity. Thus, all tax loopholes intended to benefit particular industries would be subject to line-item veto under my motion.

A very disturbing trend has developed in this debate. The new Republican majority seems to have two contracts with America; one under which they protect the tax loopholes of the wealthy; and the other under which they sacrifice programs for working people on the altar of deficit reduction.

I think that is wrong, and I think the American people see through it.

The majority would like us to believe that it is the middle income tax cut they want to protect; but in reality they are protecting many special interests that feed daily at the Federal trough of privileged and preferred treatment. Let me cite on example:

Our Tax Code gives a special tax benefit or credit to drug companies doing business in Puerto Rico. Twenty-four big drug companies with receipts exceeding $250 million got a total of $2.6 billion in tax credits from this provision in 1992. Because a total of 338 companies get benefits from this provision, the President could not veto it.

The authors of H.R. 2 chose to change the definition that was contained in the Contract With America. They limited it to a tax benefit that helped 5 or fewer people. We increased that number to 100.

However, the definition that was in the Contract With America is a much better definition of a special interest tax break. It is broader. It focuses on real special interests, and the tax breaks worth millions of dollars.

It does not apply to tax benefits based upon income, such as an earned income tax credit. Nor does it apply to tax benefits generally available, such as deductions for dependents.

When this amendment was offered in 1993 by the then minority leader, Bob Michel, it passed with unanimous support from the Republican members, and it passed with support from Democratic members.

There is no reason for the supporters of this bill to rewrite the contract in order to save special interest tax breaks. I commend Congresswoman SLAUGHTER and Congressman BARRETT for raising this amendment earlier in debate.

Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, what we see in this highly politicized Chamber for the last month is Republicans trying to portray Democrats as big spenders. And Democrats trying to portray Republicans as guardians of the wealthy and the privileged. What do the American people want?

The American people want the President of the United States to get rid of both pork barrel spending and tax loopholes for special interests.

This language, which is identical to the language of the Contract With America, does just that. It keeps a promise with the American people that those Members in this Chamber care about deficit spending and want to cut deficit spending. Anybody in this

Chamber who is serious about that wants to get rid of both pork barrel spending and tax loopholes for the rich. This is the only way to do that.

The new Speaker talked about honoring President Reagan and Babe Ruth. I think we should hit a home run in honor of Babe Ruth today and do this bill right and give the President the authority to get rid of both.

Mrs. COLLINS of Illinois. Mr. Speaker, I would hope that now that Members have heard the balance of this debate that they would conclude that this amendment just makes good sense, and I would say that I would urge them not to protect the special interests and vote for the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. CLINGER] is recognized for 5 minutes.

Mr. CLINGER. Mr. Speaker, I would urge a ''no'' vote on the motion to recommit. This is an amendment that was debated fully and at great length in the House this week and earlier in this debate and was defeated by a vote of 196 noes to 231 ayes.

Basically the argument for this is, of course, that it is going to enable the President to have a broader approach to getting rid of unnecessary spending.

It goes so far beyond what the purpose of the language in H.R. 2 is designed to do, which was to get at those egregious, outlandish, outrageous special tax privileges for fat cats and others on a limited basis. It was not intended by this language to give the President the power to really shape tax policy unilaterally by changing provisions in the tax laws which he would otherwise be precluded from doing. So it goes enormously beyond where the President should be permitted to go in terms of shaping tax policy.

What H.R. 2 does is focus it very directly on those outrageous examples where we have snuck things into tax bills or into appropriations bills and should be eliminated. So I would urge a ''no'' vote.

Mr. Speaker, I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I would simply like to thank the gentleman from New York [Mr. SOLOMON] and members of the Committee on Rules and staff who have worked so hard to work closely with the gentleman from Pennsylvania [Mr. CLINGER] and his committee to bring an open rule and to conform two bills and bring them together and solve some of the complexities of the problem of this discussion.

I think it is very important we do that, particularly as we speak to that issue, just briefly, at this section, because there has been a lot of confusion about what we are doing.

I think we have improved Mr. Michel's words very clearly by saying what he meant in the RECORD in this bill. It is clear what the RECORD has said, and I think we have made it clear for everybody. We have read those words in the RECORD, and our bill reflects that.

We have debated it, and we voted on it—one amendment.

□ 1850

However, Mr. Speaker, I have to say there has been confusion. I note the gentlewoman from New York, as well as the gentlewoman from Illinois, have both voted against the Michel language when it first come out, the language they are offering today. Then I notice that they voted for the Wise substitute last Friday, which in fact had the version that we are trying to agree on now in H.R. 2.

Then I went back and read the committee report, and I discovered that this in fact was a positive aye vote by voice in the committee, which I believe was supported by the Democratic members of the committee when that vote was taken.

We have gone around all the circles and corners. We have all taken our sides and positions. What we have finally done is take Mr. Michel's intent, get it into language we can all understand, and put it into the bill. Now I think we should go forward and pass it.

I thank the gentleman for yielding.

Mr. Speaker, I would urge a ''no'' vote on the motion to recommit.

Mr. HOYER. Mr. Speaker, will the gentleman from Pennsylvania yield?

Mr. CLINGER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, before we vote, I understand what the gentleman from Florida, [Mr. GOSS] said, but the gentlewoman from Illinois [Mrs. COLLINS], the ranking member of the committee, has said that the language proposed now is exactly what was in the Contract.

Mr. Speaker, I would ask the gentleman, is that correct?

Mr. CLINGER. Reclaiming my time, Mr. Speaker, it is correct, and I would tell the gentleman that I would be the first to say that that language was inartfully drafted to accomplish what we hope to be able to accomplish with this language, which is a much more targeted approach. Therefore, Mr. Speaker, we would concede the point that this language was broader than was intended to reach the goal we are trying to reach, which was to eliminate those most outrageous tax breaks that people get.

Mr. HOYER. I thank the gentleman for those comments.

The SPEAKER pro tempore (Mr. KLUG). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mrs. COLLINS of Illinois. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 241, not voting 8, as follows:

[Roll No 94]

AYES—185

Abercrombie
Ackerman
Allard
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—241

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Evans
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas

Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mfume
Mica
Miller (FL)
Molinari
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—8

Becerra
Bryant (TN)
Ford
Frost
Jefferson
McDade
Tucker
Watts (OK)

□ 1906

Ms. WOOLSEY, Mr. GONZALEZ, and Mr. COYNE changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. KLUG). The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. COLLINS of Illinois. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 294, noes 134, not voting 7, as follows:

[Roll No. 95]

AYES—294

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Browder
Brown (CA)
Brown (OH)
Brownback
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLay
Deutsch
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manton
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—134

Abercrombie
Ackerman
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Boucher
Brewster
Brown (FL)
Bryant (TX)
Chenoweth
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
de la Garza
DeLauro
Dellums
Dicks
Dingell
Dixon
Durbin
Engel
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Gejdenson
Gephardt
Gonzalez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoyer
Jackson-Lee
Jacobs
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Klink
LaFalce
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Maloney
Markey
Martinez
Matsui
McDermott
McKinney
Meek
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moran
Murtha
Myers
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pickett
Rahall
Rangel
Reed
Reynolds
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Shuster
Sisisky
Skaggs
Slaughter
Stark
Stenholm
Stokes
Studds
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Yates

NOT VOTING—7

Becerra
Bryant (TN)
Frost
Jefferson
McDade
Tucker
Watts (OK)

□ 1925

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BRYANT of Tennessee. Mr. Speaker, I was unavoidably delayed in transit because of inclement weather coming out of my district in Tennessee. I just made it in running, but I understand I did miss the vote on H.R. 2. I would like the RECORD to reflect had I been here, I would have voted for the passage of H.R. 2.

PERSONAL EXPLANATION

Mr. WATTS of Oklahoma. Mr. Speaker, I was unavoidably detained today due to weather in Memphis. I missed about five votes.

Mr. Speaker, had I been present, I would have voted ''no'' on rollcall No. 91, ''no'' on rollcall No. 92, ''no'' on rollcall No. 93, ''no'' on rollcall No. 94, and ''yes'' on rollcall No. 95.

PROPOSED RESCISSIONS OF BUDGETARY RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore [Mr. KLUG] laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations, and ordered to be printed: