

Oberstar	Roybal-Allard	Thompson
Obey	Rush	Thornton
Olver	Sabo	Thurman
Ortiz	Sanders	Torres
Orton	Sawyer	Torricelli
Owens	Schroeder	Towns
Pallone	Schumer	Velazquez
Pastor	Scott	Vento
Payne (NJ)	Serrano	Visclosky
Payne (VA)	Sisisky	Volkmer
Pelosi	Skaggs	Ward
Peterson (FL)	Skelton	Waters
Peterson (MN)	Slaughter	Watt (NC)
Pickett	Spratt	Waxman
Pomeroy	Stark	Williams
Poshard	Stenholm	Wilson
Rahall	Stokes	Wise
Rangel	Studds	Woolsey
Reed	Stupak	Wyden
Richardson	Tanner	Wynn
Rivers	Taylor (MS)	Yates
Roemer	Tejeda	

NOT VOTING—20

Baldacci	Ford	Pombo
Barr	Geren	Rose
Bishop	Harman	Smith (NJ)
Clay	Jacobs	Stockman
Crane	McInnis	Tucker
Dixon	McKinney	Young (AK)
Emerson	Mfume	

□ 1135

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider is laid on the table.

FIRING INAPPROPRIATE AT CHRISTMASTIME

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

Mr. MORAN. Mr. Speaker, I would like to make an inquiry of the Speaker or anyone knowledgeable of the issue to clarify it, because there is a good deal of concern on the part of Members on both sides of the aisle over the status of 11 people who served all of the Members of this body in a nonpartisan way, and who, we understand, have been fired without advance notice just before Christmastime.

I do not think it is a partisan issue, but it is something that affects all of us, because these are people who are responsible for the tallying, for the enrollment of bills, for checking the accuracy of the bills; and the only common bond we can find among those people that have been peremptorily fired is that they had accumulated a substantial amount of compensatory time.

Since this body will have to abide by all of the private sector laws as of January 1, we would be responsible for compensating these people for the compensatory time they built up for working late hours when we are still in session.

Mr. Speaker, if that is the common bond that caused their firing, then I think it would be helpful for all of us to understand, because this affects the ability of all of the Members of this body to carry out their functions and to make sure that no mistakes are made in the wording of the bills, and that the tally of the votes, and so on is accurate.

Mr. Speaker, I also think that it reflects on all of the Members of this

body if we fire our own employees just before Christmastime for a reason that does not seem consistent with the values—the family values and the integrity—of this House.

Mr. Speaker, I see the gentleman from California [Mr. THOMAS] has risen, the chairman of the Committee on House Oversight, and perhaps he would respond.

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

Mr. MORAN. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would just say that perhaps these kinds of discussions on the floor, without having all of the facts in front of us, are probably not as useful as they should be, and that I believe the gentleman ought to avail himself of all of the facts prior to making some rather strong statements.

Of course, as the gentleman knows, given the dismissal policy around here, these individuals will be with us through the Christmas season.

As a matter of fact, they will be with us through the beginning month of the year, and probably beyond that because simply, around here when you talk about removing people who, in the review of the needs, are no longer necessary, to make a statement that they are not going to be here through the Christmas session is simply not factually correct; and I would very much like to invite the gentleman to sit down and take a look at all of the facts surrounding the circumstances.

I would have been more than willing to do that had the gentleman approached me, without taking the time of the House to make some statements.

I think the gentleman will find, after he looks at the facts, that he was perhaps a bit extreme. I thank the gentleman for yielding.

Mr. MORAN. Mr. Speaker, reclaiming my time, that was the purpose for making it an inquiry rather than a speech: to determine why it occurred. I hope we can get some further light on the issue. I think it is a serious one.

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 293, I call up the bill (H.R. 2621) to enforce the public debt limit and to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations, and ask for its immediate consideration.

The Clerk read the title of the bill.

H.R. 2621

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

SECTION 1. APPLICABILITY OF PUBLIC DEBT LIMIT TO FEDERAL TRUST FUNDS AND OTHER FEDERAL ACCOUNTS.

(a) PROTECTION OF FEDERAL FUNDS.—Notwithstanding any other provision of law—

(1) no officer or employee of the United States may—

(A) delay the deposit of any amount into (or delay the credit of any amount to) any Federal fund or otherwise vary from the normal terms, procedures, or timing for making such deposits or credits, or

(B) refrain from the investment in public debt obligations of amounts in any Federal fund, if a purpose of such action or inaction is to not increase the amount of outstanding public debt obligations, and

(2) no officer or employee of the United States may disinvest amounts in any Federal fund which are invested in public debt obligations if a purpose of the disinvestment is to reduce the amount of outstanding public debt obligations.

(b) PROTECTION OF BENEFITS AND EXPENDITURES FOR ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding subsection (a), during any period for which cash benefits or administrative expenses would not otherwise be payable from a covered benefits fund by reason of an inability to issue further public debt obligations because of the applicable public debt limit, public debt obligations held by such covered benefits fund shall be sold or redeemed only for the purpose of making payment of such benefits or administrative expenses and only to the extent cash assets of the covered benefits fund are not available from month to month for making payment of such benefits or administrative expenses.

(2) ISSUANCE OF CORRESPONDING DEBT.—For purposes of undertaking the sale or redemption of public debt obligations held by a covered benefits fund pursuant to paragraph (1), the Secretary of the Treasury may issue corresponding public debt obligations to the public, in order to obtain the cash necessary for payment of benefits or administrative expenses from such covered benefits fund, notwithstanding the public debt limit.

(3) ADVANCE NOTICE OF SALE OR REDEMPTION.—Not less than 3 days prior to the date on which, be reason of the public debt limit, the Secretary of the Treasury expects to undertake a sale or redemption authorized under paragraph (1), the Secretary of the Treasury shall report to each House of the Congress and to the Comptroller General of the United States regarding the expected sale or redemption. Upon receipt of such report, the Comptroller General shall review the extent of compliance with subsection (a) and paragraphs (1) and (2) of this subsection and shall issue such findings and recommendations to each House of the Congress as the Comptroller General considers necessary and appropriate.

(c) PUBLIC DEBT OBLIGATION.—For purposes of this section, the term “public debt obligation” means any obligation subject to the public debt limit established under section 3101 of title 31, United States Code.

(d) FEDERAL FUND.—For purposes of this section, the term “Federal fund” means any Federal trust fund or Government account established pursuant to Federal law to which the Secretary of the Treasury has issued or is expressly authorized by law directly to issue obligations under chapter 31 of title 31, United States Code, in respect of public money, money otherwise required to be deposited in the Treasury, or amounts appropriate.

(e) COVERED BENEFITS FUND.—For purposes of subsection (b), the term “covered benefits fund” means any Federal fund from which cash benefits are payable by law in the form of retirement benefits, separation payments, life or disability insurance benefits, or dependent’s or survivor’s benefits, including (but not limited to) the following:

- (1) the Federal Old-Age and Survivors Insurance Trust Fund;
- (2) the Federal Disability Insurance Trust Fund;
- (3) the Civil Service Retirement and Disability Fund;
- (4) the Government Securities Investment Fund;

(5) the Department of Defense Military Retirement Fund;

(6) the Unemployment Trust Fund;

(7) each of the railroad retirement funds and accounts;

(8) the Department of Defense Education Benefits Fund and the Post-Vietnam Era Veterans Education Fund; and

(9) the Black Lung Disability Trust Fund.

SEC. 2. CONFORMING AMENDMENT.

(a) IN GENERAL.—Subsections (j), (k), and (l) of section 8348 of title 5, United States Code, and subsections (g) and (h) of section 8438 of such title are hereby repealed.

(b) RETENTION OF AUTHORITY TO RESTORE TRUST FUNDS WITH RESPECT TO ACTIONS TAKEN BEFORE DATE OF ENACTMENT.—

(1) IN GENERAL.—The repeals made by subsection (a) shall not apply to the restoration requirements imposed on the Secretary of the Treasury (or the Executive Director referred to in section 8438(g)(5) of title 5, United States Code) with respect to amounts attributable to actions taken under subsection (j)(1) or (k) of section 8348, or section 8438(g)(1), of such title before the date of the enactment of this Act.

(2) RESTORATION REQUIREMENTS.—For purposes of paragraph (1), the term “restoration requirements” means the requirements imposed by—

(A) paragraphs (2), (3), and (4) of subsection (j), and subsection (l)(1), of section 8348 of such title, and

(B) paragraphs (2), (3), (4), and (5) of subsection (g), and subsection (h)(1), of section 8438 of such title.

The SPEAKER pro tempore. Pursuant to House Resolution 293, the amendments printed in the House report, 104-388, are adopted.

The text of H.R. 2621, as amended, is as follows:

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes, and the gentleman from Florida [Mr. GIBBONS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARCHER].

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill H.R. 2621.

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

There was no objection.

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

Mr. Speaker, today the House is again debating H.R. 2621, a bill to enforce the public debt limit and to protect the Social Security trust funds and other Federal trust funds and accounts invested in public debt obligations.

As everyone will recall, we have already sent to the President two debt limit extensions, a long-term extension as part of the Balanced Budget Act, which he vetoed, and a short-term extension which he vetoed on November 13. Accompanying the short-term limit were the trust fund protections which are embodied in the bill that we are now considering.

As a result of the President's veto of the debt limit, the administration took

some extraordinary steps to avoid the legal debt limit that, to me, are very disturbing. On November 15, the Treasury gained access to \$61.5 billion from the Civil Service Retirement trust fund and the G fund in the thrift savings account.

Recent public statements indicate that the Treasury can go through the end of January and perhaps into the first week of February before facing further debt constraints. However, it is not clear what move Treasury will next take to create further borrowing authority.

H.R. 2621 would prevent the kind of steps that the Treasury has been undertaking. Quite simply, the bill requires Federal trust funds and similar accounts to be fully invested in Government securities. Surplus income cannot be held in cash to avoid hitting the debt limit.

Furthermore, funds cannot be disinvested unless it is done to pay authorized benefits. During a debt limit period, Social Security benefits and other benefits to individuals financed through the redeposition of U.S. securities would be paid.

Mr. Speaker, the amendment that was incorporated in the rule updates the legislation for the events that have occurred in the last few weeks. It would restore the Civil Service trust fund and G fund to their proper financial levels for actions taken by the Secretary of the Treasury to date. This would be a one-time-only restoration, and Treasury's current authority to use this as a loophole around the debt limit would be repealed.

Mr. Speaker, when the President vetoed the short-term debt limit, he cited as one of his reasons the limitations it placed on Treasury's statutory power to manage the debt, but this argument between the two branches of Government is not about debt management. The power to borrow money on the credit of the United States is clearly a constitutional function of the U.S. Congress; whether this debate should be about controlling the level and growth of the debt burden on our children, and it is about balancing the budget.

□ 1145

It is also about controlling the runaway growth of Federal spending and the tax burden placed on working people in this country.

On November 15, the Treasury used a Federal pension law intended to protect retiree benefits to seriously weaken the constitutional authority of the Congress of the United States. Even though it has not shown up on the official books to date, when the trust funds are automatically restored—and, Mr. Speaker, there is a legal obligation to restore these funds—the Nation will be \$61 billion further in debt, without the Congress, the constitutional authority as the voice of the people, having acted upon it. This legal obligation to restore the disinvestment of these

trust funds in fact is extra debt and effectively pierces the debt ceiling.

The U.S. Government cannot continue to act like a spendthrift, that having reached its limit on its credit card, goes out and simply gets another credit card. Already we have handed our children the bill of \$187,000 in their lifetimes just to pay the interest on the existing debt, and now the Secretary has incurred an additional liability already of \$61 billion. That is why we must pass this law, using our constitutional authority to protect these children and the generations to come.

But the young are not the only ones who should have an interest in this legislation. The Social Security trust funds, as I mentioned before, are not legally protected from this kind of a manipulation already done to the other pension trust fund. The 43 million recipients who paid their taxes and rely on those benefits expect us to stand behind their investments.

The administration says it will not use Social Security trust funds in the debt limit game, and we know that they have not yet touched the Social Security fund. But, make no doubt about it, this bill is the only way to legally protect Social Security from being raided during this or any future debt suspension period.

Mr. Speaker, this bill is both necessary and responsible. It takes back the Congress' constitutional right to determine the level of debt on the people of this country, it protects our senior citizens' trust funds and benefits, and it closes the loophole the administration has used to increase the debt that every American must carry.

I urge my colleagues to adopt this legislation.

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

Mr. GIBBONS. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, in most of America this is a happy time of the year in which we are wishing each other good wishes, and I think we genuinely feel that.

But in the 30-something years I have been here in Congress, I have noticed there is a propensity at this time of the year as Congress begins to close down for a little recess that it develops into the silly time.

I know this is not the idea of the gentleman from Texas [Mr. ARCHER]. The leadership over there forced him to this, in the most mismanaged session that I have ever seen in my congressional career.

We have wasted more time this year on silly things that have never gone anyplace but have made a lot of fancy headlines for a brief day or so. But this continues on.

No President in his right mind would ever sign this bill. Whether he be Democrat, Republican, Independent, or who done it, he would never sign this bill.

I think it would behoove my Republican friends to realize that power changes around this place, and maybe

sometime in the future they may face a situation where they are in the White House and we are in control here in the Congress, and we get cantankerous like they have done on this debt ceiling thing and they have got no room to maneuver for the good of the country.

I have never met anybody who really in their right mind wants to shut the Government down. I am not talking about just shutting down the Grand Canyon or the Washington Monument. I am talking about not paying the military, not paying the Social Security benefits.

That is what could happen if this silly bill became law. None of the bills would be able to be paid. There would be financial chaos in the United States and in the world if we do not have the maneuver room that we have now got under the law.

So this bill will never get out of the Senate, it will never become law, and we are wasting an hour here today because if we did not waste an hour doing this, we would do something else silly around this place. That is the only reason.

So, Mr. Speaker, the Social Security fund is safe. It has already been invaded twice to pay benefits. If we cut it off and do not allow them to invade it, and that is what this would do, to pay benefits, we are going to have checks bouncing just like that all over the United States, immediately.

Everybody's check would bounce. The Government could not do a single thing. It could not pay the police, it could not pay the FBI, it could not pay the prison guards, it could not pay the FAA, the air traffic controllers. It just could not do anything.

Now, none of you want to do that and I do not know why you go through this silly drill. It is never going to become law, and maybe you ought to get around to managing the time so that we could do something useful for the American public.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. COLLINS], a member of the Committee on Ways and Means.

Mr. COLLINS of Georgia. I thank the gentleman for yielding me the time.

Mr. Speaker, I have said a number of times from this well and also in the Third District of Georgia that the greatest challenge to this Congress is the deficit, and the greatest threat to this Nation is the national debt, and the best and the most important responsibility of this Congress is balancing the budget.

What we are doing here today is trying to prevent and stop the delay of balancing the budget. The process of using trust funds rather than disburse them into the accounts that they should be in is simply a way to balance-budget dodge, and that is it in a nutshell. It is wrong. Those funds are deducted from employee checks, they are matched by taxpayers' money, and they should be deposited in the trust funds. Those dollars do not belong to

the Federal Government or the Treasury any longer. Once they come out of a person's payroll check, they should go to the place of responsibility and that is the trust funds.

We in the private sector, those of us who are in business and employ people, have to do the same thing. When we have funds that we deduct from an employee's check, we have so many banking days that we have to make a deposit at the bank and those funds go into the Treasury and then supposedly into trust funds. The same thing should be required of the Treasury and the Federal Government. The Federal Government, the Treasury, should be required, also, to make those deposits within a short period of time and not use them to circumvent the process of balancing the people's books.

Passage of this legislation will not completely stop the balanced-budget dodging, but it will sure help. It will sure help to protect those dollars that are deducted from the employees of this Government and from those who work for many other employers and have Social Security funds deducted from their paychecks. It is important that we pass this legislation.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Speaker, I rise in strong opposition to this bill. While it pretends to protect our various Federal trust funds, in fact, by forcing a default on our national debt the bill virtually ensures that our Social Security beneficiaries and our civil service retirees will not be paid on time.

This bill repeals the debt management tools given to the Secretary of the Treasury in 1986 and 1987. These tools were used by Secretary Rubin on November 15 to avoid a default. The bill also requires the Secretary to immediately invest all cash balances and incoming receipts for all trust funds, even if the debt limit would be exceeded in doing so. This will force our Nation into default in a matter of days.

While the bill makes a pretense of protecting our trust fund beneficiaries, in reality it would have exactly the opposite result. Millions of citizens entitled to various kinds of payments would not be able to receive what they are owed. Military personnel, including our troops in Bosnia and around the world, would not get paid, nor would their support supplies be paid for. Medicare and Medicaid recipients, food stamp recipients, and holders of Government securities, many of whom absolutely rely on the timely delivery of their checks to survive, would be left waiting.

In addition to these short-term impacts, forcing our Nation into default would have serious long-term financial implications. Investors will demand a risk premium to purchase future Government debt, and disruption of normal borrowing procedures will result in delay costs, resulting in higher interest

rates which will cost taxpayers billions of extra dollars annually. Virtually all interest rates are keyed to Treasury rates. If they go up, so will mortgage rates, and rates on consumer loans and personal loans and student loans.

This bill is irresponsible and it is unwise. We should defeat it. We should pass a clean temporary extension bill, as we have done at similar times in the past and we should get on with the important business of balancing the budget in a bipartisan manner.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. ENGLISH], a member of the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, today we are going to attempt again to protect Social Security and other Federal trust funds during the budget negotiations by putting up a vote, hopefully a successful one, on this debt limit bill.

For senior citizens in America, this is an absolutely key vote and one which everyone should watch. I listened to the comments of my friend and distinguished colleague from Florida. Let me suggest to him that no President in his right mind would veto this bill. This bill is timely. Because in the wake of the President's veto of prior debt limit legislation, the administration took some extraordinary and disturbing steps to circumvent the legal debt limit.

As our chairman noted, on November 15, Treasury tapped into \$61.5 billion from the civil service retirement trust fund and the G Fund in the Thrift Savings Program. This raises chilling questions about where Treasury will look next to create further borrowing authority.

Let us be clear on this. The President does not want to erect fire walls around these trust funds because he needs the assets in these accounts to get around the debt ceiling and resist serious budget negotiations.

Mr. Speaker, H.R. 2621 provides essential protections for Social Security and other trust funds now being raided by the Treasury to avoid the statutory debt limit. It restores public confidence in these retirement systems. This bill is both necessary and responsible. It reasserts Congress's constitutional right to determine the debt, it protects senior citizens' trust funds and benefits, and it closes the loophole that this administration has used to siphon retirement assets in its possession.

This is not about cash management, Mr. Speaker. It is about the integrity of Social Security and the federal retirement system and keeping faith with those who depend on them.

Mr. GIBBONS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, in one sense I hesitate to speak on this because this is such a ludicrous proposition. I do not know why you are pursuing it. At a time when we should be

talking responsibly, negotiating responsibly on a bipartisan basis, you are playing games.

Why are you doing it? So far you have not fooled anybody. Not a soul. You started this in Ways and Means.

The Social Security trust funds are not being raided. You know that. It is just a falsehood. In your sentence you cleverly say raiding Social Security and other trust funds, or raiding other trust funds and Social Security. Social Security has not been touched.

□ 1200

Mr. Speaker, the GAO said in a letter of December 12 our review of Treasury records show that between November 1, 1995, and December 8, 1995, Treasury followed its normal investment and redemption policies throughout transactions affecting the Social Security trust funds.

So why are our colleagues doing this? If the Treasury had not used its approach of a few weeks ago, then Social Security recipients would have been affected, and everybody else. Our colleagues were saved from responsibility for default by the action of the Treasury Department, and now they are trying to shift blame to it.

This bill is what risks immediate default and financial chaos, so look. Maybe our colleagues are all going to vote kind of like robots for this. Maybe, like robots, they are going to come and vote for this, but I have to think that it is someplace in their mind, or other place, that they know this is an unwise move.

As my colleagues know, it is time to stop this kind of antic. Hopefully we are on the eve of some serious negotiations. Everybody has announced they are going to start tomorrow in a more serious vein, and here, 24 hours before that, our colleagues bring up this charade. They know it is wrong, they know it is not going to go anywhere. They are trying to gain a few political points at the last minute.

Mr. Speaker, Americans are losing faith in their political antics. They have been losing credibility because of devices and tactics like this.

It is time for serious bipartisan negotiations in the budget and the end of tactics like this.

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

Mr. Speaker, I would say to my friend from Michigan that one of the previous administrations back in 1985 did indeed borrow from the Social Security trust fund and was most severely criticized by the Democrat Party for having done so.

Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS. Mr. Speaker, I thank the gentleman from Florida [Mr. SHAW] for yielding me the time, and, Mr. Speaker, this is serious business, and, as the gentleman from Florida said, this is the second time that we have attempted to protect the trust fund. The

first time was back on August 1, 1986, and I would like to read an excerpt of a Senator's speech when we were trying to accomplish the same thing then that we are trying to do with this legislation. By the way, that Senator was AL GORE, and here is what he said about legislation almost identical to this legislation:

Like the Social Security trust fund, the Civil Service Retirement and Disability Fund is a dedicated—dedicated let me stress—trust fund, and, as such, its assets may only be used to provide benefits to civil service retirees. The fund stands as a strong symbol of assurance that Federal employees' retirement benefits will be paid when they are due. While employees may not fully understand the arcane interactions of Federal financing, they do recognize when money they have contributed toward the financing of their retirement has been used in ways other than those intended or promised. It was right for them to take offense last year when the civil service fund was first tapped to keep the Nation solvent during the 1986 debt ceiling crises.

Is this silly? Was it silly when it again happened this year when Secretary of the Treasury Robert Rubin reached into the civil service retirement fund and took out Treasury securities bearing interest of almost \$40 billion and substituted them for an IOU? Was it silly when he took the entire proceeds, \$21.5 billion of the G fund, and did not reinvest them? I do not think so. In fact, Mr. Speaker, Senator GORE's statement 10 years ago remains the best, and let me close with a further quote by Senator GORE. Ten years later this statement remains the best explanation of why we need this bill, and I quote:

To insure the trust fund assets are used only for the purpose of the trust fund, not for general government obligations.

As Senator GORE stated, it was right for Federal employees to take offense when the civil service retirement fund is used for political purposes. It is time for us to protect the trust fund and restore congressional control over the Federal debt.

PARLIAMENTARY INQUIRIES

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. ABERCROMBIE. Mr. Speaker, I have been informed in the past by the Parliamentarian that it was forbidden under rules of the House to quote directly from a Member of the other body, or to refer to a Member of the other body, or to quote on this floor from speeches or pronouncements made by a Member of the other body.

Mr. Speaker, I did not bring it up during the gentleman's recitation because I think he did it in good faith, but that was what I was instructed by the Parliamentarian, and I would like to know if that is, in fact, the case.

The SPEAKER pro tempore. (Mr. INGLIS of South Carolina). Members are permitted to quote former Members of the other body.

Mr. ABERCROMBIE. So, further parliamentary inquiry:

Then one may not quote anyone who is currently in office either by name or in terms of what they may have said or done?

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

Mr. ABERCROMBIE. I certainly would be glad to, but I am making an inquiry of the Chair.

Mr. BACHUS. As I said, then former Senator AL GORE. I did not refer to the fact that he is now the Vice President of the United States, although I do not think that would be inappropriate, but I think that the Speaker and other Members of this body understand that.

Ms. PELOSI. Mr. Speaker, if the gentleman would yield, I have a parliamentary inquiry of the Chair.

The SPEAKER pro tempore. The gentleman will state her parliamentary inquiry.

Ms. PELOSI. Is the Vice President not the President of the Senate?

The SPEAKER pro tempore. Quoting the Vice President, who is the President of the Senate, in his capacity as a former Member of the Senate is not necessarily out of order.

Ms. PELOSI. So let us get this straight.

A Member of this body; because we are all going to have to abide by this rule, so I want to make sure I understand it; we can quote a Member of the Senate as long as he is not a Member of the Senate any longer. Being President of the Senate, one is not a Member of the Senate?

The SPEAKER pro tempore. The Chair will clarify for the gentleman from California [Ms. PELOSI] the situation as to quotations of current Members of the Senate by reading clause 1 of rule XIV which permits:

. . . quotations from Senate proceedings on a measure then under debate in the House and which are relevant to the making of legislative history establishing the meaning of that measure but may not include characterizations of Senate action or inaction, other references to individual Members of the Senate, or other quotations from Senate proceedings.

So that is in pertinent part.

Ms. PELOSI. So the Chair's clarification addresses the substance of remarks. I thought the clarification that the Chair gave previously addressed who made the remarks, and that was a former Member of the Senate. The debt ceiling issue is a matter of discussion in the Senate of the United States. The Vice President is an ex officio Member. Not to be argumentative about it, but I think it should be clear how Members proceed in this debate because it is an issue that is discussed in the Senate, the Vice President is an ex officio Member of the Senate, so even though the gentleman was quoting from when he used to be a Member from Tennessee, on an issue then, that issue is recurring now.

Mr. ABERCROMBIE. Mr. Speaker, I yield with this proviso, the Chair understand why I am asking the question.

I have been forbidden to quote a Member of the other body with respect to legislation that is pending before us.

Mr. BACHUS. Let me draw the distinction, and I am not arguing over my colleague's ability to do that or not.

I quoted a former Member. At that time, I said former Senator AL GORE. I quoted from his speech on August 1, 1986. I pointed out that it was an amendment which accomplishes the same thing that this legislation would do, and, if I can read my—

Mr. ABERCROMBIE. I understand the motivation and am reclaiming my time, Mr. Speaker.

The SPEAKER pro tempore. If the gentlemen will suspend, the Chair would just advise Members that quotations of former Members of the Senate now serving as Vice President in their capacity as Senators are in order as long as they are not disparaging of that former Member of the other body.

The Chair has responded to the inquiry of the gentleman from Hawaii [Mr. ABERCROMBIE] and the inquiry of the gentlewoman from California [Ms. PELOSI], and believes the matter is concluded.

Mr. ABERCROMBIE. Yes, it is, Mr. Speaker.

Mr. GIBBONS. Mr. Speaker, now that we have gotten that important decision made, I yield such time as he may consume to the gentleman from New York [Mr. FLAKE].

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

Mr. FLAKE. Mr. Speaker, I rise in opposition to H.R. 2621 and to ask both parties to get together and start acting responsibly. Let us move on in the best interests of our constituents and move this process to the next level.

Mr. Speaker, I will take this opportunity to express my opposition to H.R. 2621, and to state my disbelief that Congress is still locked in a political budget battle, and has taken measures to politicize the issue of extending the debt limit. Today, by attacking the integrity of Secretary Rubin, and voting on H.R. 2621, it seems that the majority wishes to hold the President hostage to its budget goals.

I say that the majority seeks to hold the administration hostage, in that the clear effort today is to force the country to default on its obligations—for the first time in history. Let me remind my colleagues and the American public that if this bill were enacted, the Treasury would be prevented from raising funds, to meet daily U.S. obligations. Moreover, according to OMB, if the bill becomes law, we will default within days, if not hours.

In a charade of protectionism, where the majority claims to protect the beneficiaries of various trust funds, the majority today will precipitate default and orchestrate its own chorus of financial crisis.

By handcuffing the Secretary, and reducing the number of tools lawfully at his disposal, the Republican charade will be exposed as follows: Millions of citizens entitled to various payments would not receive what they are owed. This would include: Medicare and Medicaid recipients; food stamp recipients; people

entitled to Social Security; military and civilian employees; and Government suppliers of goods and services.

I am sure that we will hear vigorous debate on both sides this morning, and we will explore the Secretary's efforts to keep Congress informed of his actions to avoid default. But in closing, and as a Member who voted for the coalition budget, I urge my democratic colleagues to fully accept the fact we will adopt a balanced budget with reduced spending in programs that we cherish. Conversely, I urge my Republican colleagues to ease up on the radical and extreme tactics that only cause the administration to become more rigid in its position.

We are acting irresponsibly, and blackmailing our own constituents.

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

Mrs. KENNELLY. Mr. Speaker, I rise in strong opposition to this bill for a number of reasons; one, because it is superfluous. If, in fact, we do not know already, we should know that under current law the Social Security trust fund is protected, it is an entitlement, and when we had this debate once before on November 15, the President came out and made a very definitive statement that he would not and would not at all take funds from the trust fund in this situation.

But another reason I am against this, Mr. Speaker, is this is dangerous-type activity. It is one thing if we are going to disagree about how long to take to balance the budget, 7 or 8 years, or we are going to say something should be a block grant or it should be an entitlement, but we should not be fooling around with the debt ceiling. It is irresponsible. The country has never defaulted and should, in fact, never default, and what Mr. Rubin has done under law and what he is being asked now not to do is something that one of our former Treasurers, a good Treasurer who had great financial expertise as well as understanding of the body politic, Mr. Baker who asked for this legislation so, in fact, that there was an impasse over the debt ceiling, he would have legislation to not go into default, and this is exactly what Mr. Rubin did a few weeks ago. Now, if we have this legislation pass and Mr. Rubin had to pay the \$61 billion that has been drawn down from these trust funds, it would, in fact, automatically put us in default, and this is something we should not be taking in this fashion on this floor today.

As the gentleman from Florida [Mr. GIBBONS] said, this bill will probably not become law. There are saner minds in the Senate, and they will not act upon this. But what I worry about is that there is more and more people in this body on this side of the House that are willing, responsible people, to put forth this kind of legislation thinking that somebody else will save them, that it will not go to the Senate, the President will veto it. We should not be having the world financial markets look at us and see us having a bill of

this type on the floor, fooling around literally with default. Default is unacceptable, it should not happen, this bill should not pass, and we should go back to the business of government. People want Government to do their business. This is not what we should be doing.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan [Mr. SMITH], who chairs the Task Force on the Debt Limit.

□ 1215

Mr. SMITH of Michigan. Mr. Speaker, I am taking the liberty to come to this microphone, if the gentlewoman from Connecticut would dialog with me. I am taking the liberty to come to this side of the aisle, because I would hope after the current, if you call it, *fiasco* is done with, and we come to a time period after we have settled this dispute and hopefully come to a conclusion on balancing the budget, how much control do we want to retain, regain for Congress? How much control over the authority given in title I of the Constitution, that says we have control over spending and borrowing, do we want to have a majority in Congress be able to control?

To react to a statement that the gentlewoman from Connecticut made, there is nothing in law that protects the Social Security trust fund from the same kind of disinvestment that was enacted on the civil service retirement trust fund on November 15. There are no changes in law between when disinvestment occurred in 1986, when a different administration disinvested the Social Security trust fund in 1986 and used that as flexibility to play with the debt ceiling, than occurs today. So we have a commitment by the Secretary that he does not intend to go into the Social Security trust fund for disinvestment. I will take him at his word, but eventually we must control the ability to not only control spending but to control how large this debt is going to be.

Mr. Speaker, the debt of this country was increased \$61 billion in one afternoon, if you compare that \$61 billion to the fact that it took this country the first 160 years of its existence to mount this kind of a \$60 billion debt, and then we expanded the debt load of this country another \$60 billion.

There is no default that is going to occur under this bill. There are provisions in the rule that specifically relate that what actions have taken place so far will not be under the subject of this law.

Mr. GIBBONS. Mr. Speaker, I yield 30 seconds to the gentlewoman from Connecticut.

Mrs. KENNELLY. Mr. Speaker, I would say to the gentleman from Michigan [Mr. SMITH], I have read his "Dear Colleagues" and they are very well thought out. A, we should have if you want, new legislation, and not be doing this in this way at this time. Also, as the gentleman knows and has

said in your "Dear Colleagues", the Secretary of the Treasury is not authorized and therefore cannot do this. The gentleman knows that.

The other thing, your last statement, what you said up to the last point was true, but what is not true is this legislation does in fact, if carried out, making the Treasury pay back the \$61 billion, would result in \$61 billion above the debt limit and would result in default.

Mr. SMITH of Michigan. If the gentlewoman would yield, she should just read the rule, please.

Mr. GIBBONS. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, it is with a certain degree of sadness that I rise and associate myself with the remarks of the gentleman from Michigan [Mr. LEVIN], who spoke. There are two ways, frankly, that the government can be shut down, which seems to be the objective, frankly, of the Republican leadership in this House. One, of course, is not to pass appropriation bills or a continuing resolution in lieu of appropriation bills. That was done some days ago, and we shut down for the longest time in history, for four days. It cost the American taxpayer between \$650 million and \$700 million.

The other way of shutting down the government, of course, is not to extend the debt limit. Every American ought to understand that the reason that we need to extend the debt limit is because we have already voted in previous Congresses, and indeed in this Congress, to spend money, more than we had coming in. Therefore, it is necessary to be responsible to borrow that money, but by law there is a limit. We periodically raise that limit. It really is, in my opinion, a non-issue, because the issue, really, is on spending. That is the debate we are having on the budget, the reconciliation bill.

I want to say, Mr. Speaker, on the specific assertion of some who rise and say we want to protect Federal employees on the disinvestment of the retirement funds, I do not pretend to be the only or the necessarily best advocate of Federal employees, but I frankly do not think there is anybody on this floor on either side of the aisle that cares more about Federal employees or fights for their interests more than I do. They are not at risk. The law protects them.

I have a letter, a notice from Alice Rivlin in response to my request, and she says, "Congress' failure to send the President acceptable legislation to raise the Federal debt limit, which is one way to shut down the government, has forced Treasury Secretary Rubin to take extraordinary steps to avoid government default." I do not think anybody in this Congress intends default. She goes on to say, "This action will in no way affect the benefits to which current and future retirees are enti-

tled. The law requires currently that the Treasury Department automatically reimburse the trust funds for the full amount disinvested plus interest."

Let us stop playing games. The American public does not appreciate it. We are all going to protect Social Security. This administration is committed to that. Social Security is not at risk. We all know that. Let us be responsible. Let us lift the debt limit. Let us pass a CR and get on with the business of America.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I thank my good friend, the gentleman from Florida, for yielding time to me.

Mr. Speaker, until the cows go home, that is how long the President and Secretary Rubin can run this place under our present situation, where they could use the term "disinvest" to borrow from these trust funds, not only Social Security and Medicare and Medicaid, Federal employees' thrift savings account, and others. So we do not want to do that. That is why we are passing this legislation.

Another expert knowledgeable with this system, Louis Crandall of Wrightson & Company has said, "The creative accounting to which the President and Secretary Rubin could resort could get them through for a couple of years."

That is why this legislation is being put before us today. We need to address this problem directly with a balanced budget, my colleagues have mentioned that, rather than hiding further debt by borrowing from the seniors and other U.S. citizens who have paid their hard-earned dollars into these trust funds.

We were not sent here to come up with creative accounting techniques, we were sent here to make the decisions that are best for the American people. A question I might pose for the people on that side of the aisle, as well as my side of the aisle: When Secretary Rubin disinvests, does that not add to the debt ceiling, which in a sense violates the law that we have for the debt ceiling? I think that is a question we should ask and have that side of the aisle explain to us if he disinvests, using the pension funds from the Federal employees, is he not in a sense putting up as collateral their pension funds and thereby borrowing against it, increasing the debt ceiling, even though Congress has not legislated to do that? I pose that question rhetorically.

Mr. Speaker, I urge the adoption of this bill. Then we will not have to listen to this side when we have a Republican President complain, and then this side will not have to complain when we have a Democrat President.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from New York, [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I have been in this Chamber about 15 years. I

have rarely seen a bill that is more bush league. I think what this bill shows is that the other side is just not ready for prime time. The bottom line is a simple one. If you simply wanted to protect Social Security, you would limit the bill to Social Security. You do not. We all know that the Social Security trust fund will not be touched. We have had assurances to that effect, and no law specifically allows it to be touched.

What we are doing here is trying to play chicken in a very childish, school yard-like way. They say, "let us tie Secretary Rubin's hands. Let us make default a little more likely. Then maybe, maybe, maybe this side will blink." You have been through it once before. We are not blinking, not to a bully-like tactic like this.

I have found it just utterly amazing how irresponsible and how hypocritical this proposal is in light of the fact that the Speaker, the gentleman from Georgia [Mr. GINGRICH], used to warn last week in solemn tones that the stock markets will crash if we do not pass this budget; but on the other hand, he allows to the floor a proposal like this which makes default more likely. What kind of shenanigans are they? One week, we must not default, default is a danger. This week, pass legislation that makes default more likely.

I think we are not getting straight answers. We are getting games. We are getting silliness. I would say that the attempts by my friend, the gentleman from Florida, to blame Secretary Rubin, blaming Secretary Rubin is like putting the hostage on trial for the crimes of the kidnappers. This whole thing is a puerile, childish attitude. It is sort of a group of people banging their fists on the table and saying, "Do it my way or I am going to threaten you." We will not be threatened. Let us get on with the business of this country and solve the budget resolution.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, this bill is fraught with problems that we would only recognize if it were to be enacted. I trust it will never be enacted.

Let me explain some of the specific problems. There are two sections. One does seem moot because the White House and the Congress both agree we ought not to be using Social Security trust funds. It really is not an issue, except that if we do go into default, I do not see how we can pay benefits to Social Security retirees or to Federal Government retirees.

That goes to the fact that there is no way to give preferential status to Government debt instruments to be able to determine whether some relate to the Social Security trust fund, some relate to the Federal Government, Federal retirees trust fund, and some are general Government debt obligations. There is no system to do that, so to obey the law we would have to reject all Federal debt instruments as they become due.

The other section, the section that deals with the Federal retirement trust funds, is the biggest problem. I think it is important to bear in mind the context of this. This is legislation that was requested by the Reagan administration. It was signed into law by President Reagan because it was a prudent financial management instrument to ensure that we do not create chaos in the domestic and international financial markets. It is a way to manage the debt at a time of political crisis.

We have a time of political crisis, even though the other side has in fact voted twice now to increase the debt ceiling. That is not at issue, that we need to increase the debt ceiling. The problem is that they want it attached to a 7-year balanced budget and other changes in other laws that are really not directly related to the debt ceiling.

Mr. Speaker, if we were to pass this, we would immediately go into default. This \$54 billion in Treasury bills that mature today, we would not be able to make good on those bills if this were law today. There is \$58 billion on December 21 and \$36 billion on the 28th of December. We cannot pass this. It would be the most irresponsible thing we could do to the people of this country, particularly those that own Treasury bills, Treasury notes, and Treasury bonds.

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

For the previous speaker, the gentleman from Virginia [Mr. MORAN], I would point to the section of the bill starting on page 2 entitled "Protection of Benefits and Expenditures for Administrative Expenses," where it specifically provides that these expenditures will be taken care of and can be paid for: The Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, the Civil Service Retirement and Disability Fund, the Government Securities Investment Fund, the Department of Defense Military Retirement Fund, the Unemployment Trust Fund, each of the railroad retirement funds and accounts, the Department of Defense Education Benefit Fund, the Post-Vietnam Era Veterans Education Fund, and the Black Lung Disability Trust Fund.

□ 1230

Mr. SHAW. Mr. Speaker, I would, for the previous speaker from Virginia, [Mr. MORAN] point out the section of the bill starting on page 2.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER].

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

Mr. DREIER. Mr. Speaker, I thank my friend from Fort Lauderdale, FL [Mr. SHAW], for yielding me this time.

Mr. Speaker, the Congress shall have the power to borrow money on the credit of the United States. Those 16 words are article I, section 8, of the U.S. Constitution. So often around

here we debate the interpretation of different provisions within the Constitution. Nothing could be clearer than that.

The congressionally established debt ceiling is at \$4.9 trillion. Approximately a quarter of it is held in the form of nonmarketable government securities in Federal trust funds. The debt in these trust funds has always been counted under the statutory debt limit.

Now, Congress has given the Secretary of the Treasury authority to temporarily turn nonmarketable securities and the two Civil Service retirement funds into Federal IOU's during a short-term—and I underscore short-term—debt limit impasse. The borrowing authority formerly occupied by those securities can then be used to sell marketable securities.

Now, Secretary Rubin used this authority in mid-November to effectively raise the Federal debt limit by, as we all know, \$61 billion. Now, the Secretary of the Treasury does not, does not have unlimited authority to tap trust funds. Past Treasury Secretaries have consistently held that this type of investment can be done only to the extent necessary to pay the benefits owed by those trust funds during the period when there is a debt limit impasse.

Secretary Rubin has already pushed the envelope by declaring an impasse of 1 year to generate \$61 billion. That will provide borrowing authority through mid-February. The administration must come to a debt limit agreement with the Congress by then.

To go beyond mid-February, Mr. Speaker, the administration would have to actively divest trust funds beyond the level needed to pay benefits. There is no precedent, absolutely no precedent, for active divestment, and it is almost certainly illegal.

This action would essentially repeal the debt limit law, opening up \$1.1 trillion of new borrowing without congressional authority, clearly violating article I, section 8. Should the administration be willing to take this type of legally questionable action, we in the Congress have the responsibility to respond.

This is a very balanced, fair measure that we have; I hope we can proceed with it. While the Treasury Secretary should have the flexibility needed to avoid a Federal default, pay interest to Federal bondholders, and pay benefits to retirees during a short-term debt ceiling impasse, he does not have the authority to nullify the power of Congress to control the borrowing of money and set the Federal debt limit.

While we hope that this is not the intent of the administration, if it is, Congress will respond accordingly, and that is why we are here.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes and 20 seconds to the gentleman from Texas [Mr. BENTSEN].

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

Mr. Speaker, I am going to come over and speak on this side of the aisle, because this is the side of the aisle, the party, the so-called party of sound money, the so-called party of the gold standard, of tight credit, the so-called party of Wall Street; and yet the legislation that this party has brought to the floor is totally irresponsible and totally out of line with where this party has been. It displays either willful political gamesmanship or willful ignorance on the part of its proponents. This bill will cause a default, a default that the markets will never forget.

Yesterday we had the general counsel of the Federal National Mortgage Association testifying on this issue, and the question was asked, if you had a default on a mortgage, would you buy that mortgage? The answer, no, because they would remember that default. If we default on Treasuries, people will stop buying Treasuries and interest rates will go up, and everybody will pay for it.

The Secretary of the Treasury testified yesterday, if this bill goes into effect and the debt ceiling is not raised, he will not be able to raise the funds to pay Social Security benefits. So the fact is that if we pass this bill, we will go into default and Social Security will not be protected; it will go into default too, as will Medicare, as will the Federal pensions, as will the military pensions. All of that will be in default; people will not get their checks for systems that they paid into.

This bill is inconsistent with the actions taken by a previous Republican Secretary of the Treasury, Jim Baker, and again, his general counsel testified to that fact yesterday. However, today, we are trying to evade the real issue at hand. Because my colleagues do not have the votes to pass their budget, they are going to try and throw the country into default.

The Speaker said not long ago that it would be OK if we went for a while in default. There would not be an impact, and that is just simply not the case. It would be a detrimental effect to homeowners, to mortgage owners.

Mr. Speaker, I am new to this House like the gentleman from Michigan [Mr. SMITH] is new to this House. When we first came here, one of the most important issues we had to deal with was the potential default of the Government of Mexico on Mexican treasury bonds. There are a number of Members in this House on both sides of the aisle who felt that the Mexican Government had put themselves in that position and we should not have anything to do with it.

Well, here we are today and we are about to do the same thing to the United States, and that is wrong. Shame on the party of Wall Street. Shame on the party of sound money.

Mr. SHAW. Mr. Speaker, I yield 15 seconds to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Speaker, I think it would behoove us to hopefully one of these days have more camaraderie in trying to reach solutions.

Mr. Speaker, I wish the gentleman would examine whatever research he might have undertaken to quote the Speaker as saying a default is okay for any period of time. That is not true.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker and my colleagues, the American people should know how bad our national indebtedness situation has grown. To satisfy the insatiable appetite for expanding our \$5 trillion debt, this administration is now robbing Federal retirement trust funds. Oh, yes, we promise to pay back grandma and grandpa, but is it not sad in fact that we have sunk to a new low, stealing from our senior citizens' rainy day account?

As chairman of the House Subcommittee on Civil Service, let me tell you the irresponsible mess the new majority inherited. Thirty-five of our Federal pension funds have \$1 trillion; it amounts to trillions of dollars in unfunded liabilities. In the private sector you would be arrested for running pension funds in this fashion.

The Federal Employees' Retirement trust fund that I oversee, this is just one of them, has an unfunded liability of \$540 billion. Another \$350 billion has already been raided from the current account. Now, Secretary Rubin tells us, he can cook the books and feed the debt until the end of January.

Today we must act responsibly. Today we must act to protect our dwindling retirement funds, and today we must begin to get our Nation's finances and these retirement accounts in order.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. NEAL], with great pleasure.

Mr. NEAL of Massachusetts. Mr. Speaker, let us call this what it really is. This is an effort to precipitate a crisis in this institution. This is an effort to coerce the President of the United States and the Secretary of the Treasury into doing something that is purely and simply bad public policy.

What do Bill Simon, William Miller, Paul Volkmer and Alan Greenspan all have in common? They have suggested that this is bad public policy. They are unified on that principle. The gentleman from Michigan [Mr. SMITH], however, is correct on one thing: What about some camaraderie in this House of Representatives?

I recall when Nick Brady was the Secretary of the Treasury and the S&L crisis was around us. This kind of legislation was not proposed by an overwhelmingly Democratic majority in this institution. We did not attempt to tie the hands of the Secretary. We worked together in a bipartisan manner to shape a reasonable solution to the S&L issue.

What is the answer today? Let us exert from the Secretary of the Treasury what we have not been able to do with numbers in this institution. This is fundamentally flawed public policy.

Mr. Speaker, let me move on to one other quick issue which is the steady erosion of congressional authority that this represents to manage the budget. That is the same group that believes we ought to do it through the line-item veto; we ought to turn that power over to the Executive. However, now, in this instance, we do not like short-term policy, so let us, under the circumstances, attempt to tie the hands of the Secretary of the Treasury, from Alexander Hamilton to Douglas Dillon, to Brady, to Bentsen and to Rubin.

This country has been well-served by the quality of people who have held that job. Secretary Rubin is on the right track in attempting to honor our obligations. That is the way that this country should be run, and we should not be moving down this road to poor public policy to solve a short-term political problem.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. FOLEY].

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

Mr. Speaker, this is about public responsibility. This is about Congress' responsibility to manage our debt. This card, my voting card that I insert in the machine as other Members do, runs up the national debt each time we do it. It borrows from our children, it borrows from our trust funds in order to make this government work, and we have done it year-in and year-out, excessively.

Our job as elected Members of Congress serving in this House is to bring fiscal sanity to this Nation, fiscal sanity to the operations of this government, much like every homeowner does, much like every businessperson does. Balancing a checkbook is something we all learn at a very early age. Maintaining adequate balances in our accounts is something we learn at a very early age. Only when you come to Congress do you forget that lesson and suggest it is okay to insert this card and plunge this Nation deeper and deeper into debt. Mr. Speaker, \$5 trillion deep we are now.

H.R. 2621 provides a mechanism to bring us to reality, to focus on our Nation's problems, to bring fiscal restraint to this House, to protect the trust funds, and let me emphasize that word: Trust funds. In God we trust. Trust funds. What we are establishing is a mechanism to once again restore trust to the people's money.

Every Member of Congress has to realize that this card and the dollars we spend with this card are not our funds. We are entrusted to protect the funds of the American public.

So I disagree with my colleagues and I urge passage and adoption.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, let me thank my friend from Florida, Mr. GIBBONS, for yielding me this time.

Mr. Speaker, I am sure that the viewers who are listening and the people in the gallery that are listening are somewhat confused about what this is all about. You would believe it is about protecting Social Security trust funds if you listen to what the Republicans are saying.

Mr. Speaker, that is not what this is about. This is about putting additional leverage on the President in budget negotiations; it is about causing the default on our national debt. They claim it is not about causing default on our national debt, even though that is what this bill in fact does.

□ 1245

If you are concerned about protecting the Social Security trust fund, in the motion to recommit we will have something to speak about that. But I daresay that my Republican friends will vote against the motion to recommit because this is not about protecting the Social Security trust fund. You do not protect the Social Security trust fund or any other trust fund by putting the national debt default at risk. That is not how you protect the payments to our Social Security beneficiaries. During fiscal chaos, those who rely on the trust funds are at more risk, not less at risk. That is when we tend to do things that we later regret.

So this is about trying to put additional leverage on the President and on the Congress on dealing with the deficit, and this should not be the vehicle to do it. You do not put the debt of the Nation at risk and default, particularly when this debt limit has already been approved by the Republican leadership and the Members by previous votes of this House. You have already agreed on this debt limit. You have already spent this money. Now you have the audacity to come forward to say that we should not pay the bills that we have already incurred under the bills you have already brought forward and the debt limit you have already approved.

Let us act responsibly, let us defeat this bill. That is the best way we can protect the trust funds of this Nation.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. SAXTON].

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

Mr. Speaker, I rise today in support of the Committee on Ways and Means' legislation to protect the integrity of the trust funds and the budget process.

I think it is very unfortunate that the administration's handling of the debt limit issue seems to be based more on partisan politics than on anything else. As two JEC reports released last month pointed out, in the period leading to the veto, the administration sought to create the false impression that a veto of the debt limit would cause a default. That is very unfortunate.

The first JEC report I released pointed out that the President had already had a deferral process and rescission powers under the Impoundment Act already in law. As reported by the Associated Press, on the other hand, while the administration was hyping an alleged cash flow crisis, it was sending several hundred Federal workers to Disney World for a series of lavish conferences. These were issues that could have been dealt with in many other ways.

The second JEC paper I released last month points out the whole default scare was a ruse concocted by the administration for partisan political purposes. The whole controversy was a carefully designed PR event.

One of the more disturbing aspects of this episode was the fact that the public warnings of default made by a variety of administration officials were based on false information. The administration knew there would be no default and that a variety of means were available to avoid it.

Mr. Speaker, I would just conclude by saying that the whole episode only reinforces public doubts about the integrity of Government officials.

Mr. Speaker, the two JEC reports an article that I have made reference to are as follows:

[From the Joint Economic Committee Staff Report, Nov. 7, 1995]

THE CLINTON ADMINISTRATION'S DEBT LIMIT CHARADE

In recent weeks Clinton Administration officials have offered a list of the disasters that would supposedly occur under the Republicans strategy on the debt limit. Treasury Secretary Rubin, White House chief of staff Panetta, and President Clinton himself have tried to portray the Republican position as irresponsible and "extreme," as if a rapidly growing national debt about to exceed \$4.9 trillion were responsible and moderate. Panetta has claimed the Republican position would "let the country go to hell and basically default." However, a review of the record suggests that the increasingly strident Administration rhetoric is a distraction from real budget and debt management issues.

The fundamental issue is that the Administration opposes the Congressional policy to seriously curtail federal spending and debt growth, and would accept such a policy only under great pressure. According to CBO, the official budget submission of President Clinton did not greatly differ from the current services baseline, which would have permitted budget deficits to climb to \$349 billion by 2002, with \$2 trillion added to the national debt. Only after the Congressional budget process produced resolutions trimming over \$1 trillion of federal spending and debt growth, did the President finally respond.

Guided by a new political consultant, President Clinton made a belated statement outlining a sketchy plan purporting to balance the budget over 10 years, but would in fact leave \$200 billion deficits. This plan is difficult to view as a serious proposal, but appears to be an effort to deflect attention away from the official budget submission.

The Administration has been equally ineffective in addressing the approaching debt limit. This paper demonstrates that despite the Administration's purported concerns about the gravity of the Treasury's cash flow

situation, available steps to delay reaching the debt limit and ease any interim problems have not been taken.

ADMINISTRATION FAILURE TO USE DEFERRAL AND RESCISSION TO COUNTER CASH CRUNCH

Under the Impoundment Control Act, as amended, Presidential deferrals are permitted "to provide for contingencies" or "to achieve savings made possible by or through changes in requirements or greater efficiency of operations," for administrative as opposed to policy reasons. Dealing with this severe cash flow problem would appear to be one of the "contingencies" covered under these provisions. Deferral could be used for several distinct purposes: conservation of resources to delay reaching the debt limit; advance preparation of a plan to conserve cash becoming effective upon reaching the debt limit; and instrument of cash management for use after the debt limit was reached.

The Impoundment Control Act also provides for rescission, a procedure under which appropriated spending can be restrained by the President pending Congressional action. Under a Presidential rescission request, the President can freeze additional discretionary spending for 45 days without Congressional action; after this period expires Congress must approve the rescission or the funds are released. While the requirement for Congressional approval is somewhat restrictive in the longer run, rescission would be a way of conserving funds for at least 45 days. As in the case of deferral, rescission can be viewed as a tool to delay or manage cash flow problems resulting from reaching the debt limit.

Instead, the Administration has raised the specter of a financial crisis and blamed it on Congress, even though such an event would be triggered by a Presidential veto. The Administration's actions to date confirm its opposition to a policy of fiscal restraint, and it has failed to take the actions needed to manage possible consequences of a budget disagreement by deferring nonessential federal spending.

The Administration description of the consequences of reaching the debt limit is also distorted. The Administration has attempted to present the \$4.9 trillion debt limit as a brick wall which the Federal Government will run into all at once, resulting in catastrophic consequences that must be averted at all costs. However, these Administration arguments could be taken more seriously in the context of a real effort to manage the debt situation. This cannot be done with press releases, but with concrete actions taken to address the cash flow position of the Treasury.

The real nature of the situation can be gauged by the extent to which the Administration has acted or planned to conserve cash by deferring or rescinding nonessential federal spending—but there has been no meaningful action to do so. A serious effort to defer some program spending until later in the fiscal year, or to rescind this spending, would at least cushion any cash flow problem, and if timed appropriately, might avoid it.

Clearly, the Administration's failure to conserve cash in the face of a major budget disagreement between two branches of government would not be an effective way to reduce cash flow problems. By failing to act the Clinton Administration seems to have deliberately attempted to maximize any problems that could result from a cash flow squeeze.

A sufficient portion of discretionary federal spending could be deferred or rescinded until later in fiscal 1996 to delay and alleviate contingencies arising from the impending debt limit. The later the Administration acts to defer or rescind spending, the more

difficult it will be to manage the situation in the event of an impasse. However, it is obvious from the complete lack of action to date that the Administration is not as interested in managing the finances of the government as in using them for partisan political advantage. It is true that the size of the deferrals or rescissions would be large and administratively inconvenient, but it is equally true that these measures could mean that the debt limit would not be reached as soon, and that any remaining cash flow problems would be less serious than they would otherwise be.

The lack of any action or plans to slow federal spending to defer and alleviate a situation the Administration has sought to portray as a crisis raises questions about the credibility of the Administration's statements on the subject. Even if a late deferral or rescission could not entirely resolve a cash flow shortfall, it would at the very least make it less severe, and facilitate its successful resolution by other means. In addition, temporary disinvestment of one of the non-social security trust funds would provide yet another means of covering current obligations without dire consequences. The notion that reaching the debt limit means there is no alternative to immediate legal default is simply false, and can be viewed as an attempt to spread confusion and fear in support of the Administration's bargaining position in favor of higher deficit spending.

A review of the cash flow position of the Treasury on a monthly basis shows that November is typically a large deficit month. However, December is often nearly in balance, while January is actually a surplus month. Thus strong and decisive actions by President Clinton to defer or rescind spending could probably supply the needed funds to maintain essential federal programs for some time, and would make the situation much more manageable after the debt limit were reached. A Presidential deferral for administrative contingencies does not require Congressional action.

In summary, while deferral or recession can be viewed as a means to delay and minimize the possible effects of reaching the debt limit, it is also appropriate to view deferral and rescission as potential means of addressing cash flow issues after the debt limit is actually reached. Another option would be adoption of legislation authorizing the Administration to set priorities for managing the cash flow of the Treasury, as in H.R. 2098.

DEBT LIMIT CLASH WOULD BE CAUSED BY PRESIDENTIAL VETO

Administration officials have engaged in a series of noisy public relations events designed to create the impression that a veto of the debt limit would be the fault of Congress, and that the economic effects of this veto would be catastrophic. The Administration has sought to portray its role as little more than an innocent bystander. It is true, of course, that continued deficit spending has created a situation in which the \$4.9 trillion statutory debt limit is about to be reached. However, it is not true that a Presidential veto would be the fault of Congress. At issue is a disagreement in policy which may result in a Presidential veto; the responsibility for a veto and its consequences must be borne by the executive branch.

The Administration has made clear its preference for higher deficit spending and debt accumulation, along with a larger increase in the debt limit. This underlines the fact that what is at issue is a fundamental change in policy away from deficit spending and rapid increases in the national debt.

CONCLUSION

While loudly invoking the coming disaster, the Clinton Administration has undertaken

no known steps to use the means completely under its own control to alleviate the situation. Instead of deferring or rescinding funds to conserve cash in the face of what it portrays as a crisis, the spending spigots have remained wide open for many weeks. If the situation is as dire as portrayed by the Administration, why has it completely failed to act? Moreover, if it later mismanages the debt situation in such a way as to create real problems, the major share of resulting problems will be the Administration's failure to address the cash flow crunch when it could have done so. After months of complaints, the Administration cannot pretend to be surprised if a fiscal impasse does indeed occur.

CHRISTOPHER FRENZE,

Chief Economist to the Vice Chairman.

[From the Joint Economic Committee
Policy Analysis, Nov. 1995]

THE CLINTON ADMINISTRATION'S DEBT LIMIT
CHARADE—PART II

After weeks of histrionic Administration warnings about how failure to raise the debt limit would bring default and catastrophic economic consequences, President Clinton chose to veto the temporary debt limit increase. Failure to raise the debt limit would not trigger default because the Administration had already identified the available means of managing the situation, despite its repeated public warnings to the contrary. The Clinton Administration position was thus revealed as a political attempt to mislead Congress and the public based on financial assumptions it knew to be false.

As veteran political correspondent Donald Lambro observed five days before the debt limit was reached, a House JEC staff report had already pointed out that the "White House warnings of a default are a 'charade.' It concluded the president has plenty of authority to defer or slow down spending, or use cash assets such as pension fund reserves to meet debt payments." This report, the Clinton Administration's Debt Limit Charade, went on to point out that the Administration had fostered the situation by failing to defer or rescind unnecessary discretionary spending to alleviate the situation. The report also emphasized that the Administration's default ruse was a distraction from the central issue: Republican insistence on a balanced budget, as opposed to the Clinton Administration's preference for higher deficit spending and debt accumulation.

Early in November it became evident that the White House's public posture was stiffening as it prepared in advance for the President's veto of the debt limit increase. This even more aggressive attempt to heighten the crisis atmosphere was not a preparation for default, as it may have appeared to some at the time, but reflected the determination of Administration officials to maximize partisan political advantage from the fallout and confusion of the coming veto.

The events of the last few days have made it clear that the Clinton Administration had prepared in advance to veto the debt limit and Continuing Resolution (CR) as the first media event of the 1996 election campaign. As one Clinton Administration official stated on the front page of the New York Times, "That's his re-election campaign," an aide said. "He's prepared to fight all winter on that line." This statement exposes the Clinton Administration strategy to foster and sharpen the confrontation over the veto of the debt limit and CR legislation to kick-off the President's re-election effort, and keep its opponents off balance. Initially the Administration had the upper hand because only it knew the exact timing and content of actions to be taken to evade the debt limit—after distracting public opinion for months

with disinformation about default. Once the focus returned to the central issue of deficit spending, the Administration's position started to erode.

SECRETARY RUBIN'S RAID ON RETIREMENT
FUNDS TRIGGERS ARMEY/SAXTON REQUEST

On November 15, 1995, Treasury Secretary Robert Rubin announced his plan to disinvest the "G" fund of the federal employee thrift plan, and the civil service retirement plan, in order to create room under the debt ceiling for issuance of new debt. This circumvention of the debt limit essentially evades a constraint rooted in Article I of the Constitution which states: "The Congress shall have Power . . . To borrow Money on the credit of the United States." The Secretary's actions permitted the issuance of over \$60 billion of additional debt, enough to finance monthly federal deficits through January. Since January is ordinarily a month in which the cash flow position of the treasury is in surplus, it may be February, a large deficit month, before any additional action would be necessary. In any event, while the propriety and even legality of this disinvestment activity is doubtful, the amount of available funds are sufficient to finance monthly deficits for an extended period of time.

In response, on November 17, House Majority Leader Dick Arme and JEC Vice-Chairman Jim Saxton sent Secretary Rubin a letter requesting information regarding when Treasury staff first examined the financing options presented by the retirement funds. Unfortunately, the inflammatory public statements about default by Secretary Rubin, White House Chief of Staff Leon Panetta, and other Clinton Administration figures had created the impression that there was a deliberate attempt to disrupt the financial markets to undermine Administration opponents. The documents requested of Rubin may help clarify whether there was a contradiction between what Clinton officials were publicly saying to Congress and the public, and what the Administration was privately planning to do.

The Administration documents received under this request suggest that plans for the disinvestment of the retirement funds have been underway for some time, and were not a last minute decision. In other words, the accessibility of the retirement funds had already been identified and shared with "appropriate officials" in the Executive branch well before prominent Administration officials claimed that a veto of the debt limit would lead to default. It is interesting to note that the critical document signed by Secretary Rubin triggering the disinvestment was typed without a date, which was only filled in by hand on the 15th of November.

THE CLINTON BUDGET

The entire controversy over the debt limit arises from the preference of the Clinton Administration for higher deficit spending and debt accumulation. This was made clear in the detailed budget submission made by President Clinton last February. Only after the Congress acted in producing balanced budget plans did Clinton attempt to cover himself by releasing a sketchy outline of what he called a 10 year balanced budget plan, but what in fact would have left \$200 billion deficits. A review of the official budget submission clearly shows how unimportant high deficit spending is to the Clinton Administration.

The levels of deficit spending would hardly be affected under the official February Clinton budget submission. The Clinton budget recommended deficits growing to a level of \$318 billion by 2002, with \$2 trillion added to the national debt over the same period. The

official February budget submission is a useful guide to what the Clinton Administration would regard as an appropriate level of deficit spending in the absence of a public relations problem created by Congressional actions to balance the budget. The upward trajectory of deficit spending under President Clinton's recommendation reflects the low priority this Administration has assigned to fiscal responsibility.

CONCLUSION

A review of the events leading up to the recent budget confrontation shows that the Clinton Administration carefully attempted to heighten the atmosphere of a default crisis, while privately laying a plan to evade the debt limit. The confrontation was a charade intended to provide a convenient platform for the President's re-election campaign. Public statements made after the fact by Administration officials only confirm this dismal conclusion.

CHRISTOPHER FRENZE,

Chief Economist to the Vice-Chairman.

[From the Economist, Nov. 18, 1995]

THE DEBT CEILING HUMBLED PROPHET

Doomsday is a grave event. One does not simply reschedule it, therefore, without a good explanation. On November 15th—the supposed day of reckoning for America's debt—Robert Rubin, America's treasury secretary, laboured mightily to provide one. He was being sincere all along, you see, when he talked of a possible calamitous default on the federal government's debts; when he implored Republicans in Congress to raise the \$4.9 trillion debt ceiling by that date, or else. It was only by a minor miracle, Mr. Rubin explained, that his Treasury Department had been able, temporarily, to avert disaster. And if Congress did not relent, the dread day would still come, probably sometime in early January.

Financial markets reacted to the revised timing just as they had to the original one. They ignored it. Most bond traders know what Mr. Rubin and his Republican tormentors have known all along: that the Treasury is sitting on a pile of trust-fund assets that could enable it, if necessary, to hold out right through to the 1996 elections.

The federal government administers about 160 trust funds, with well over \$1 trillion in assets, including the funds for Social Security and Medicare. Most of these are, strictly, off limits. The two exceptions are a pair of retirement funds for federal employees. In normal times, these two funds (like all the others) hold their assets in the form of special government bonds which, though they cannot be sold to the public, count officially as federal debt. By replacing these bonds with unofficial IOUs, the Treasury Department can magically free some room beneath the debt ceiling, allowing it to borrow more money from bond markets.

On November 15th, Mr. Rubin did exactly that. First, he drained all \$21.5 billion from the so-called G-Fund, a voluntary pension plan for federal employees. He then authorized the Treasury to tap the Civil Service Retirement (CSR) fund, for a further \$39.8 billion. These two actions freed up enough cash to make a \$25 billion interest payment on the government's debts, and to cover its other debt operations for the rest of the year. After that, Mr. Rubin claims, a genuine cash crunch will occur. But since the CSR fund is still sitting on another \$300 billion in assets, this seems an empty threat.

Even if Congress continues to play games with the debt ceiling, a default will occur only if someone successfully challenged Mr. Rubin's authority over the retirement funds. This is unlikely. For a start, few parties have an interest in doing battle. Republicans

would take the blame if they succeeded in triggering a default. And federal employees would be unaffected by the Treasury's shenanigans: by law, all their assets must be replaced, with interest, once the cash crunch has passed.

In any event, a legal challenge would be on shaky ground. In 1986, after a similar cash panic, Congress explicitly granted authority over the two funds to the treasury secretary to help him pay off debts. And although Mr. Rubin would have to issue a series of bizarre technical rulings to continue tapping the CSR fund, there does not appear to be any legal obstacle to his doing so.

So Americans need not worry that their government will default, or that it will be prevented from borrowing more. They do, however, face a fate that may be almost as horrible: someday, the mountain of debt might actually have to be repaid.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, those of our colleagues who are observing and those in the gallery must think they are in a fantasy world, and I really do think that we should not have been taking this time to deal with what obviously is expected by our Republican friends over here not to be passed, not to ever see the light of legislative day, and yet they got up and said, "We are here to protect Social Security. This is a key vote. Everyone should watch. We should not borrow from our children."

I have here a copy of the Republican budget. I can tell you exactly what is going to happen. When the crocodile tears were shed over here about the \$5.2 trillion public debt, let me tell you what the Republican budget proposes for the year 2002, 7 years from now, \$6.8 trillion in public debt. I will tell you what the debt increase is going to be. It is going to be \$300 billion this year, and it is going to be another \$185 billion in 2002.

So where do you get off today, trying to stand up here and talk about what you are taking from your children and protecting the Social Security fund? The Republican budget calls for looting the Social Security trust fund of \$636 billion plus interest over the next 7 years in the illusion that they are balancing the budget.

You intend to take from the Social Security revenues in order to pay for your budget over the next 7 years. To come to this floor today and say you are trying to protect it where the debt limit is concerned is the height of illusion.

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

Mr. WATT of North Carolina. I thank the gentleman for yielding me the time.

Mr. Speaker, I really am glad that this is not a serious vote that we are about to take. My colleagues ought to be clear on that. Neither the Republicans nor the Democrats, I guess, expect this bill to go anywhere.

It was on the suspension calendar on November 14 or November 15. They did

not expect it to go anywhere then. The reason for that is that everybody knows that this is an absolutely utterly irresponsible piece of legislation.

The Secretary of Treasury yesterday appeared before a hearing, and I asked him pointblank, Mr. Secretary, what would have happened if this bill had passed on the suspension calendar on November 14 when it was originally voted on? Would the U.S. Government be in default today?

And he told me in no uncertain terms, told all the Republicans and the Democrats, if this bill had passed on November 14 when we first voted on it, the U.S. Government would be in default today and if it passes and becomes law today, the U.S. Government will be in default tomorrow.

So this is not about Social Security, it is not about budget, it is not about the President, it is not about our children. This is about the responsibility of our Nation for a debt.

We talk about personal responsibility. This is public responsibility we are talking about. We are talking about our children, we want to set an example for them to pay their debts. That is what we want to set an example for. And this bill simply sets a terrible, terrible example for our children.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to thank the gentleman for yielding me the time first of all. It shows what a gentleman he is, because he knows I am going to vote against his position. But I also told him that I was going to tell the truth about this proposal.

The truth of the matter is, and I just got off the phone with the Congressional Budget Office, that the Republican budget for 1996 will borrow over \$100 billion from the trust funds to disguise the true nature of the debt for the Republican budget for next year, which has recently been revised but as recently as just a couple of weeks ago was \$296 billion.

That is money we do not have. It is money that has to be borrowed. If we were not borrowing enough already, I will tell you how bad it is. In the 2 minutes that the gentleman has granted me to address this body, our Nation will spend \$1 million on interest on the existing national debt. So that \$296 billion is added on top of that.

So the so-called Balanced Budget Act, much ballyhooed in the ad in USA Today, is all a ruse. I am going to hit the Republican Party with a demand letter for the \$1 million they promised to the first person who could disprove they had a balanced budget, because the Congressional Budget Office has just told us that the annual operating deficit first is over \$180 billion of regular funds, and then they are going to disguise another \$100 billion by borrowing from the trust fund.

The bill before us today is good policy. The problem is they have no inten-

tion of ever putting it into effect. That is a shame. It does not bode well for this body. It does not bode well for the people of the United States. But I hope that the people of the United States will insist that this is the type of behavior that should not continue and that stealing from the trust fund, which is what is going on, has to cease.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington [Mr. METCALF].

Mr. METCALF. Mr. Speaker, there has been a lot of talk about the debt limit. Of course, just to set the record straight, this is the permanent debt limit, the permanent debt limit that we raise every 2 or 3 years and have been for almost my whole lifetime.

They talk about default on the national debt and they worry about default. Those are phony scare tactics and everybody knows that. As the Secretary of the Treasury was saying those things, he was planning to loot the retirement funds which he is now doing every day, looting them because he knew that that would not happen.

I just want Members to think for a minute. What do the people in our districts think about this debt limit issue? How would they vote if they could vote here today? They still believe that there is some sanity left inside the beltway. They are not thrilled about the constant raising of the permanent debt limit and I do not think they would vote for any further increases.

I think we have to take a sound, careful look, think deeply on this issue and only when certain that we are on the track of a balanced budget, then we can carefully raise this debt limit, and if it is not for the last time, this Nation will probably not survive. If we can do it this time and only with a balanced budget in prospect, because this cannot go on forever.

This is the whole purpose of this tremendous effort to balance the budget. It is absolutely essential, and we will do it.

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

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Florida is recognized for 55 seconds.

Mr. GIBBONS. Mr. Speaker, we have just wasted an hour around here. It has been kind of joyous on my part because if we had not been wasting time on this, we might have been doing something bad around here.

This is the most irresponsible piece of legislation I have ever seen. This is not like a couple of weeks ago when we closed down the Grand Canyon and the Washington Monument, laid off the nonessential people, whoever they may be.

This just closes the whole place down, irrespective, the troops in Bosnia, the people that are guarding the Federal prisons, the FBI, the IRS. A lot of people would like to close

them down. The whole place. You cannot honor any checks. No airplanes could fly. That is responsibility.

This has got to be the stupidest thing I have ever seen in all my years here on this congressional floor. There is no mileage in closing this government down. It is like taking a bunch of broken bottles and trying to juggle them. You are going to get cut every time you do it.

If you do not like what the Secretary of the Treasury is doing, the courts are still open. Go sue him. But do not come here to the floor. He is not doing anything wrong. If he is doing anything wrong, why do we need to change the law? You have got plenty of remedies. Ask the gentleman from Illinois [Mr. HUSK]. He can tell you.

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

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

Mr. SHAW. Mr. Speaker, we have had a long debate, a period of 1 hour. We have had speaker after speaker from the Democrat side to come down to the floor and say what my friend from Florida just said about we would not be able to pay the troops in Bosnia.

We are not talking about closing down the taxing authority of this country. We are not talking about stopping the other revenue flows that are already in place coming into this country. We are simply talking about one simple truth that I think we as Members of this body are duty bound to protect. That is, the constitutional right which is reserved to this body and the Senate for expenditure of funds and for borrowing money.

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What we are trying to do here is to close a loophole, a loophole that has not been the exclusive domain of the Democrat administration. Previous Republican administrations have sought out and used this loophole, but this loophole circumvents the rights of this Congress. I am not going to sit by idly and watch us default on our debt. That is not what this argument is about. This argument is about can the administration, do they have a loophole, and believe me. Constitutional scholars will debate this question, but this clears it up. They will not have the authority to circumvent the Constitution which very clearly provides that borrowing money and spending money is a prerogative of this Congress.

So, Mr. Speaker, I would ask all the Members to stand up for the rights of the Congress as set forth in the Constitution, close this loophole, vote "yes" on this most important bill.

Mrs. ROUKEMA. I must rise in strong opposition to H.R. 2621. I firmly believe that existing law already protects the trust funds covered by this legislation. In addition, there is clear evidence that this legislation would trigger a default on the U.S. Government's current debt obligations. Any suggestion that this type of action should be used in our ongoing bud-

get negotiations is clearly ludicrous and grossly irresponsible.

In all my experience in Congress, I have no doubt that this body has never considered a more important piece of legislation than balancing our budget. However, I am deeply concerned about what I consider reckless talk, which may portend even more reckless action, on the debt ceiling.

On November 15, the New York Times reported that European Central Bankers are increasingly alarmed by the prospect of a U.S. default. According to the Times "IBCA Ltd. of London, the leading European Credit-Rating agency, placed the United States on its rating watch listing for possible downgrading from its current AAA status." This action follows on the heels of a decision by Standard and Poors to issue a highly unusual warning to our Government that the faith of investors, and I quote, "has to some degree, been diminished" by the threats of imminent default.

In a recent letter to Speaker GINGRICH, I reminded him that, as a student of the history of this great country, we have not defaulted on its financial obligations in 219 years in a manner which we seem to be heading toward. I submit that the full faith and credit of the United States must not be jeopardized. Default could set off a chain of economic events, at home and abroad, that would undermine the safety and soundness of the world's financial markets. It would be irresponsible and catastrophic for this Government to permit this.

Therefore, as Republicans dedicated to fiscal responsibility and protecting the economic future of our grandchildren, we must take the responsible action to increase the debt ceiling and not use the threat of default as a lever to force negotiations. What are we, a third world country?

This having been said, I do have some reservations about dipping into the civil service retirement and disability fund, Government Securities investment fund as well as the Federal Employees Retirement System, despite Treasury's assertions that, and I quote, "the beneficiaries of—these funds—will suffer no adverse consequences whatsoever from these actions. There are appropriate questions to be asked today as well as one regarding the Social Security trust fund.

Although there is precedent to take these actions, especially during the Reagan administration, it is sad that Treasury is being forced to invoke such extraordinary remedies to honor the existing obligations of the United States Government. And I will tell you that these views are being voiced loud and clear by several economic experts that I truly respect and who have testified before the Financial Institutions Subcommittee, which I chair, particularly former Federal Reserve Chairman Paul Volcker, current Federal Reserve Chairman Alan Greenspan and Robert Hormats, the former Assistant Secretary of State for Economic Affairs in the Reagan administration and current vice chairman of Goldman Sachs.

Mr. SOLOMON. Mr. Speaker, I rise in strong support of H.R. 2621, the Trust Fund Protection Act and commend the chairman of the Ways and Means Committee for his and the committee's persistence in their patrolling of the financing schemes of this administration.

Let's be clear about what we are talking about. The United States ran up against the statutorily established debt limit in Novem-

ber—in layman's terms, we run out of money to borrow on our credit line. At the time the administration claimed that not giving this Congress more credit would result in a disastrous financial collapse in the markets.

As predicted by many of those private citizens who actually spend their day-to-day time in the business of monitoring the securities and bonds markets, the market did not respond negatively. In fact the bond market soared to record heights anticipating that the Federal Government would actually reach a balanced budget agreement for the first time in over 26 years.

By not increasing the debt limit, it was hoped by Members of both parties who strongly support balancing the budget, that this perceived dilemma would help to get the administration to the bargaining table.

This was not a game of Russian roulette or political gamesmanship as some have claimed. In fact, this was another demonstration of how strongly the new majority in this Congress holds its principled position of balancing the budget. We are morally obligated as well as politically obligated as the holders of the purse to bring about the goal of a balanced budget.

However, those in the Clinton administration continue their waffling over their position on the balanced budget. Indeed their inconsistency in action on this point is one of the reasons we are here today.

The day after the debt limit was reached and the Clinton administration ran out of money to spend on its pet projects, the Treasury Secretary defied all political and economic logic by dipping into the social security, military retirement, and civil service trust funds for a little more spending money. I am amazed that some Member on the other side of the aisle have actually come to the floor this morning claiming that there was nothing wrong with this practice. I strongly disagree and would contend that it amounts to parents dipping into their children's college tuition savings account to go to the movies over the weekend. Yes, their money may be available but no that money is going to have to be paid back with interest and yes that is an end-run around the debt limit.

This bill before us today would stop these end-run shenanigans. It would put the management of the Nation's securities back on top of the table, out in front so that everyone can see. It would outlaw this despicable attempt at defying the will of the branch of Government—Congress—tasked by the Founding Fathers with the responsibility for controlling the Nation's purse.

H.R. 2126 would prevent the Treasury Secretary from pulling money out of the Social Security Trust Funds, the civil service retirement fund, the military retirement fund, the unemployment trust fund, the railroad retirement fund, the black lung disability trust fund and the defense education and post Vietnam era veterans education trust fund. Each of these are targeted with tax dollars for specific purposes and should remain intact so that the Government can stand behind its obligations.

In closing, Mr. Speaker, I would only observe that from all the squawking and carrying on in Washington over the pains of balancing the budget some may get the impression that the Democrat party never heard all the squawking back home on main street America over the past 25 years with this Congress refused to balance the budget.

Well my friends, its time to put up or shut up and Republicans were the first one's to put up a balanced budget and the American people have put up with Democrat political, fiscal and immoral shenanigans with the people's money long enough.

Support the bill and balance the budget.

Mr. STARK. Mr. Speaker, if enacted, this bill would cause the immediate default of the United States.

Instead of protecting Social Security payments, it would delay January's benefit checks. January's Social Security checks could not be paid until enough tax revenues came in to pay all pervious unpaid Government checks which we defaulted on in December upon enactment of this bill. For the Nation's lower income seniors and disabled, January would be a cold and frightening month.

If we have immediate default, people who seek to cash their savings bonds will be told to wait. Families that have bought savings bonds—as we have begged them to do—to save for January college tuitions would be in limbo.

Why? Because the Republicans are insisting on a budget bill that includes massive tax breaks for the very upper income.

Retroactive capital gains breaks will provide billions to the very wealthiest in our society, while we create delays and uncertainty for those dependent on retirement checks.

The wealthiest 1 percent will get an average \$90,000 in estate tax relief—while millions will be told that we can't cash their savings bonds on Social Security checks.

The top 1 percent of families, whose income averages \$651,274, will receive \$8,231 in tax breaks in the year 2002 under their tax bill—the Republican majority will default on this winter's earned income tax credits.

Default would be a stain on this Nation's 220 year financial history. The Republican budget priorities—making the rich richer and the poor poorer—are a stain on our Nation's moral history.

Please defeat this terribly disruptive bill.

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

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Pursuant to House Resolution 293, the previous question is ordered on the bill as amended.

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 MR. GIBBONS

Mr. GIBBONS. I offer a motion to recommit.

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

Mr. GIBBONS. Yes, Mr. Speaker.

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

The Clerk read as follows:

Mr. GIBBONS moves to recommit the bill H.R. 2621 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. CONTINUATION OF REDEMPTION AND INVESTMENT POLICIES.

(a) SOCIAL SECURITY TRUST FUNDS.—The Secretary of the Treasury—

(1) may use the social security trust funds only for purposes of paying social security benefits as he did in December 1995 when he followed the normal redemption and investment policies used to pay social security benefits by redeeming—

(A) on December 1, 1995, \$16.8 billion in securities to pay direct-deposit social security benefits, and

(B) on December 6 and 7, 1995, \$9.4 billion to pay social security benefits paid by check, and

(2) shall continue the investment policies that he has followed since the debt ceiling crisis began in November 1995 by continuing to invest social security receipts in the social security trust funds following his normal procedures.

(b) CIVIL SERVICE RETIREMENT FUNDS.—As required by subsections (j), (k), and (l) of section 8348 of title 5, United States Code, and subsections (g) and (h) of section 8438 of such title, the Secretary of the Treasury may utilize the civil service retirement funds to avoid Government default in times of a forced debt ceiling crisis, and shall restore those funds fully, including interest, as required by those subsections.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida [Mr. GIBBONS] for 5 minutes in support of his motion to recommit.

Mr. GIBBONS. Mr. Speaker, I think everybody realizes we got a charade going on down here today, and this motion to recommit just says what should be done and what the current law is on this, and it pays tribute to the Secretary of the Treasury for having followed faithfully the laws that the Congress has provided for him in this debt management procedure that is going through with it. The Secretary of the Treasury is a very honest, responsible, and honorable man, and he has used the law, as we have provided for him to do, in the circumstances that he found himself in.

Mr. Speaker, this is just an attempt by the gentleman from Georgia [Mr. GINGRICH] and company, the Speaker and company, to force the President and the Congress to do something that they have not got the political authority to do: to make a bad deal.

Everybody knows that this balanced budget that we hear so much about is being balanced on the backs of the children of the United States, of the sick, of the poor, of the aged, and that is not the proper way to do it. We need to balance the budget, but we do not need to pick out the victims as our Republican friends have.

No amount of talk here, no amount of obfuscation on this floor, can disguise the fact that, while a balanced budget is desirable, the manner in which it is being balanced is just not the American way to do it. We have always been mindful of the needs of others, we have always realized that some people are not born in life as fortunate as others, and we have tried to compensate that and make sure that America is not only brave, and honest, and true, but is humane, and I regret that the Republican leadership has put this Congress in a position of trying to do something that it should not naturally do.

The President is not going to be blackmailed by this kind of shenanigans. No President in his right mind would ever sign this bill, it will probably never get out of the other body, and we have wasted another couple of hours here talking about it.

But who knows? We may have done something worse had we not been on this matter for so long.

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

Mr. SHAW. Mr. Speaker, I rise in opposition to the motion to recommit offered by the gentleman from Florida [Mr. GIBBONS].

The SPEAKER pro tempore. The gentleman from Florida [Mr. SHAW] is recognized for 5 minutes.

Mr. SHAW. Mr. Speaker, a motion to recommit simply legitimizes what is going on now. Let me read for my colleagues a provision, and I, as a lawyer, have never read this in the law, anything that is drafted such as this. It says:

The Treasury shall continue the investment policy that he has followed since the debt-ceiling crisis began in November of 1995 by continuing to invest Social Security receipts in the Social Security trust fund following his normal procedures.

Now can my colleagues imagine trying to unravel that 15-20 years from now, about going back and seeing what one Secretary of the Treasury was doing. It personalizes the existing Treasurer into law. I have never seen that happen before.

Then I would say particularly to my friends from Maryland and from Virginia this is something they should look at very, very cautiously. We have continued to see, and these particular Members, as well as the Delegate from the District of Columbia, come to this floor and protect Federal employees. Federal employees should be offended by this motion to recommit because it simply says that the Federal retirement fund now becomes a piggy bank that the Treasurer can dip into as he sees fit.

Do not take my word for it. Read page 2 of the bill which says the civil service retirement fund, and it just goes a very short paragraph, and there is no way that these Members, or any of us that are concerned about Federal retirees, that we could possibly vote for this motion to recommit.

Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS. I thank the gentleman from Florida for yielding.

Mr. Speaker, this motion to recommit ought to take our colleagues' breath away. It is an incredible proposal. First of all, it attacks Social Security. While claiming to protect Social Security, it, in fact, condones the status quo which threatens Social Security.

Every day in America, Mr. Speaker, we pay Social Security, and it comes to the Treasury, not to the Social Security fund, and then the Secretary fund,

and then the Secretary of the Treasury forwards it on. He could conceivably keep it overnight, and then invest it in the Social Security fund. What if he is up against the cap? Could he keep it a few days or a week? Could he keep it a month to pay beneficiaries and not invest it? Could he underinvest it? In the 1980's the Secretary of the Treasury actually disinvested funds in the Social Security account, and he can legally do so again. This motion to recommit does not address those vulnerabilities.

Mr. Speaker, we are right now relying on President Clinton saying, "I'm not going to disinvest or underinvest the Social Security fund. Trust me." Secretary Rubin says the same thing. Yesterday, before our committee he said in effect, "You can count on the President. He's given you his word. He won't mess with the Social Security fund." In other words, "You can trust the President. We won't go after Social Security."

What do all these promises tell us? It tells us that we are relying on just that: promises. "Trust me." We don't need to rely on promises. The American people don't need to rely on political promises to protect Social Security. Instead what we need is legislation which says, "No, it is a trust fund. It ought to go into the fund, and it ought to stay in the fund, and the fund should be fully invested." That's what we need. Not promises and assurances but a legal requirement and that's what this legislation gives us. On the other hand, this motion to recommit gives us no legal safeguard, only assurance that the President and the secretary's current policies and promises to protect Social Security will be continued.

I cannot believe that my colleagues would present this motion to recommit as an attempt to protect Social Security, and ask that this legislation be recommitted to protect Social Security. What is even more astonishing is what they have actually put in writing in this motion to recommit. They actually have written in words in this motion to recommit that they are going to allow the Secretary of Treasury to continue his current policies. Policies which have led him to disinvest more than \$39 billion of the Civil Service Retirement Fund. Policies which have allowed him not to reinvest the entire \$21.5 billion voluntary pension fund. Policies which Wall Street Journal yesterday reported will allow him—and he actually proposes to—delay the payment of \$14.5 billion in interest due the Civil Service Retirement Fund. Policies have allowed and will allow the Secretary of Treasury to substitute IOU's for interest-bearing treasury securities. That is incredible. Not only that, this motion to recommit actually puts the stamp of approval on all these activities. It says that the Secretary of Treasury can continue to use Civil Service Retirement funds to pay the obligations of government. It is right here in the motion to recommit. The

motion actually has the courage to say that.

By inference, this motion to recommit says something else. While claiming to protect Social Security, not doing so, it also says in effect, that with the other trust funds. We are going at them full-speed. We are going to let the Secretary of Treasury "have at them" with no protection whatsoever for the other trust funds. We are going to let him continue to take money out of the Civil Service trust funds and substitute IOU's.

No protection for the other trust funds. Have at them, As for the Wall Street Journal article saying he is not going to pay interest due to the Civil Service Retirement fund at year-end, this motion to recommit says, "Fine. That's okay. We are going to continue to let you keep not paying interest." I've heard reports that the Treasury has looked at the Postal fund as a source of addressing the debt ceiling. This motion to recommit says, "Have at the Postal fund." How about the Bank Insurance fund? Are they looking at that fund? Little old ladies CD's down at the bank. They think they are federally insured. They trust there is a federal insurance backed up by a trust fund that will make any losses good. What do we say about the Bank Insurance fund if Treasury decides to go after it? This motion to recommit says, "Go to it. Have at it."

Mr. Speaker, this legislation says a trust fund is just that. The people that deposit their money in the fund trust you not to take it out. They make payments to that fund and they trust you to put it in. That's the "trust." Second, it is a fund, not an IOU. A trust fund. This motion to recommit says this about the trust fund, "No trust and no funds." And for all this underinvestment, raids, IOU's, accounting entries and gimmicks, keep on keeping on. This motion to recommit puts a big seal of approval on all this chicanery. Vote against this motion to recommit and for the underlying legislation. Vote for trust funds which have both trust and funds.

Mr. SHAW. Mr. Speaker, in closing I would say to all of my colleagues on both sides of the aisle let us not delegate our authority given to us by the Constitution to this administration or to future administrations. Vote no on the motion to recommit and yes on the bill.

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

The SPEAKER pro tempore. 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.

Mr. GIBBONS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—yeas 190, nays 229, not voting 13, as follows:

[Roll No. 861]

YEAS—190

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

NAYS—229

Allard	Bateman	Bunn
Archer	Bereuter	Bunning
Armey	Bilbray	Burr
Bachus	Bilirakis	Burton
Baker (CA)	Bliley	Buyer
Baker (LA)	Blute	Callahan
Ballenger	Boehert	Calvert
Barr	Boehner	Camp
Barrett (NE)	Bonilla	Canady
Bartlett	Bono	Castle
Barton	Brownback	Chabot
Bass	Bryant (TN)	Chambliss

Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary

NOT VOTING—13

Boucher
Emerson
Hansen
Harman
McInnis

□ 1329

Messrs. MANZULLO, CHRISTENSEN, and ROEMER changed their vote from "yea" to "nay."

Messrs. KLECZKA, VENTO, HALL of Texas, and LAFALCE changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on passage of the bill.

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

RECORDED VOTE

Mr. GIBBONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 235, noes 103, answered "present" 77, not voting 17, as follows:

[Roll No. 862]

AYES—235

Allard
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
Bryant (TN)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cantle
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
Doggett
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa

NOES—103

Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beilenson
Bentsen
Berman
Bevill

Eshoo
Ford
Frost
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Hall (OH)
Hamilton
Hefner
Hoyer
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Klecza
Klink
LaFalce
Levin
Lincoln
Lowey

Luther
Maloney
Manton
Markey
Mascara
McCarthy
McHale
McNulty
Meehan
Minge
Mollohan
Moran
Murtha
Nadler
Neal
Obey
Olver
Orton
Pallone
Payne (VA)
Peterson (FL)
Pickett
Pomeroy
Poshard
Rahall

ANSWERED "PRESENT"—77

Abercrombie
Becerra
Bishop
Brown (CA)
Brown (FL)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
de la Garza
DeFazio
Dellums
Dixon
Engel
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)

NOT VOTING—17

Boucher
Emerson
English
Fazio
Hansen
Harman

□ 1339

The Clerk announced the following pair: On this vote:

Mr. McInnis for, with Ms. Harman against. Mr. FARR and Mr. COYNE changed their vote from "no" to "present."

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. ENGLISH of Pennsylvania. Mr. Speaker, on rollcall No. 862, final passage of H.R. 2621, I was unavoidably detained. Had I been present, I would have voted "aye."

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks regarding H.R. 2621, which has just passed this House.

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

Cramer
Danner
DeLauro
Deutsch
Dicks
Dingell
Dooley
Doyle
Durbin
Edwards