Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—185

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

NOT VOTING—12

Brown (FL)
Crane
Fields (LA)
Greenwood
Mfume
Miller (CA)
Sisisky
Talent
Towns
Tucker
Volkmer
Weldon (PA)

☐ 1121

Mr. BAESLER changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. WALDHOLTZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just adopted.

The SPEAKER pro tempore (Mr. BURTON of Indiana). Is there objection to the request of the gentlewoman from Utah?

There was no objection.

LIST OF TAX INCREASES WHICH SHOULD REQUIRE A THREE-FIFTHS VOTE FOR PASSAGE

Mr. MORAN. Mr. Speaker, I ask unanimous consent to include a list of the six tax increases that require a waiver of the three-fifths vote into the RECORD at this point.

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

There was no objection.

The list referred to is as follows:

These are a total of six tax increases in this bill. These increases are in direct violation of a law enacted on the first day of this session, which should require a three-fifths vote for passage. These tax increases are the following:

First, a 50 percent tax penalty on Medicare Plus Medical Savings Accounts for any purpose other than medical care;

Second, the Medicare Part B income contigent premium;

Third, repeal of the 5-year income averaging rule on lump sum pension distributions;

Fourth, increase in the phase-out rate for the Earned Income Tax Credit;

Fifth, the new rates applied to expatriates; and

Sixth, the new tax imposed on gambling income of Indian tribes.

Mr. Speaker, would any or all of these tax increases trigger the celebrated rule requiring a three-fifths vote majority for approval? Since your answer is yes, but for the waiver of the rule by the Republican leadership, it is important to note Mr. Speaker, when the history of this Congress is written, the main theme will be about the majority's unrelenting attack on the poor and defenseless in our society, but a chapter, however, should be reserved for its hypocrisy which is clearly evident today.

PERSONAL EXPLANATION

Mr. RANGEL. Mr. Speaker, travel delays last Tuesday, October 24, prevented me from casting my vote on H.R. 1595, the bill to move the U.S. Embassy to Jerusalem.

I would have voted ''yes'' on the bill had I been present for the vote.

SENSE OF CONGRESS REGARDING SOCIAL SECURITY EARNINGS TEST REFORM

Mr. HASTERT. Mr. Speaker, pursuant to House Resolution 245, I call up the concurrent resolution (H. Con. Res. 109) expressing the sense of the Congress regarding the need for raising the Social Security earnings limit, and ask for its immediate consideration.

The SPEAKER pro tempore. Is the gentleman the designee of the majority leader?

Mr. HASTERT. Yes, Mr. Speaker.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman for Illinois [Mr. HASTERT] will be recognized for 10 minutes, and the gentleman from Indiana [Mr. JACOBS], who I presume is the designee of the minority leader, will be recognized for 10 minutes.

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

Mr. HASTERT. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, the purpose of this resolution, which Senator DOLE and Senator MCCAIN will be introducing in the other body, is very straightforward. Because of the unique rules of the other body, it is not possible for us to lift the Social Security earnings limit in the reconciliation bill before this House today.

But an overwhelming majority of this House and of the other body favor such a move. In fact, the President of the United States, in his 1992 campaign platform ''Putting People First'' also expressed his commitment to lifting the Social Security earnings limit.

We all agree that it is simply wrong to penalize low and middle income seniors who must work, with a tax rate equal to that of millionaires. These seniors are some of our most productive and responsible workers. They are working to provide for themselves. They do not want to be a burden to their families or the taxpayers of this Nation. We should be rewarding such behavior, not penalizing it.

Mr. Speaker, my resolution is intended to do two things. First, it restates the commitment of this House to lift the Social Security earnings limit this year. We have already passed a measure in this House to lift the earnings limit on Social Security and we expect our colleagues in the other body to take it up shortly.

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

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

Mrs. KENNELLY. Mr. Speaker, I rise because I support increasing the Social Security earnings test. I believe that we should be encouraging work for all Americans, especially those who have a lifetime of experience. The current annual Social Security earnings limit of $11,000 penalizes too many who want to work after 65.

I know that many workings seniors will be disappointed today that the increase in the Social Security earnings test passed earlier this year by the House is going to be dropped by the reconciliation bill. instead, we are voting today on a resolution which merely states that Congress intends to address this issue and I thank the gentleman for this resolution, but when we do raise the earnings test, let us make sure we do so without adversely impacting the Social Security trust funds.

We do not want to reduce the solvency of the funds that guarantee every retiree a return on the money they paid into the system. Let us again find a responsible, sensible way to increase the earnings test, so that all

Americans can get a fair return for their hard work.

And let us make sure, Mr. Speaker, the earnings test applies to all people on Social Security. We should not encourage some over 65 to work and then discriminate against others, and this year, when we did pass this earnings-test increase, we discriminated against an individual over 65 who was blind. This is not fair. We should raise the limit for all people over 65 so they get a return on their hard work, and I thank the gentleman for this resolution.

Mr. HASTERT. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. ARCHER], the chairman of the Committee on Ways and Means.

Mr. ARCHER. Mr. Speaker, I thank the gentleman for yielding this time to me. This issue is something that has been one of my top priorities since I came to the Congress over two decades ago, raising the unfair earnings limit on seniors who want to work and continue to contribute to themselves and to their country once they have passed the retirement age of 65. It is nothing more than a tax on working, and it sends the wrong message to American seniors.

Last fall we promised seniors that we would pass legislation to raise the earnings limitation, and on April 5 we did, raising it to $30,000 by the year 2000 as part of our tax bill under the Contract With America. Then, as with all legislation, it was the Senate's turn to act on the provision. Unfortunately, the Senate did not. And, as we know all too well, without the cooperation of the Senate, no legislation is possible, no matter how strongly the House may feel about it.

Now the House will act today on its historic budget reconciliation bill. Because an arcane Budget Act rule would put the entire budget reconciliation bill at risk in the Senate if it included any Social Security provisions, at the request of the Senate we did not include the earnings limitation provision in the House budget reconciliation bill.

□ 1130

Nothing is more important to Americans of all ages than achieving a balanced budget, which the budget reconciliation bill today will do, but it is also important to let working seniors know that we remain totally committed to raising the unfair limit on earnings. That is why we introduced a concurrent resolution yesterday. It makes it clear to working seniors that we in the House remain committed to raising the earnings limit, separate from reconciliation, and that our colleagues in the Senate now join us in that commitment.

The House has already passed a bill to raise the earnings limit. It does not need to pass another. Now that Senate leaders have promised that the Senate will act, I am confident that the increase in the earnings limit that means so much to working seniors will become a reality. I have worked hard to see this happen for over two decades, joined in the Senate by Barry Goldwater as the leader sponsor until the year he retired.

The gentleman from Illinois [Mr. HASTERT] is to be commended for his efforts that have gone on for several years, as is the gentleman from Kentucky, JIM BUNNING, the chairman of the Subcommittee on Social Security of the Committee on Ways and Means.

I appreciate the support of the Speaker and the majority leader in this effort. This change is long overdue, because it means so much to hard-working seniors, and we will do everything that we can, and certainly I, as chairman of the Committee on Ways and Means, to see that it comes to pass.

Mr. JACOBS. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. NEAL].

Mr. NEAL of Massachusetts. Mr. Speaker, the resolution we are considering today expresses the sense of Congress that the Social Security earnings limit should be increased. The timing of this concurrent resolution is very interesting, and very telling of what is really happening here today. Did the Republicans not promise senior citizens across Ameica that this year, this year, they would increase the Social Security earnings limit from the current $11,200 to an eventual $30,000 per year in the year 2000? Was not increasing the Social Security earnings limit part of the original reconciliation package? Why now is it being pulled at this moment?

The answer as to why this provision has been pulled from the bill we are considering today is quite simple: The Republicans have made a promise that they cannot and will not keep. They are finding a difficulty associated with saying on one hand they can quickly and easily balance the budget while saying on the other they can deliver on the many promises that they have made. Today the veneer is peeled off. We are witnessing exactly what is really happening.

Mr. HASTERT. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I would just like to remind the gentleman from Massachusetts [Mr. NEAL], that the President of the United States said that he would lift the earnings test in 1992, and we have not seen that happen. We are doing it today, and we will make sure that it is done.

Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. BUNNING] who has been a leader on this issue for the last 8 years.

(Mr. BUNNING of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. BUNNING of Kentucky. Mr. Speaker, I rise in support of House Concurrent Resolution 109.

Mr. Speaker, on this historic day, it's important to talk about promises made—and promises kept—to senior Americans who want to keep working and contributing past age 65.

A year ago in September, House Republicans promised working seniors that we would try to pass legislation to raise the limit on earnings that is so unfair, especially to middle and lower income seniors who work out of economic necessity.

And on April 5, we kept our promise to working seniors by passing a tax bill that raised the earnings limit to $30,000 by the year 2000—almost triple what it is now.

And then we sent our bill over to the Senate so our colleagues there could pass it as well. But months went by, and unfortunately the Senate took no action.

Now, the tax bill has been wrapped up in the budget reconciliation bill we are considering today. But, unfortunately there is an arcane budget rule which would put the entire budget reconciliation bill at risk if it includes any Social Security provisions.

The arcane Senate rule put us in a tough position. The budget reconciliation bill will make it possible to achieve a balanced budget for the first time since 1969, and put an end to mortgaging our grandchildren's future. And as I said yesterday, as the grandfather of 28, nothing is more important than that.

As a result, it has been determined that we must drop the earnings limit provision from reconciliation rather than risk losing it all.

Yesterday, we introduced House Concurrent Resolution 109—the resolution we are considering—to make it clear that, even though we were forced to drop the earning limit increase from reconciliation, we have not given up on our commitment to passing it—and passing it this year.

We are still committed to making sure that the earnings limit is increased.

The House has already passed the earnings limit increase—and this resolution simply says that we are committed to making sure that the Senate follows through. That is what this resolution is all about.

It's a renewal of the promise we made last year. We have not given up—and I, for one, do not intend to give up until we get the Social Security earnings limit increased. I urge my colleagues to support this resolution.

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Speaker, I thank my friend and compatriot, and I know I should say champion, the gentleman from Illinois [Mr. HASTERT] for all the work he has done, because the Social Security earnings test limitation penalizes seniors who want and need to work.

In the Contract With America we pledged and voted to fix this inequity by raising the earnings threshold to a more reasonable level, and we are going to do it. Ultimately I believe we should repeal the limit altogether, because I think penalizing work is un-American and so do most Americans, but we have more work to do to reach that goal. This fix provides much-needed relief in the meantime. This resolution locks in our commitment to getting an increase in the earnings test limit signed into law this year. It also locks in the other body, and we have a

commitment from the majority leader to make that happen.

By passing this resolution, we jump the hurdle of a highly technical parliamentary problem pertaining to the rules of the other body when it comes to reconciliation, and we get the earnings test limits fix back on the fast track. This is good news for America's seniors. I cannot understand why our colleagues on the other side of the aisle cannot figure that out.

Mr. JACOBS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

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

Mr. LEVIN. Mr. Speaker, I will vote for this resolution, but I think we should understand what is really happening here. The Republicans, I think this resolution shows by its timing, are squirming on the hook, on the hook of rising anger against their entire budget resolution. It is going to hurt kids, millions and millions of kids. It is hard for them to speak. It is going to hurt working families of this country, but many of them are too busy working and do not have the resources to lobby this Congress. It is going to hurt seniors, and they are speaking more and more. This is a resolution to try to cover the tracks of the majority here.

In the contract, they promised seniors that they would raise the earnings limit. How did they propose to do it? By raiding the Medicare trust fund, by robbing Peter to pay Paul. How they are saying ''We will do it later.'' Do we trust them?

The majority leader on the Senate side said yesterday ''I was there, fighting the fight, voting against Medicare, one out of twelve because we knew it would not work in 1965.'' It worked in 1965 it worked in 1975, Medicare worked in 1985, it is working in 1995, and now the Republicans proposed to wreck it. This resolution is an effort to cover their tracks. I do not think it is going to fool anybody.

Mr. HASTERT. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. GOODLATTE].

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

Mr. Speaker, I rise in strong support of this concucurrent resolution. I think one of the most unfair tax situations we have in this country is the earnings test on senior citizens between the ages of 62 and 70, a 50 percent tax on those earning just over $11,000 per year, in addition to the taxes they have to pay on the income that they earn, plus any State taxes and so on. Someone can be in an 80 or 90 percent tax bracket because of this earnings test. It is a tremendous disincentive for senior citizens between 62 and 70. Between 65 and 70, it is a 33 percent additional tax, a trememodous disincentive to work, at a time when many people need to remain in the work force, many people want to remain in the work force, and they ought to have the opportunity to do so.

I would say to my friends on the other side of the aisle that it is their party who originally enacted the rules in the Senate that prevent us from bringing this up in this bill. We will certainly stick by our commitment to this. It is not a matter of our not wanting to do it because of something we have done, it is because of the rules that exist. I urge my colleagues to support the resolution.

Mr. JACOBS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GIBBONS], the ranking minority member of the Committee on Ways and Means.

Mr. GIBBONS. Mr. Speaker, I am constantly appalled by the lack of knowledge of Members about parliamentary procedure. This bill that we are talking about, first of all, I am going to vote for this resolution. I am sorry I have to tell the old people that they might as well kiss this good-bye, because it costs $12 billion to do that. The only place in this whole Congress that you can find $12 billion is in the reconciliation bill, so after the reconciliation bill, there will not be $12 billion laying around.

However, this bill, the House reconciliation bill, will never be considered by the Senate. They will consider their own reconciliation bill. Our bill will be over there laying on the desk. They will take up our bill, and the first thing they will do is strike everything after the enacting clause. Not a word one of the House reconciliation bill will ever be considered by the Senate, so what they are talking about here is merely a ruse to allow the gentleman from Georgia, NEWT GINGRICH, to have $12 billion to bargain with you folks to buy your votes for that crazy reconciliation bill you have on the floor. That is what this is about. You all ought to know your own parliamentary procedure. This bill will never be considered there. The basis and the whole thrust of your argument is fallacious. You are not avoiding any Senate point of order because the Senate will never consider this bill. The Senate will consider their own reconciliation bill. Shame on you for lying to the American public on why you are doing this.

Mr. HASTERT. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I just want to remind the distinguished former chairman, the gentleman from Florida [Mr. GIBBONS], that he knows that all revenue bills start in the House. We have passed the resolution for the earnings test to the Senate. They will pick that up next week. We passed this resolution today. They will pass it also today. It is on track.

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

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

Mr. WELLER. Mr. Chairman, I commend the leadership, the gentleman from Illinois, DENNY HASTERT, on one of the most popular aspects of the Contract With America, raising the earnings limit for seniors.

Mr. HASTERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SHAW].

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

Mr. SHAW. Mr. Speaker, I rise in strong support of this concurrent resolution.

Mr. HASTERT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida [Mrs. FOWLER].

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Speaker, the Social Security earnings test limit is an archaic provision, created during the Great Depression to make room for young people in the work force by forcing seniors to retire. It is impractical and outdated and should have been done away with a long time ago.

The individuals most negatively affected by the earnings limit are those who have the greatest need for the extra income, and it is not right for the Government to impose a punitive tax on their earnings. We have made a commitment to raise the earnings limit and this resolution is a step toward fulfilling that important promise this year.

I urge my colleagues to support House Concurrent Resolution 109.

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

Mr. PALLONE. Mr. Speaker, I do intend to vote for this resolution. I do respect the sincerity of the gentleman from Illinois [Mr. HASTERT]. However, there is no question in my mind that this is a gimmick on the part of the Republican leadership. Here we have a bill between Medicare and Medicaid that is going to increase taxes on senior citizens by doubling part B premiums, has a means test, eliminates a guaranty for low-income seniors to pay their part B premiums. This is a tax increase in this legislation, and that means that more seniors are going to have to go out and work. What happens if they go out and work? They are going to see the amount of Social Security that they earn be reduced.

It is not fair to suggest that somehow this Republican leadership could not incorporate expanding this earnings test in the context of this bill. They did not because they are trying to save $1 billion, $1 billion that is going to be taken from working seniors. These are seniors that are going to have to go out and work, and a lot of them are working right now. They are going to face major tax increases. The least that could have been done is to make it a little easier for them to work. More taxes, and they do not even get the benefit.

Mr. HASTERT. Mr. Speaker, I yield such time as he may consume to the

gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Mr. Speaker, I have been a long-time collaborator with the gentleman from Illinois in this legislative undertaking. I associate myself with the gentleman's remarks and his efforts.

Mr. HASTERT. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio [Mr. CHABOT].

Mr. CHABOT. Mr. Speaker, as even President Clinton will admit, at least when he is a little tired, the Federal Government spends too much, and just as important, it taxes too much. The tax burden on working senior citizens is especially heavy. It is absolutely intolerable that working seniors who earn just over $11,000 are forced to give up significant Social Security benefits. As part of our Contract With America, we committed to easing the tax burden on senior citizens, and I am proud that today we will reaffirm that commitment through this resolution. I urge its support.

Mr. HASTERT. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, I rise in strong support of the resolution. Currently seniors are limited to making $11,200 if they are under 70 years old. Now they can, under this resolution, make up to $30,000. Seniors are living longer. We want them to live better. At the same time we are rolling back the unfair 1993 Social Security tax increase, and we are saving Medicare. I strongly support the resolution.

Mr. JACOBS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. KLINK].

Mr. KLINK. Mr. Speaker, I think we need to take a few moments to understand, this is nothing more than a sense of Congress. It does not have the force of law. What we are saying is that senior citizens should have the right to earn more money. That is fine. Then let us give them the right. Let us put the force of law in this. That could have been done.

The Democrats do not control the Committee on Rules, the majority party controls the Committee on Rules. I think what we need to understand is that senior citizens may be forced to have to go to work at age 65, at age 67, at age 70, and at age 75, because we have already heard the majority leader in the other body say ''I was there, fighting the fight, voting against Medicare, because we knew it wouldn't work back in 1965.'' It did work in 1965, it is working in 1995. If it needs to be repaired let us do it that in a bipartisan fashion. We have the Speaker of the House telling people ''We did not get rid of Medicare in round one, it is not politically feasible, but we are going to get rid of it later.''

□ 1145

This is nothing more than a sham. It is a sham, it is a smoke screen. If we are going to legitimately give senior citizens the right to earn more money, then let us do it and not just do a sense of Congress.

Mr. HASTERT. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina [Mr. COBLE].

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

Mr. COBLE. Mr. Speaker, I have worked with the gentleman from Illinois [Mr. HASTERT] for almost a decade in addressing this problem. I stand in hearty endorsement of what is before us today.

Mr. HASTERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. FLANAGAN].

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

Mr. FLANAGAN. Mr. Speaker, I thank the gentleman for yielding time to me, and I rise in strong support of the resolution.

Mr. HASTERT. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia [Mr. BARR].

Mr. BARR of Georgia. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this has been one of the most hilarious debates I have witnessed in the over 10 months that I have been here. A Democratic President lowers the earnings limit on Social Security recipients' outside earnings, increases substantially the penalty for working Americans who happen to have senior status, and we in this Congress on the Republican side are trying to raise that limit again so that senior citizens can work without being penalized, and the Democrats are dancing around, coming up with the most ludicrous reasons why they cannot support this.

This is a good resolution. We need to do it. It is the Democrats in the Senate that are preventing us from doing it now in the reconciliation, my colleagues on the other side of the aisle all know that, so let us pass this resolution and eventually pass this into law.

Mr. JACOBS. Mr. Speaker, I yield myself such time as I may consume, limited only by such time as I may have.

Mr. Speaker, we would like to make a couple of clarifications. Someone has said that under the Constitution, only the House of Representatives can initiate revenue bills. That is not correct. Under the Constitution, the House of Representatives can only initiate revenue-raising bills.

The other clarification is the assertion that a promise was made to raise the earnings limit, and this we do today. In fact, this we do not do today. This we promised to do some day, maybe next year.

Third, the President of the United States did not lower the earnings limit under Social Security. No one has ever lowered the earnings limit under Social Security. That would require an act of Congress to do so, but no Congress has done it. It has always been uppered, it has never been lowered.

Finally, while I do support the resolution as being in the ambit of reality, there is one element of reality I think we ought to understand. Often cited is the senior citizen who works at the McDonald's or here and there and yon just to make a little bit of money and this person is being handicapped by the earnings limit. Demonstrably, this is not true. McDonald's pays on average about $5 an hour.

The present earnings limit comes out to about $5 an hour, which is not to say that some people, about 800,000, will improve their lot by this, but mostly people who are better off.

Finally, I do not think we should ever repeal the earnings test. That has always been the condition of Social Security and I do not think that people making $5 million a year ought to get the current money out of Social Security.

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

I would like to agree with the gentleman that people that make $5 million a year should not be sheltered by the earnings test.

Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. FOLEY] to close.

Mr. FOLEY. Mr. Speaker, first of all, I would like to commend our deputy whip, Mr. HASTERT, for his efforts today. I cannot believe the folderol. President Clinton in his campaign document wanted to repeal this. The Senate, controlled by the majority, could not do it. Today, Willard Scott honored five Americans who had reached the age of 100 years old.

Let us reward these workers of America, those between 65 and 69, and repeal this discriminatory, punitive, and unfair penalty against those who want to work and help rebuild America.

The SPEAKER pro tempore (Mr. BURTON of Indiana). Pursuant to House Resolution 245, the previous question is ordered.

The question is on the concurrent resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 414, nays 5, not voting 13, as follows:

[Roll No. 740]

YEAS—414

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Vento
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—5

Beilenson
Johnston
Skaggs
Visclosky
Watt (NC)

NOT VOTING—13

Crane
Fattah
Greenwood
Hayes
Meek
Mfume
Miller (CA)
Sisisky
Towns
Tucker
Velazquez
Volkmer
Weldon (PA)

□ 1211

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HASTERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the concurrent resolution just agreed to.

The SPEAKER pro tempore (Mr. BURTON of Indiana). Is there objection to the request of the gentleman from Illinois?

There was no objection.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. WARD. Mr. Speaker, this bill contains an enormous tax increase. I need it explained to me why, when I made this same parliamentary inquiry on the budget resolution back when the budget resolution was before us, Speaker GINGRICH told me I needed to learn the rules.

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

Mr. WARD. My inquiry is, I have studied the rules and rule XXI applies to bills. This is a bill, and it is a tax increase. Why does rule XXI not apply to this bill?

The SPEAKER pro tempore. The Chair will state that the House, by adopting House Resolution 245, has waived that requirement of the rule. Therefore, the Chair's response at this point would be purely hypothetical, and the Chair cannot respond further at this point.

Mr. WARD. But the House resolution to which you refer is the rule that the Republican Committee on Rules has brought forth for this bill. So as I understand it, what you are saying is that Speaker GINGRICH says that you can change the rules on rule XXI when it suits your purposes, when you want to raise taxes?

The SPEAKER pro tempore. That is a statement by the gentleman and not a parliamentary inquiry.

Mr. WARD. I thank the Speaker.

SEVEN-YEAR BALANCED BUDGET RECONCILIATION ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 245 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2491.

□ 1212

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, with Mr. BOEHNER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, October 25, 1995, all time for general debate pursuant to the order of the House of Tuesday, October 24, 1995, and expired.

Pursuant to House Resolution 245, there will be an additional 3 hours of further general debate.

The gentleman from Ohio [Mr. KASICH] and the gentleman from Minnesota [Mr. SABO] each will be recognized for 1 hour and 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. KASICH].

□ 1215

Mr. KASICH. Mr. Chairman, I yield myself such time as I may consume.

Well, we start the second day's worth of discussion and debate in regard to our plan to provide Americans with tax relief and also to balance the budget using real numbers over 7 years.

I just heard today that apparently a poll just came out within the last 24