

holding a bill at the desk such as S. 254 and bringing it up on the floor in the nature or in the case of a national emergency or crisis?

We are presently told by parents all over the Nation that school violence, youth violence, is a national crisis, and S. 254 will respond to that.

Is it possible, Mr. Speaker, then that we would bring this in the name of a national crisis and an emergency?

The SPEAKER pro tempore. The gentlewoman has failed to state an appropriate parliamentary inquiry.

The answer, however, is, Senate bills may be held at the desk until such time as there is appropriate clearance within the House, which is not the case at the moment, and the Chair is constrained to decline recognition for that purpose.

#### SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 35. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

#### SOCIAL SECURITY AND MEDICARE SAFE DEPOSIT BOX ACT OF 1999

Mr. HERGER. Mr. Speaker, pursuant to House Resolution 186, I call up the bill (H.R. 1259) to amend the Congressional Budget Act of 1974 to protect Social Security surpluses through strengthened budgetary enforcement mechanisms, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 186, the bill is considered read for amendment, and the amendment printed in section 2 of that resolution is adopted.

The text of H.R. 1259, as amended, is as follows:

H.R. 1259

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security and Medicare Safe Deposit Box Act of 1999".

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the Congress and the President joined together to enact the Balanced Budget Act of 1997 to end decades of deficit spending;

(2) strong economic growth and fiscal discipline have resulted in strong revenue growth into the Treasury;

(3) the combination of these factors is expected to enable the Government to balance its budget without the social security surpluses;

(4) the Congress has chosen to allocate in this Act all social security surpluses toward saving social security and medicare;

(5) amounts so allocated are even greater than those reserved for social security and medicare in the President's budget, will not require an increase in the statutory debt limit, and will reduce debt held by the public until social security and medicare reform is enacted; and

(6) this strict enforcement is needed to lock away the amounts necessary for legislation to save social security and medicare.

(b) PURPOSE.—It is the purpose of this Act to prohibit the use of social security surpluses for any purpose other than reforming social security and medicare.

#### SEC. 3. PROTECTION OF SOCIAL SECURITY SURPLUSES.

(a) POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.—Section 312 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(g) POINTS OF ORDER TO PROTECT SOCIAL SECURITY SURPLUSES.—

“(1) CONCURRENT RESOLUTIONS ON THE BUDGET.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would set forth an on-budget deficit for any fiscal year.

“(2) SUBSEQUENT LEGISLATION.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

“(A) the enactment of that bill or resolution as reported;

“(B) the adoption and enactment of that amendment; or

“(C) the enactment of that bill or resolution in the form recommended in that conference report;

would cause or increase an on-budget deficit for any fiscal year.

“(3) EXCEPTION.—The point of order set forth in paragraph (2) shall not apply to social security reform legislation or medicare reform legislation as defined by section 5(c) of the Social Security and Medicare Safe Deposit Box Act of 1999.

“(4) DEFINITION.—For purposes of this section, the term ‘on-budget deficit’, when applied to a fiscal year, means the deficit in the budget as set forth in the most recently agreed to concurrent resolution on the budget pursuant to section 301(a)(3) for that fiscal year.”.

(b) CONTENT OF CONCURRENT RESOLUTION ON THE BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, and by inserting after paragraph (5) the following new paragraph:

“(6) the receipts, outlays, and surplus or deficit in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, combined, established by title II of the Social Security Act;”.

(c) SUPER MAJORITY REQUIREMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2).”.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 is amended by inserting “312(g),” after “310(d)(2).”.

#### SEC. 4. REMOVING SOCIAL SECURITY FROM BUDGET PRONOUNCEMENTS.

(a) IN GENERAL.—Any official statement issued by the Office of Management and

Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act (including the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund) and the related provisions of the Internal Revenue Code of 1986.

(b) SEPARATE SOCIAL SECURITY BUDGET DOCUMENTS.—The excluded outlays and receipts of the old-age, survivors, and disability insurance program under title II of the Social Security Act shall be submitted in separate social security budget documents.

#### SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—This Act shall take effect upon the date of its enactment and the amendments made by this Act shall apply only to fiscal year 2000 and subsequent fiscal years.

(b) EXPIRATION.—Sections 301(a)(6) and 312(g) shall expire upon the enactment of social security reform legislation and medicare reform legislation.

#### (c) DEFINITIONS.—

(1) SOCIAL SECURITY REFORM LEGISLATION.—The term “social security reform legislation” means a bill or a joint resolution that is enacted into law and includes a provision stating the following: “For purposes of the Social Security and Medicare Safe Deposit Box Act of 1999, this Act constitutes social security reform legislation.”.

(2) The term “medicare reform legislation” means a bill or a joint resolution that is enacted into law and includes a provision stating the following: “For purposes of the Social Security and Medicare Safe Deposit Box Act of 1999, this Act constitutes medicare reform legislation.”.

The SPEAKER pro tempore. The gentleman from California (Mr. HERGER), the gentleman from South Carolina (Mr. SPRATT), the gentleman from California (Mr. DREIER), the gentleman from Massachusetts (Mr. MOAKLEY), the gentleman from Florida (Mr. SHAW) and the gentleman from California (Mr. MATSUI) each will control 20 minutes of debate on the bill.

The Chair will exercise discretion to recognize managers from each committee in the following order to control their entire debate time: the Committee on Rules, the Committee on the Budget and the Committee on Ways and Means.

The Chair recognizes the gentleman from California (Mr. DREIER).

#### GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1259.

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

There was no objection.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume. I rise first to once again state what you just did so well, and that is that it is

our intention to have the 40 minutes of debate that the Committee on Rules will be handling on this go ahead right now, and then we will have 40 minutes of debate that will be handled by the gentleman from California (Mr. HERGER) representing the Committee on the Budget, and then 40 minutes of debate handled by the gentleman from Florida (Mr. SHAW) representing the Committee on Ways and Means and then the ranking minority members on the opposite side, for our colleagues who would be requesting time on this.

Mr. Speaker, my colleague from Sanibel, Florida, (Mr. GOSS) is chairman of the Subcommittee on Legislative and Budget Process of the Committee on Rules and is going to be managing the time for the Committee on Rules here, but I would like to begin by stating that I believe that this is a very important piece of legislation that we are considering. There has consistently been a high level of frustration over the fact that the Social Security and Medicare Trust Funds have been raided for years for a wide range of well-intended programs, but unfortunately it has jeopardized the solvency of those programs, the Social Security and Medicare programs. So we today are making an attempt to put into place a procedure that will help us keep from moving into those funds at all; and I think it is the right thing to do.

I believe it is the right thing to do because, as I said during the debate on the rule, the American people have been not voluntarily, they have been told that they have to pay into the trust funds through payroll tax withdrawal. The employee puts in one-half, the employer the other half, and yet we, since 1969, have seen these funds raided and used for other programs. That is wrong. The American people know that it is wrong, and we are trying to do our doggonedest to make sure that it does not happen.

Our very good friend from California (Mr. HERGER) has spent a great deal of time working among the three committees of jurisdiction, talking with us, getting cosponsors on his legislation, urging Members of the other body, other side of the aisle, at the White House to support this provision, and I think that he has come forward with what is a very balanced approach.

As my colleagues know, there are people who are saying, oh, we are going to be delving into the Social Security and Medicare Trust Funds. The fact of the matter is a point of order under this Herger bill can be raised, and when it is raised, what happens, Mr. Speaker?

What basically happens is that we have to get 218 Members to cast votes to override that, waive that point of order, and so we are going to work very hard to ensure that we do not, in fact, see a raid on those very important trust funds; and it has been Republican leadership that has stepped up to the plate and acknowledged the responsi-

bility of that under the able direction of the gentleman from California (Mr. HERGER) here.

So, Mr. Speaker, while I am going to be turning this over, as I said, to my good friend from Sanibel, Florida (Mr. GOSS), at this point I yield such time as he may consume to the distinguished gentleman from the big "D" in Texas (Mr. ARMEY), our majority leader.

Mr. ARMEY. Mr. Speaker, every time we take on a new legislative issue, bring something to the floor, bring it up in committee or discuss it in leadership, I like to stop and ask for a moment, what is this really all about?

We are going to use a lot of technical talk here, we are going to talk about lockboxes and points of order and so forth, but let me talk for a moment about what it is really all about.

Mr. Speaker, what we are about to do today for the first time ever, ever in the history of Social Security, we are going to pass a resolution that commits this Congress to honor our children as they honor their mothers and fathers.

What do I mean by that? Let me illustrate it with a point.

My young adult daughter, Cathy, in her middle 30s, working hard as a young professional woman oftentimes wears a little button on her lapel. The button says: Who the devil is FICA and why is he taking my money? She represents a lot of pain and difficulty that is experienced by these young people as they pay these very, very difficult payroll taxes; and the young people feel the stress in their own budgets, in their own household budgets as they try to buy their homes, they try to buy braces for their children, as they try to think forward about their own retirement, as they think forward to their own youngsters' college. They know the burden of that tax as well as any other tax.

But do my colleagues know what is beautiful about these children, these young 20- and 30-year-olds, worried as they are about their own retirement security, believing more in UFOs than they believe they will ever see a dime out of Social Security?

□ 1645

They are not complaining. They feel the pressure, they feel the burden, but they do not complain. Why do they not complain? Because, Mr. Speaker, they exhibit every day a love for grandma and grandpa. And they will tell us when we talk to these young adults, these payroll taxes are killing me, but this is what pays for grandma and grandpa's retirement security, and they are happy to do it.

We ought to listen to that. We ought to appreciate that, and indeed, Mr. Speaker, we ought to applaud the generosity and the love we find in these young people.

Now, imagine the hurt and the disappointment they feel as they have exhibited that faith and that love, for

them to now realize that for years, for years much of that payroll tax that they have paid so painfully has not been used for grandma and grandpa's retirement security, has not even been set aside for future needs, but has been spent on other social spending programs.

The young people will tell us, I will take the sacrifice for grandma and grandpa, but I really cannot afford it for all of these other programs. I expect you to keep a faith with me; you call it a "trust fund."

So tonight we are going to honor their commitment, we are going to honor their faith and we are going to honor their trust, and we are going to say, Mr. and Mrs. Young Adult, worried as you are about your own retirement security and sacrificing as you do out of love for grandma and grandpa, we honor you, and we make a commitment with this thing called the lockbox to take those payroll taxes that you pay that are not used today for grandma and grandpa's retirement security and lock them away for the future.

So that when we look at that button on my daughter's lapel and it says, "Who the devil is FICA and why is he taking my money?" we can say FICA is a program of the Federal Government called a trust fund for Social Security that asks you to pay your share so we can commit and fulfill a commitment to your grandparents. Watch these young people applaud us. Finally, they will say, finally somebody keeps the faith, honors our parents as we do, respects us, and will keep the trust. And to what degree? To the highest possible degree we can manage, every dime we can, if we can manage it.

They should understand this is a bigger, larger, more solid commitment than what the President asked in his budget. He asked for only 77 percent. We are saying to the absolute very best of our ability, we will set aside every bit of that money.

I have to say, Mr. Speaker, I am proud of us. I oftentimes make this point. Grandma and grandpa and the grandkids love each other most of all. The reason to me is obvious: They have a common enemy. Maybe after this vote it will not be we that is the common enemy.

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

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

Mr. HOYER. Mr. Speaker, I understand what the gentleman is saying, so that the surplus would be there. Where would the money go?

Mr. ARMEY. Mr. Speaker, in the interim period the money goes to buying down the national debt, thereby making that burden of debt lower on our children in the future. We, of course, anticipate on our side that the President might make good on his promise to advance a serious legislative proposal to fix Social Security. We have been waiting for two years for the President to take that presidential

leadership. He has not gotten around to doing that yet, but in the meantime that money will, in fact, be committed, as \$75 billion is in this fiscal year, to buying down the debt and making it less burdensome for those children.

Mr. HOYER. So essentially, other than the amount of money, the gentleman would adopt the proposal that the President made in his State of the Union?

Mr. ARMEY. Mr. Speaker, essentially what we would do is do what the President has been talking about for two years.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

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

Mr. Speaker, the question before the Congress today is do we want to fix Social Security or not? Do we want to take the first test toward shoring up one of our most important social programs, or do we just want to pretend to do something?

Mr. Speaker, make no mistake about it. Social Security will collapse in the year 2034. Today's workers are paying into a program that is going to collapse just 35 years from now, and it is our job to fix it right now.

But instead of making the tough decision to do something substantial, my Republican colleagues are taking a pass. Instead of acting, they are offering this country this point of order which the Democrats already enacted some 14 years ago and which merely restates congressional policy. In fact, Mr. Speaker, it is weaker than the existing law.

In contrast, Mr. Speaker, the gentleman from New Jersey (Mr. HOLT), along with the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Kansas (Mr. MOORE), take the first step towards fixing Social Security. The gentleman from New York (Mr. RANGEL), the ranking minority member of the Committee on Ways and Means, will be offering a motion to recommit based on the language of the gentleman from New Jersey (Mr. HOLT) to protect all of the resources we need to fix Social Security and Medicare. The gentleman from New Jersey (Mr. HOLT) says no new tax cuts for the rich and no new spending programs for anyone that are not paid for until Social Security and Medicare are safe.

Unlike the Republican point of order, our motion locks up not only the Social Security surplus but also the budget surplus. Because, Mr. Speaker, until we set about fixing Social Security and Medicare, there is no telling what tools we will need to get the job done. And we cannot sidestep a point of order by simply calling a proposal Social Security or Medicare reform. Unless the Social Security trustees and the Medicare trustees declare their programs financially sound, no money should be spent that is not offset by simultaneous deficit reductions. If our motion to recommit passes, none will.

Mr. Speaker, this is by far the most important issue facing this Congress,

and we owe it to the American people to address it. There was a time not too long ago when the elderly constituted a large part of our poor population in this country. Millions of senior citizens did not have enough to eat. They could not pay for rent, they could not afford doctors' visits. But since the advent of Social Security and Medicare, those times have changed.

On August 14, 1935, President Franklin Delano Roosevelt signed the Social Security Act into law. The first Social Security monthly check was made out and sent to Ida May Fuller of Vermont for all of \$22.54. Back then there were 7,620 people in the program. This March there are 44,247,000 people on Social Security, which averages over \$781 apiece for the retirees.

Since the Social Security program began, 390 million Social Security numbers have been assigned and, Mr. Speaker, each one of them carries a promise to American workers that once they reach that specific age, they can count on Social Security to take care of their bills and they can count on Medicare to take care of their health problems.

Today, Mr. Speaker, the majority of American seniors get most of their income from Social Security, and nearly every single one of them has health insurance, thanks to Medicare. This program is a very essential part of our country's promise to take care of its citizens, and we need to get serious about ensuring its financial health long into the future.

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

Mr. GOSS. Mr. Speaker, could I inquire as to the time remaining?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Florida (Mr. GOSS) has 14½ minutes remaining; and the gentleman from Massachusetts (Mr. MOAKLEY) has 16 minutes remaining.

Mr. GOSS. Mr. Speaker, I would be very happy to let the gentleman from the Commonwealth of Massachusetts continue.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me this time.

I think on occasions like this it is important to ask ourselves, individually and collectively, how did we get to this moment? As we close the pages on this century, I think it is important to reflect upon two very important votes that were cast in this decade in this House.

In 1991, the majority of Members of the Democratic Party voted for George Bush's budget. In retrospect, I think it is kind of sad that not only did we not have a majority of Republicans, we would have had only a small number who would have supported George Bush's budget. In 1993 we voted for President Clinton's budget, and we ask

ourselves tonight, where did we arrive after those two critical votes?

We went from running \$300 billion plus deficits in the early part of this decade to projected surpluses in the area, and I emphasize the word "projected", of \$4.4 trillion. That is what has allowed us to take up this debate.

Now, while I am pleased that the Republican Party has taken this step, I think it is also important to ask, why not tie up or wall off the entire surplus until we fix Social Security and Medicare for the American people?

Mr. Speaker, we sometimes speak in distant terms to our constituents, but we should remind ourselves today that Social Security is not an esoteric issue. It is a lifeline for millions and millions and millions of Americans. And even as I speak and Members sit here today, the ghost of Mr. Roosevelt hovers around this room, because we can take satisfaction from the fact that there has been no greater domestic achievement in this century than Social Security for the American people, and remind ourselves as well that Medicare is but an amendment to the Social Security Act.

Mr. Speaker, I want to say as forcefully as I can that we are headed down the road eventually to another debate over this issue. On the Democratic side, I think our position is fairly clear: Wall off the surplus, do not do anything until we permanently fix Social Security and Medicare.

But I want to predict this evening with certainty that we are going to be back here in the near future voting on a huge tax cut, because that is really where the majority wants to go on this issue. They want to have a massive tax cut for wealthy Americans who, by the way, to their everlasting credit are not even clamoring for a tax cut at this time, and that is where the American people are going to have to watch as to who defends Social Security.

The history of Social Security has been one of initiative by the Democratic Party, and in addition, we have been its chief and sometimes exclusive defenders in this institution, and indeed in this city. We know what Social Security means for millions of widows in this Nation. We know what Social Security means for retirees. It is the difference for many of survival, to have that check from the Federal Government but once a month.

Social Security has worked beyond the expectations of Mr. Roosevelt and Mr. Johnson in terms of Social Security and Medicare, beyond the wildest expectations of those who at the time opposed it.

So keep your eyes on what we are going to do about Social Security in this Congress. Follow this debate with great care. Because I am telling my colleagues, we are coming back to a debate in the near future about a massive tax cut that clearly could undo precisely what we are talking about today.

□ 1700

Mr. Speaker, there are many of us here in my age group that have already drawn social security benefits, survivor benefits. We know what social security is about. We know how it kept families intact. We know how it allowed millions of Americans to finish high school and to go to college. Social security is a critical issue. It is intergenerational. It is the best guarantee of the whole notion of community.

What do we mean by community? We mean a place where no one is ever to be abandoned and no one is ever to be left behind.

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

Mr. Speaker, I rise on behalf of the Committee on Rules, which shares original jurisdiction over this legislation with the Committee on the Budget and the Committee on Ways and Means. Obviously, I very strongly support this bipartisan procedural mechanism to lock away the social security trust fund. That is what we are here for.

The nuts and bolts of what we are doing here today are actually very simple, but their impact is very, very significant and very reassuring, I think, to our senior citizens and to our younger workers.

What this bill says is that we will completely wall off the social security trust fund, so much so that we will not allow a deficit to be created in the rest of the budget. That is a major departure from where the rules leave us currently. It is big progress.

The not-so-secret secret about the Federal budget is that when there is overspending in the nonsocial security part of the budget, then the social security part of the budget is automatically, automatically tapped to cover the shortfall. That is how it is. That is how it is not going to be anymore, because we are going to fix that.

This social security lockbox says that from now on, this activity will be forced out into the open and will be prohibited by our rules. In order to break the lock on the lockbox, Congress is going to have to explicitly vote to do so in a publicly-recorded vote. In the other body, where recent history suggests to some that spending may indeed be out of control, a three-fifths vote will be needed.

This procedural firewall will remain in effect at least until legislation expressly for the purpose of reforming both the social security and the Medicare programs is enacted. It is important to note that we have taken the extra steps of including Medicare reform in the mix. We are opting to err on the side of caution with this added cushion to make sure we take care of both programs crucial to the retirement security of all Americans.

In addition to the new point of order created by this proposal, there is also the new requirement that the Office of Management and Budget, OMB, as we

know it here, the Congressional Budget Office, CBO, and any other government agency must exclude social security receipts in their displays of budget totals.

Currently we allow for two sets of totals to be displayed, one with and one without counting the social security reserves. That current practice in my view and in the view of many others creates the temptation for overlap between the general fund and social security. I must say, that appears to be a temptation that the Democrat majority of the past 40 years could not resist.

This legislation is designed to remove that temptation once and for all. No more raiding social security. Mr. Speaker, to me this is as much about accountability and coming clean with the American people as it is about locking away social security.

For too long the Federal bureaucracy has been able to have its cake and eat it, too; to talk about social security off-budget, but still using the trust fund as a soft landing pillow for the overspending free fall.

Mr. Speaker, the Committee on Rules is the keeper of the gate when it comes to our budget process. We manage the points of order that are designed to constrain our actions in the budget process. H.R. 1259 adds an additional restriction and forces Congress and the President to be accountable for locking away the social security trust fund.

When we passed our budget resolution this spring, we pledged that we were going to implement a real lockbox for social security. Now we are here. We are delivering on our promise. That is very good news for our seniors, and frankly, it is about time. This is bipartisan and I think it deserves our support.

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

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, let me say at the outset that I have nothing but respect for the authors of this legislation, but I do have some problems with it. I am going to vote for it at the end if the Democratic substitute is not adopted, but this bill really should have gone through the committee process, because I think there are a number of things that could have been corrected.

Let me go through just a few points. First of all, this bill, as I said, is part problematic and part semantical as well.

There is one thing we should remember. This bill does not create new obligations to social security. Social security, the social security surplus, is protected in U.S. Treasury bonds backed by the full faith and credit of the government. We have never, the U.S. government has never defaulted on our Treasury bonds since Alexander Ham-

ilton became the first Secretary of the Treasury. God help us in the day that we do default.

I think that is one thing we have to get across. Second of all, I am afraid that this bill sets us up, perhaps inadvertently, for the stage of breaking the pay-go rules and the caps that got us into the better fiscal condition that we are today.

Finally, I am afraid that this bill is not constructed in the way that even the balanced budget amendment that many of the proponents had endorsed would deal with economic downturns.

I know a lot of us think that the economy is so good now that we are not going to see another economic downturn, or that the Clinton recovery is going to continue on for many, many years. But I think at some point in the future we may get to the end of the business cycle and we will see unemployment go up.

But this bill would put us back to where the Congress was in the early 1990s when we were in a deep recession, and the Bush administration was opposing extending the unemployment compensation. This bill would put that opposition in the hands of 41 Members of the other body. I do not think that is something that we really want to do.

Mr. Speaker, let me talk a little bit about the pay-go situation. This bill inadvertently, I believe, while walling off the off-budget, the social security and Medicare surpluses, would I think put the on budget surplus, to the extent it exists, out there for the taking.

We have already seen a budget passed by this Congress that would impose an \$800 billion tax cut on a 10-year projection at great risk to the future stability of the economy, and in fact not pay down nearly as much debt as the Democrats proposed in their budget, which would be probably the best thing we could do for the economy and for social security right now.

So I think this is the first step to getting us back down the road to the failure of Gramm-Rudman-Hollings and more debt and deficit spending. Finally, this budget, this plan, really does not do anything for social security or Medicare.

As I pointed out, the obligation to the trust funds is real. It is backed by the full faith and credit of the government; again, a credit that we have never defaulted on. This does nothing to extend social security. It does nothing to extend Medicare. It creates no legal obligation to the extension of those programs.

What it does do is it creates a huge trap door in the future, because it contains a sentence that says that you can get out of this lockbox. "For purposes of the Social Security and Medicare Safe Deposit Act of 1999, this Act constitutes social security reform legislation."

That is a fairly broad term with no definition, so whoever the majority might be in the future if this were to become law could make anything that

they wanted to be so-called social security reform legislation and get into it.

I presume Members could take a bill that the Republican majority in both the House and Senate, like the supplemental appropriations that started out at about \$6 billion when it came from the White House and ended up at about \$15 billion, and say it included something to do with social security reform, and pass it and eat into the social security trust fund.

This is well-intentioned, it is probably good for press releases, but it does not do a whole lot.

Mr. GOSS. Mr. Speaker, I am pleased to yield 1½ minutes to the distinguished gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Speaker, I rise today in support of this commonsense legislation. It is that. This is the effort to protect social security.

We have made a promise to every American that social security is going to be there for them. It is a promise that many of them do not think we will ever keep. My own children are in that group. They say to me every day, sure, mom, give me a break. It is not going to be there for me. I have to take care of myself.

I understand why they think that way, because Congress has continued just over all the years to raise social security to pay for pork barrel projects and even transportation projects, just spending. It has been an easy pot of money to go to whenever we needed a little extra.

It is time to stop the foolishness. We are supposed to be responsible and dependable, and we are supposed to be here to protect the future of our seniors and our kids. This is a real important step in making sure that that happens. It is time that social security taxes are used for social security.

We have not been truthful. We are not being truthful if we say we are balancing the Federal budget, and it is not balanced because we continue to borrow from social security. Let us not pretend that it is. It is time for us to exercise true fiscal discipline. We need to pass the bill and guarantee that this Congress keeps its promises to save social security.

I strongly support the bill offered by the gentleman from California (Mr. HERGER), and urge my colleagues to do the same.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Speaker, I rise in support of the Social Security and Medicare Safe Deposit Box Act of 1999; I like to call it, the "Put the Social Security Money Where Your Mouth is Act."

As I travel through the Second District of Kansas, there is a lot of skepticism that we in Washington will not be able to actually keep our fingers out of the social security cookie jar. They are asking for proof, not just political rhetoric.

That is why I support this bill. It requires us to talk about budget numbers and surpluses without using social security money to balance the ledger. It also goes beyond mere truth in budgeting. The bill puts enforcement mechanisms into place to prevent future Congresses from raiding social security without any accountability.

Mr. Speaker, the debate on this issue cannot be more timely, considering the current debate surrounding the appropriations process.

In April, we passed a budget resolution. We stood in the well of this House, in the very place that I am standing now, and we gave our word to the American people that beginning with next year's appropriations, we would no longer spend social security money.

We must keep our word to the people we represent. There are some very real structural reforms that we can make that will help support and bring about the changes for social security and Medicare. This Congress must exercise the fiscal discipline to set aside this money for requirement security only. We cannot, and I repeat, we cannot commit these scarce dollars to new spending or we will never be able to make the reforms that are necessary.

I trust that the leadership on both sides of the aisle will agree to move forward with the debate on these critical reform issues in the very near future. Mr. Speaker, I encourage each of my colleagues to support the Safe Deposit Box Act, and it is my hope that the other body and the President will do the same.

Mr. GOSS. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Missouri (Mr. BLUNT).

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

Mr. Speaker, I rise in strong support of this very important legislation. We are well beyond the time to think about the future of social security. We are well beyond the time to determine if we can do the very first thing that determines whether we are in fact serious about the future of social security.

We hear about having a plan in place. We hear about the importance of knowing what we are going to do in 2024 or 2035, or whenever it might be.

□ 1715

The key thing we need to be able to do right now is make a commitment to stop spending the Social Security funds that come to the Federal Government. That is pretty easy for us to say, but it is awfully hard for us to do. In fact, it is so hard for us to do, we have not saved a single penny of Social Security until last year for the last 2 years.

If we cannot put the money aside, if we cannot hold on to those resources, it does not matter what kind of reform plan we come up with.

Our first challenge is this challenge. Our first challenge is to stop spending the money. It is to stop calculating the money in the funds available to the

Federal Government for general spending.

An important part of this whole concept is quickly moving away from even calculating the Social Security funds coming in as income, to stop calculating them as income, to stop calculating them as funds available to be spent, to truly take them off the table.

We are not just going to lock them in a box that does not pay interest. We are not going to lock them away and not use them in the way that we should use those funds for the future of Social Security. We are going to lock them away from the spenders in Washington, D.C. who have enjoyed the ability since 1969 to spend this money, who have enjoyed the ability to make the deficit appear that much smaller, who have enjoyed the ability to come up with new programs on top of the programs we have had, to act like we had the money available to pay those, to not be willing to go to the American people and say we are spending your Social Security funds because we were counting those funds just like we count any other funds that come in to the Federal Government.

These are not like any other funds. They are Social Security funds. They are about the future of this system. They need to be set aside for the future of this system. We need to take a critical step to do that today. I urge support of this legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 3 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, let us get to the reality here. The majority party has passed a budget resolution that places this Congress in a box, and they do not know how to get out of it.

So what is the tactic today? It is to bring the so-called lockbox here. As to Social Security funds, that is easy to get out of. All anybody has to do is bring a bill up here and put a label on it that it is Social Security reform, and the lockbox is unlocked.

The gentleman before me talked about, we must not spend Social Security surplus monies. What did my colleagues do within the last few weeks? The majority party here loaded onto an emergency bill provisions unrelated to emergencies. Where did the money come from? From Social Security surplus funds.

So why are my colleagues so blatant 1 week and so pious the next week? The public wants some consistency. That is what it wants. What it wants is reform, not a bunch of rhetoric. What it wants is something palpable, not political. They will see through this.

I mean, sure, we are going to vote for this, because this is an effort to try to get us into a position of appearing to be preserving Social Security, though it really does not do it very well. I heard a previous speaker talk about Medicare and how important it was to

preserve Medicare funds. This lockbox does not do it. When we look inside, there is no Medicare money in it, with or without a key.

So this is the challenge to the majority, to try to get out of the box that the resolution on the budget placed us in and to do something real about Social Security reform, get a bill in front of the Committee on Ways and Means that has the support of the majority leadership, not its covert effort to undermine Social Security reform, and let us get with it and let us do the same as to Medicare. Let us get with it.

People do not want devices like boxes, with or without keys. What they want is legislation. Let us get with it. Let us do away with the tricks, and let us get on with concrete legislation, to do what the American people want, preserve Social Security for 75 years, and reform Medicare so that my kid and my grandchildren know it will be there for them.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, I would like to address some of the misguided criticisms that we have heard from the previous speaker and from speakers prior to that one. One, they mentioned that we passed the budget resolution that places us in a box. We did pass a budget resolution that places us in a box. We did this intentionally. It placed us in a box because we said we did not want to see one penny of Social Security dollars going to other government programs. We wanted to see every penny of Social Security going into Social Security. We passed a budget resolution that said we would do just that.

We are following up now with a lockbox bill, the first step in our lockbox efforts to do just that, to stop the phony accounting here in Congress that hides the budget deficits by masking the size of the budget deficits, by covering it up with the Social Security surpluses.

This lockbox bill also says this: We are going to make it tougher for Congress to pass legislation that raids Social Security. Now we think we can go farther, and we in fact want to go farther with this legislation. Unfortunately, the White House and the members of the other body from the other party are against that. We cannot get it passed into law. So we are going as far as we possibly can.

Another criticism we have been hearing from the other side of the aisle is that there is a trap door in this lockbox, that there are some keys that magically unlock these funds for use for other purposes. The prior speaker also said we need to reform Social Security and Medicare. We need comprehensive language to reform Social Security. But before we do that, we have got to stop raiding the trust fund,

and that is exactly what this legislation does.

So there is no trap door. What this legislation does is say, stop raiding the trust fund, put Social Security dollars aside; then we can use those Social Security dollars for a comprehensive plan to save Social Security. That is the intent of this legislation, stop raiding the trust fund, put the money aside. Then after we have stopped that raid, we can use those dollars to save Social Security. That is not a trap door. That is a lockbox.

Mr. Speaker, I rise today in support of this "Lock box" legislation and congratulate my friend from California for his work on this issue. I am a cosponsor of this bill and am glad to be a part of this effort to protect the Social Security Trust Fund.

For years, the Federal government has been raiding Social Security to pay for other government programs and to mask the true size of the federal deficit. Bringing this to an end is one of my highest priorities in Congress.

Earlier this year, I introduced similar "Lock box" legislation that would establish a point of order against any future budget resolutions which would dip into the Social Security Trust Fund to pay for non-Social Security programs. I was pleased that my language was included in the FY 2000 budget resolution.

H.R. 1259 expands this point of order to apply to any bill, considered in either House, which would dip into Social Security. In addition, it prohibits reporting federal budget totals that include Social Security surpluses.

I am committed to exploring every legislative option available to protect Social Security. I, along with the chairman of the House Budget Committee, Mr. KASICH, have introduced additional "Lock box" legislation which would establish even more protections for the Social Security Trust Fund by implementing new enforceable limits on the amount of debt held by the public.

It is important to note that neither the bill we are considering today, nor the bills I just spoke about, will affect current Social Security benefits. These bills simply protect the money each taxpayer pays into the Social Security Trust Fund.

H.R. 1259 has the support of various outside groups including: the Alliance for Worker Retirement Security; the American Conservative Union; the U.S. Chamber of Commerce; and Citizens Against Government Waste.

It is my firm conviction that we must take the first step of protecting the Social Security Trust Fund before we can move to make wholesale improvements to the system. For those of my colleagues who oppose this legislation, I ask you, if we cannot protect the trust fund now, how can we expect to make the necessary reforms to the system for future generations? Join me in voting yes for this "Lock box" legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, let me just say to the gentleman from Wisconsin (Mr. RYAN) that one of the points he made is, we can then use this money for Social Security. The problem is this money is already obligated to Social Security. So we are not sav-

ing Social Security with something that we already have.

As I think the gentleman knows, virtually every plan that has come out, even the plan by the distinguished chairman of the full Committee on Ways and Means, assumes not only the obligated Social Security Trust Fund, but additional funds, general revenues, for their Social Security plan.

So it is a little semantical to say we can use it later to save it, because we are already obligated to pay it. This is a little bit what we would call belts and suspenders. Sounds good. Again, I am going to vote for it, but I do not think it does a whole lot.

Mr. RYAN of Wisconsin. Mr. Speaker, if the gentleman will yield, I agree with much of what the gentleman just said.

This money is obligated to Social Security. Money coming from FICA taxes is supposed to go to Social Security. The problem is, we spend it on all of these other government programs. We have got to stop Congress and the President from spending FICA tax surpluses on other government programs. That is precisely why we are trying to pass this lockbox legislation.

Mr. BENTSEN. Mr. Speaker, reclaiming my time, two things though, again, as I pointed out, these funds are still obligated. They are still backed by the full faith and credit of the U.S. Government, as the gentleman knows. It is a macroeconomic question of how one constructs fiscal policy and what is the future ability of how one divides the Federal pie as structured.

But the other point that the gentleman raised had to do with the budget that passed. I think our real problem with that is, on the one hand, my colleagues passed a budget that would, in effect, consume through tax cuts all of the on-budget surplus going forward for the next 10 years predicated on 10-year projections, which may well not turn out to be true, and at the same time, block anything to do, if they miss on their projections.

So, my colleagues, you put yourself in a real bind at that point in time and probably drive up publicly held debt, which I do not think, again, is what either party really wants to do.

Mr. GOSS. Mr. Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Florida (Mr. GOSS) and the gentleman from Massachusetts (Mr. MOAKLEY) each have 3 minutes remaining.

Mr. GOSS. Mr. Speaker, I am happy to yield 30 seconds to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, just to make one final point, the gentleman from Texas (Mr. BENTSEN) makes good legitimate points. Our budget achieves this; remember, in Washington, we are about to see two budget surpluses, one coming from Social Security, one coming from a large income tax overpayment.

What our budget achieves is setting all of the Social Security surplus aside for Social Security and, in the meantime, paying down that publicly held debt that we both seek to pay down.

Our budget actually pays down \$450 billion more in publicly held debt than the President's budget. On the on-budget surpluses, the income tax overpayment, we think people should get their money back.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, let me just tell the gentleman from Wisconsin (Mr. RYAN), our budget pays down even more debt than their budget by, I think, \$200 billion over time. So it is not really about Republicans versus the President.

The budget is drawn up here in the House and in the other body, and we offered a budget that did more. As the gentleman recalls, in fact, I offered an amendment in the committee that would have given all of the unified surplus, which may be out, we may not be able to say that in the future if this becomes law, but both the on-budget and off-budget surplus to paying down debt, staying within the pay-go rules. That was defeated overwhelmingly in the committee by Members on both sides of the aisle.

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

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

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

Mr. Speaker, first I include for the RECORD the following letter:

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 24, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives  
Washington, DC.

DEAR MR. SPEAKER: I ask that the Committee on Rules be discharged from further consideration of H.R. 1259, the Social Security and Medicare Safe Deposit Box Act of 1999. As you know, the bill was sequentially referred to the Rules Committee on March 24, 1999.

Specifically, Section 3 (Protection of Social Security Surpluses), among other things, establishing Budget Act points of order against consideration of a budget resolution, an amendment thereto or any conference report thereon and any bill, joint resolution, amendment, motion or conference report that would cause or increase an on-budget deficit for any fiscal year. The provisions of this section fall primarily within the jurisdiction of the Rules Committee.

It is my understanding that the Leadership has scheduled the bill for floor consideration the week of May 24. To accommodate the schedule, I agree to waive the Rules Committee's jurisdiction over consideration of this legislation at this time. However, in order to assist the Chair in any rulings on these new points of order, I will be submitting an analysis of them into the Congressional Record during the floor consideration of this bill. I have included a copy of this analysis with this letter.

Although the Rules Committee has not sought to exercise its original jurisdiction

prerogatives on this legislation pursuant to clause 1(m) and 3(i) of House rule X, I reserve the jurisdiction of the Rules Committee over all bills relating to the rules, joint rules and the order of business of the House, including any bills relating to the congressional budget process. Furthermore, it would be my intention to seek to have the Rules Committee represented on any conference committee on this bill.

Sincerely,

DAVID DREIER.

ANALYSIS OF THE PROVISIONS OF H.R. 1259, THE SOCIAL SECURITY AND MEDICARE SAFE DEPOSIT BOX ACT OF 1999, HOUSE COMMITTEE ON RULES

For the purposes of section 3(a) relating to "Points of Order to Protect Social Security Surpluses," the Chair should use the following information in interpreting these new points of order.

The new section 312(g)(1) of the Budget Act creates a point of order against consideration of any concurrent resolution or conference report thereon or amendment thereto that would set forth an on-budget deficit for any fiscal year. For the purposes of this section the deficit levels are those set forth in the budget resolution pursuant to section 301(a)(3) of the Budget Act.

The new section 312(g)(2) of the Budget Act creates a point of order against consideration of any bill, joint resolution, amendment, motion, or conference report if the enactment of that bill or joint resolution as reported; the adoption and enactment of that amendment; or the enactment of that bill or joint resolution in the form recommended in that conference report; would cause or increase an on-budget deficit for any fiscal year. For the purposes of this section, the Chair should utilize the budget estimates received by the Committee on the Budget (pursuant to section 312(a) of the Budget Act) in determining whether a bill, joint resolution, motion, amendment or conference report would cause or increase an on-budget deficit for any fiscal year. This point of order applies to amendments to unreported bills and joint resolutions.

Mr. Speaker, I will just make a couple of closing remarks. I think that what we have heard here in this opening session of the Committee on Rules, to be followed now by the Committee on Budget and then the Committee on Ways and Means, 40-minute blocks on this bill, that we are trying to proceed in good faith to provide the reassurances that is being asked to protect Social Security and Medicare.

We have heard a lot of discussion that there may be a better way to do this, that there are other things that may come down the road. But there are a couple of facts here that are sort of poignant.

First of all, we are living up to the promise that we made to make a good-faith attempt to protect Social Security and Medicare. That is a fact.

Secondly, this is not just a procedure. This is going to be a law; it is going to have to be obeyed. It is not just something that is going to disappear when we want it to.

It is, I think, a serious effort; and I honestly believe that if we look over the past 40 years, the temptations were too great on spending, and Congress overspent. I think we know that. I think in the consequence of that over-

spending, we saw that taxes went up, and there are some who say benefits went down.

So the concern I have as I listen to the distinguished gentleman from Massachusetts (Mr. MOAKLEY) describe a motion to recommit, which we may or may not hear later, is that sometime in the next 75 years, there is going to be reform enacted.

But until that time, in order to get along with the proposal to protect Social Security, they are going to have to raise taxes, or they are going to have to cut benefits.

I cannot honestly believe that anybody on either side of the aisle wants to be involved with programs such as their motion to recommit, if they offer it, will include, raising taxes and cutting benefits.

We are not involved in raising taxes on hardworking Americans, and we certainly are not involved in trying to take away benefits from our seniors. In fact, what we are trying to do is protect them.

So I would suggest that even though my colleagues may not agree this is the most perfect legislation, it is good, bipartisan legislation that protects Social Security and Medicare. It makes it law. It provides the reassurances that people want. I believe that this is a very good-faith effort on both sides of the aisle.

I congratulate again the gentleman from California (Mr. HERGER) and the gentleman from Minnesota (Mr. MINGE) for the fine work that they have done, and many others, the committee work that has gone on on this subject generally. I urge support for this legislation.

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

The SPEAKER pro tempore. All time allocated under the rule to the Committee on Rules has expired.

It is now in order to proceed with the time allocated to the Committee on the Budget. The gentleman from California (Mr. HERGER) will be recognized for 20 minutes, and the gentleman from South Carolina (Mr. SPRATT) will be recognized for 20 minutes.

The Chair recognizes the gentleman from California (Mr. HERGER).

□ 1730

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

Mr. Speaker, protecting Social Security is one of the most important challenges this Congress will face. Social Security is facing a crisis. By the year 2014, the amount of benefits provided to our seniors will exceed the amount of payroll taxes taken in.

Mr. Speaker, current and future beneficiaries, after years of hard work, deserve the independence that comes from financial security, and that financial security ought to be the one thing they can count on. Every penny that is taken out of Americans' paychecks for Social Security should be locked up so it can only be used to pay for Social

Security benefits. This legislation will help ensure precisely that.

This legislation represents a continuation of our commitment to save Social Security as outlined in the budget resolutions passed by both the House and the Senate last month. This lockbox legislation that is shown here will protect the Social Security surpluses through several mechanisms.

First, H.R. 159 protects Social Security surpluses by blocking the consideration of any budget resolution or legislation that dips into Social Security. This bill creates a new point of order in the House and requires a supermajority for passage in the Senate for measures that attempt to use Social Security surplus funds.

Secondly, it ends the deceptive practice of masking deficits and inflating surpluses by prohibiting the Congressional Budget Office and the President's Office of Management and Budget from reporting Federal budget totals that include Social Security surpluses. This bill stops this budget shell game and allows only non-Social Security surpluses or deficits to be reported.

Thirdly, H.R. 1259 locks up the Social Security surpluses and only allows them to be used for Social Security and Medicare reform.

The first step toward saving Social Security is to stop spending it on non-related government programs. Once this legislation does that, we as a Congress can continue to move forward on real Social Security and Medicare reform, and may use the money in the Social Security Trust Fund only to accomplish that goal.

Mr. Speaker, the House of Representatives has a unique opportunity to help protect Social Security and place ourselves on the path to substantial Social Security and Medicare reform. I urge my colleagues to join me in voting for this most important legislation.

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

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. LUCAS).

Mr. LUCAS of Kentucky. Mr. Speaker, the people sent us here to do a job. They sent us here to preserve Social Security and Medicare, and that is exactly what the Social Security and Medicare Lockbox Act of 1999 seeks to do.

The lockbox raises the bar for protecting Social Security and the Medicare trust funds. The bill requires that all spending be fully offset until solvency has been extended for Social Security by 75 years and Medicare by 30 years. We must save Social Security and Medicare first, before squandering any of the Social Security surplus, the Medicare surplus, and any other government surplus.

The Social Security and Medicare lockbox is the only alternative that seeks to extend the life of the Medicare trust fund. The Holt-Lucas-Moore lockbox is the only measure that locks the safe and throws away the key. The

lockbox requires that all surpluses be reserved until solvency has been extended by 75 years for Social Security and by 30 years for Medicare.

Paying down the Federal debt is the truly greatest gift that we can give our children and our grandchildren. Paying down the Federal debt means lower interest for our working families, more capital available for small businesses and a brighter future for our children.

Social Security and Medicare are vital for protecting the quality of life of our senior citizens. More than three-fifths or 60 percent of senior citizens depend on Social Security for a majority of their income. Social Security is not just retirement. For some families it is insurance that many of the disabled, the widows and the elderly of our community depend on just to get by.

With something this important, we simply cannot afford sleight-of-hand tricks from Washington. For too long we have promised to save Social Security and Medicare. To my colleagues I say it is time we put our money where our mouths are. It is time to support the Social Security and Medicare Lockbox Act of 1999.

Mr. HERGER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GARY MILLER).

(Mr. GARY MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GARY MILLER of California. Mr. Speaker, I rise in favor of H.R. 1259, the Social Security and Medicare Safe Deposit Box Act of 1999.

First, I want to thank my fellow committee member and fellow colleague, the gentleman from California (Mr. HERGER) for his tireless work to protect the Social Security Trust Fund.

One of the previous speakers said people do not want devices like boxes. I disagree. Obviously, some people would prefer to continue using illusion. It is time to stop the campaign rhetoric. We need to make sure no one, I repeat, no one, not the President, not the Congress, not anyone steals the Social Security money in the future.

I urge all the Members of the House to join us in protecting Social Security by supporting this safe deposit box. The safe deposit box follows up on the commitment this House made with the budget resolution by walling off Social Security from the rest of the United States budget.

It prohibits future budget resolutions by allowing spending that would dip into Social Security. It prohibits that. It blocks legislation that would spend Social Security surpluses and requires the Office of Management and Budget and the Congressional Budget Office to report Social Security revenues separate, not included in the budget, as we have done in the past.

If we really want Social Security trust funds to be off budget, if we want the Social Security Trust Fund to be protected, if we want to put aside the

entire \$1.8 trillion for Social Security and Medicare over the next 10 years, if we want Social Security to be there when current and future seniors need it, if we are serious about Social Security reform, then we will pass this Social Security measure, and I encourage everybody to vote for it.

Mr. SPRATT. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, Social Security is a bedrock on which more than 40 million Americans rely. We have an opportunity in this Congress to make it more secure than ever. It is an opportunity that we have not had in the past because in the past we have had annual deficits, and over the last 10 years we have been able to eradicate those deficits. We have positioned ourselves now to where we can deal finally with the security of Social Security.

We had a proposal in our budget resolution which would have created a lockbox for Social Security, would have required the treasurer to do what he does today; every time he gets excess payroll taxes, to remit those funds to the Social Security administrator in the form of bonds issued by the Treasury, and then to take the proceeds and not spend them, not use them to offset tax cuts, but buy up outstanding public debt so that we buy down the public debt, and therefore make the Treasury more solvent and able in the future to meet the obligations of the Social Security System. It was rejected by the majority when we brought our budget resolution to the floor.

What the other side has brought here is weaker than existing law. It huffs and it puffs. It talks about Social Security, but in the end, the product it presents is weaker than existing law.

What does it provide for enforcement? A point of order. If we send up here something that breaches the provisions of this bill, there is a point of order. We all know in the House, although they may not know in the rest of the country, that points of order are mowed down by the Committee on Rules in this House every week; waived all the time.

Because they are so routinely waived by Rules, when we passed the unfunded mandates bill several years ago we said at least to have a mandate pass that will be incumbent upon local government and will increase their obligations, at least we should have a vote on the House floor, an overt vote. A Member has to go out and declare themselves ready to override the mandate. This rule does not even do that. It allows the rule to include a waiver of the point of order. Nobody will know it. It will be completely swept out of the way.

So this is a sham when it comes to a rule, but it even goes further. As if the overriding of a point of order was too much, it provides in section 5 a waiver. And that waiver says if we get the magic words right, if we say this bill is about the reform of Social Security,

this bill is about the reform of Medicare, abracadabra, all of the restrictions in this bill disappear. This lockbox falls apart. It does not even apply any more.

This is absurd. A lot of us will vote for this because we do not want to explain why we did not vote for something like this, but we can do something better. We offer something better in the form of our motion to recommit. If Members are really serious about a lockbox, vote for the motion to recommit.

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

It is really incredibly misleading, if not completely incorrect, to say that this legislation is weaker than current legislation. That is clearly not the fact. The budget resolution that passed is only for this budget. What we are doing is putting into law the fact that we cannot spend this; that before we do, Members are going to be held accountable in their districts for knowing that they actually spent Social Security.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TOOMEY), a member of the Committee on the Budget.

Mr. TOOMEY. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today as a proud cosponsor of this legislation.

Mr. Speaker, all across Pennsylvania's Lehigh Valley where I come from, I have heard one message loud and clear, and that is to stop spending our Nation's Social Security funds on other programs, and this is the measure that will enable us to do just that.

My constituents are right, and they are right for many reasons but I want to emphasize two. The first is that this is the honest thing to do in budgeting. And let us face it, Congress has been engaged in misleading and deceptive budgeting for decades. The American people are told their payroll tax goes to Social Security. In fact, it goes to many other places as well.

Now, some Members of Congress want to oppose this, and they, like the President, would rather be able to grab some of that Social Security money and spend it on other programs. And I would suggest if these other programs are so important, so vitally important that they are worth spending Social Security for, then I suggest that my colleagues make the case for these programs to the taxpayers and raise the taxes necessary to fund them. If that fails, I would suggest rethinking the programs and the overall level of spending. The American taxpayers deserve honest, transparent, straightforward budgeting, and this helps us to get there.

The second reason, Mr. Speaker, is that the retirement security of baby boomers, my generation, my kids and my grandchildren, absolutely depends on saving this money. Social Security, as currently structured, is simply not sustainable. The system is fundamen-

tally flawed and it will go bankrupt if we do not make fundamental reforms and restructuring.

We need to give workers the freedom to take a portion of their payroll taxes and invest that money so that it will grow and provide a retirement benefit and security greater than what Social Security promises. But the fact is, Mr. Speaker, that transition to that system will cost money. The sooner we start, the less it will cost.

But whenever we start, it will cost the Social Security surplus. So we cannot squander those funds on anything other than providing the retirement benefits to the seniors that we have promised and providing for a retirement future for future generations.

Mr. DAVIS of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. KLECZKA), a member of the Committee on Ways and Means.

□ 1745

Mr. KLECZKA. Mr. Speaker, a lot of my colleagues have come to the floor and indicated that, Well, friends, last week it was okay to spend \$9 billion for an emergency supplemental bill out of the Social Security trust fund. But now we have got religion today and, my Lord, what we did last week, it was wrong. We should have never done it.

But none of the Republicans would admit to that. I have yet to hear one of my colleagues from the majority party say, "Yes, that was wrong. We should not have done it. But now we are going to amend our ways."

The difference there, my friends and colleagues, is last week's \$9 billion was for defense. Okay? And that is not spending. That is okay. But now we have to stop what is going on.

Let me back up and share with the House what the current system is. Right now, and since 1983, we are collecting more in Social Security receipts than we need for benefits. So what do we do with it? Do we give it to the Secretary of the Treasury to put under the mattress? No. Those excess dollars are invested in treasuries, interest-bearing treasuries. The interest income goes back into the trust fund.

It is just like us taking our dollars, our hard-earned dollars, and putting them in a bank. We can go back the next day and say, "I want to see those dollars again that I deposited" and the bank is going to say, "they are not there anymore."

Did they squander them? No. They lent them out. That is what banks do. And anytime we come to withdraw those funds, the bank will have other revenues, other mortgage payments, other loan payments to give us our money back. And that is what the current system is doing.

Should we deficit spend? Clearly not. To say those treasuries that are in the Social Security trust fund are worthless, that is false. If they are worthless, every savings bond this Government has ever issued is worthless, all the public debt held by corporations and

institutions and individuals is worthless. And that is not the case.

The truth of the matter is the full faith and credit is behind that debt to the Social Security trust fund, as well as all other debt.

How does this lock box work? Before I came down here, I went to the Republican side and I said, I need a lock box. Do you have one hanging around? And thank God they did. Here is a Social Security lock box. And here is what this proposal would do.

We are going to collect surplus Social Security trust fund money and we are going to put it into the box. Well, when the majority leader was talking earlier in the debate, the gentleman from Maryland (Mr. HOYER) said, Well, what are they going to do with this money. Just let it sit around? Are they going to invest it. What are they going to do with it? The majority leader indicated, we are going to take this money and pay off a part of the national debt.

So now, after we go through hours of debate how Congress is stealing the money blind, how the administration is spending it, we are going to find out at the end of the day that this is the lock box. My friends, the money is gone. It went back to pay off the national debt.

Mr. Speaker, this is what the lock box is all about. The money is going to come in, the money is going to drop out to go pay the national debt. When we need the money because these folks before me are going to retire, we are going to use other revenues coming into the Government. Hopefully, and I think we all are going to work to that, there are going to be surplus revenues. But the money is not going to sit around under someone's mattress.

This is the lock box we are talking about. Talk about trap doors. Talk about phoney issues. This is one of them, my friends.

Mr. HERGER. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman from California for yielding me the time.

Mr. Speaker, I have to take issue with my friend and colleague from the great State of Wisconsin. That is simply not the case. The debt we owe to Social Security is also a part of our national debt.

What our budget resolution does is take Social Security dollars away from Social Security and put it towards Social Security by buying down debt. What happens when those Social Security IOUs come due is that that debt is converted into national publicly held debt.

What our lock box does is pay off the publicly held debt so we can pay the Social Security bills.

Mr. HERGER. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS), the distinguished vice chairman of the Committee on the Budget.

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

Mr. CHAMBLISS. Mr. Speaker, throughout my home State of Georgia and all cross America there is a common concern among many citizens. Apparently, my friend from Wisconsin who just spoke really does not understand this concern. But the concern is that Social Security is not going to be there for them when they retire. And that concern is real. It is not unfounded, as American seniors have witnessed the raiding of Social Security over the last several generations.

I have got two children. One of them is in the workforce as we speak. The other one just graduated from college and is going into the workforce. I also have got the pleasure of having two beautiful grandchildren. I want to make sure that Social Security is going to be there for those children and grandchildren when they become of age.

After years of hard work, the independence that comes from financial security ought to be one thing that our Nation's seniors and our Nation's young people can count on. The Social Security and Medicare safe deposit box to be considered by the House today goes a long ways towards restoring that ideal.

Every penny that is taken from the paychecks of America's hard-working men and women should be locked away and can be locked away in a safe deposit box and used only for retirement benefits. And that is what this bill does. Quite simply stated, it is the right thing to do.

Social Security and Medicare safe deposit boxes before us establishes honesty and accountability in the Federal budget process and takes the next step in securing and ensuring retirement security, not just for this generation but for generations to come.

I congratulate my colleague and friend from California, who is a member of the Committee on the Budget along with me, for his tireless efforts for promoting honest budgeting and encourage my colleagues to support this common sense legislation.

Mr. DAVIS of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, I rise in support of this legislation. This bill before us endorses a position that we have been advocating for years.

I have come to this well many times to argue that we should not even talk about budget surpluses until we truly have taken Social Security off budget and balance the budget without counting the Social Security surplus. For the last several years, I have joined with my Blue Dog colleagues to offer budgets that incorporate that philosophy.

Thus, I congratulate the House leadership for seeing the wisdom of the Blue Dogs' position on this issue today. Although I must say, I wish they had

seen the light a little earlier and supported some of our budgets over the last 2 or 3 years, particularly the last budget a little earlier when we had an opportunity to pass a real budget which would have actually helped us do that which we talk about today.

I am glad, though, to see that we have reached a point where everyone agrees with the principle that we should wall off Social Security. The real test will be whether we can follow through with our rhetoric as we go through appropriations and tax cutting processes. I hope we can do so, but history is not encouraging.

The budget which we passed just a few weeks ago set up a virtual guarantee of failure because of its unrealistic numbers. Already, with this year's first appropriations bill, the Agriculture Appropriation has been on the floor for 2 days and we have seen nothing constructive happening. The victim of this unreasonable budget is not only inadequate agriculture funding but also funding for other programs and ultimately Social Security. The pressure created by an unrealistic budget translates into vulnerability for Social Security.

If the House had shown the foresight to follow a path more along the lines of the Blue Dog budget, we would have invested in priority programs such as defense, agriculture, veterans, education, and health. At the same time, our budget did protect all of the Social Security surplus fund over a 5-year period while using 50 percent of the on-budget surpluses to reduce our debt and 25 percent to provide a tax cut. This plan reflected a reasonable balance, but that is not what we passed.

Last year the majority, though, passed an \$80 billion tax cut that would have been funded entirely from the Social Security trust fund that we lock up today. And just last week, we voted to spend \$15 billion from the Social Security trust fund, we did that, by the same folks that today say this is going to be a magic bullet and is going to save Social Security.

We should not kid ourselves and pretend that this legislation does anything to deal with the long-term problems of Social Security. Walling off Social Security surplus is a good start, and that is why I support it. But it is not a solution. A true solution will require us to roll up our sleeves and do some heavy lifting to deal with the tough choices facing Social Security. It would be a terrible mistake if we let passage of this legislation be the end of the discussion of Social Security. Our vote today should be the beginning of a bipartisan process to honestly address financial problems facing Social Security.

Mr. HERGER. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California (Mr. HERGER) has 10½ minutes remaining. The gentleman from

Florida (Mr. DAVIS) has 7½ minutes remaining.

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

Mr. Speaker, I would like to comment that while the party of my good friend from Texas was in control for some 40 years before we took over, there was not a single dime of Social Security that was saved. At least now we are taking that first step to begin saving Social Security. And it is something that I would urge all of us to begin doing.

Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky (Mr. FLETCHER), my good friend, a member of the Committee on the Budget.

Mr. FLETCHER. Mr. Speaker, I rise to speak in support of this resolution. I thank the gentleman from California for the work he has done on the Committee on the Budget.

I stand amazed that we hear such criticism from the other side when they have had 40 years previously to do this very thing that we have done here this day. And I find a great deal of hypocrisy when my colleague stands up and talks about a box that came from a Republican that really will not hold the money when we are here to secure with a lock box the Social Security money that has been paid in FICA taxes by the people of the United States.

So finally, after 30 years of spending Social Security for more and bigger Government, we are locking away the Social Security and protecting both Social Security and Medicare. I am proud to play a role in securing and guaranteeing retirement and Medicare security for our seniors.

The Social Security and Medicare lock box law will lock away \$1.8 trillion of the budget surplus to pay down the national publicly held debt. I support this resolution because it really stops the raid on Social Security that puts the burdens of IOUs on our children's and our grandchildren's back. We need to stop that, and this is an important move to begin in that direction.

This lock box provision prohibits the passage of future budgets that will raid Social Security and Medicare fund. It blocks the passage of legislation including spending initiatives or tax cuts that would spend the people's Social Security money. And it requires all budgets from the President and Congresses to include the Social Security surplus from budget totals and it unlocks the funds only for the purpose of Social Security and Medicare preservation legislation.

Mr. DAVIS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, I thank the gentleman from Florida (Mr. DAVIS), my colleague, for yielding me the time.

I want to take a little bit of exception to the fact that some people think we are just kind of up here giving them

a hard time about this. Quite frankly, I am going to support this legislation. I do not think it does a whole lot. It does not take a rocket scientist, at least from my standpoint. Every month out of my paycheck my employer and myself send up 12.4 percent into the Federal Government. It is going to be saved for me.

Quite frankly, we have not not paid a Social Security check. We have expanded and extended Social Security to 2034. I mean, everything is kind of going along. It is just that we are getting into this debate over the surplus. The fact of the matter is I am going to support this. I think we ought to lock this up. I think that is what we should have been doing anyway.

But on the other side of this, I want to make it clear that we are doing something I think to this country and scaring people. This floor is talking about, oh, we are going to not pay our debts on Social Security. We are not going to have the money. That is not so. We are solvent until 2034.

I would say to my colleagues, though, on the other side, they have an opportunity to do something beyond just this lock box. They have an opportunity to secure not only the Social Security surplus but the non-Social Security surplus until we can make sure that the system is solvent.

□ 1800

That is what we have all been working for. The gentleman from Florida (Mr. SHAW) has a piece of legislation that says he thinks we can do that for 75 years. Let us have that discussion. Let us lock this all up until we get to that solvency of 75 years, or whatever year we come to. I think that is very important.

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

Mrs. THURMAN. I yield to the gentleman from Alabama.

Mr. CALLAHAN. I agree with what the gentlewoman is saying. I certainly support the lockbox, but with all of you people who are working so hard to develop this, would you sometime during this process work to find a solution to the notch baby problem?

Mrs. THURMAN. I would be glad to do that. I probably have more notch baby folks in my district than you do.

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

Responding to the comments of the gentlewoman from Florida, her comment was that Social Security is good until the year 2034. The fact is we begin losing money, we begin spending, paying out in Social Security more than we are bringing in, in the year 2014. Not 2034, but 2014. After that, we begin pulling out the IOUs that have been written, the bonds that have been written. How is that paid? That is not money off a tree. That comes from taxpayers. Our young people are going to have to pay for that.

So we are in a problem, and we are beginning to address it. This is only

the first step. As you mentioned, we have other steps we are going to have to take after that.

Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, we teach our children about the story of the ant and the grasshopper, in which the ant works hard in the summer laying up supplies for the winter while the grasshopper plays the summer away. Come winter, the ant is warm and well fed, but the grasshopper has no food and starves.

While we expect our children to understand the moral of this story, the government itself cannot seem to set the example of saving for the future, which is why I strongly support the Social Security and Medicare Safe Deposit Act, legislation which locks away 100 percent of the budget surplus attributed to Social Security and Medicare to ensure the long-term solvency of these two vital programs.

Passage of this legislation represents a commitment to today's workers that tax dollars being set aside for Social Security and Medicare will be there for them when they retire. It also represents a commitment to older Americans that their golden years will be marked by peace of mind, not uncertainty, when it comes to the future of Social Security and Medicare.

The wisdom of the ant and the irresponsibility of the grasshopper teach our children an important lesson, Mr. Speaker. I hope Congress will have the wisdom to embrace the fable's meaning and pass this legislation.

Mr. DAVIS of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. HOLT), who is the prime sponsor of the motion to recommit on the bill.

Mr. HOLT. Mr. Speaker, I thank my good friend from Florida for yielding me this time. I would like to talk about the importance of the motion to recommit. We are talking about the fundamental programs of Social Security and Medicare, the two great accomplishments of the Federal Government in the 20th century that have removed the fear of destitution from old age and have made a major difference in the lives of the people of this country. We have before us now a lockbox that we cannot debate fully and that is imperfect, with a hole in the bottom.

The gentleman from Kentucky (Mr. LUCAS), the gentleman from Kansas (Mr. MOORE) and I have proposed a stronger lockbox that would preserve Social Security and Medicare. Let me point out that I have just received, addressed to the gentleman from Kentucky Kentucky, the gentleman from Kansas and to me a letter from the Concord Coalition saying, and I quote:

"The Concord Coalition," watchdogs of budgetary sanity, "is pleased to endorse the motion to recommit on H.R. 1259 which would add to that bill the protections of your bill"—that is, our bill—"H.R. 1927. With this bill you have

raised an important issue in today's Social Security lockbox debate."

They go on to say:

"The Concord Coalition is very concerned that these 'on-budget' surpluses, which are now mere projections, will be squandered before they even materialize.

"Doing so would waste an important opportunity to prepare for the fiscal burdens of the baby boomers' retirement by increasing savings, that is, paying down our national debt. Worse, it would risk a return of economically damaging deficits if the hoped-for surpluses fail to materialize.

"The nature and extent of the surpluses to be locked in the box is thus a very necessary debate and we commend you for raising it in the form of your motion to recommit."

That, I say to my colleagues, would give us an opportunity to really accomplish what my colleagues say they want to accomplish, and that is to really preserve Social Security and, I would add, Medicare.

Mr. HERGER. Mr. Speaker, in response to the gentleman from New Jersey, who mentioned how the Concord Coalition was endorsing his legislation, I would like to mention that the Concord Coalition is also endorsing this piece of legislation as well.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. SMITH), a member of the Committee on the Budget.

Mr. SMITH of Michigan. Mr. Speaker, this is a very serious occasion. Somehow I wish we could holler a little louder and shout about the fact that there is a greater interest in saving Social Security.

I brought with me three bills, one from 1995, one from 1997 and one from 1999, all of which take Social Security off the budget. That is what this bill does, too. I think that is a good point. I hope your recommit bill does the same thing and says from now on at least we are not going to talk and use the Social Security surplus to mask the deficit, because that is what we have been doing. For most every year for the last 40 years, we have been spending the Social Security surplus and in our eagerness to brag about a balanced budget, we have used Social Security to mask the deficit.

At least this is a beginning. This is saying we are not going to do it anymore, we are going to make an effort to say that we are going to take the surpluses, that amount that is coming in from the Social Security tax that is in excess of what is needed for Social Security benefits and we are going to put it aside.

This side has said, "Well, look. It's not perfect." That is right. Fifty percent of the Members can change the rule. It is all going to depend on how much guts we have got. It is going to depend on how much intestinal fortitude we have to say, "Look. We're going to live within our means. We're not going to spend Social Security for

other government programs and expand the size of government."

I compliment the gentleman from Florida (Mr. SHAW), I compliment the gentleman from California (Mr. HERGER), the gentleman from Texas (Mr. STENHOLM), an early mover in trying to solve Social Security. The fact is that this does not solve the Social Security problem, but it gets a little more public awareness.

If we can pass this legislation and stick to it, if we can say, look, we are not going to spend the Social Security surplus for other government programs. And if there are things that are so blasted important, we are going to either cut down on other spending someplace else or we are going to increase taxes. Let us not pretend anymore by spending the Social Security surplus, but, look, let us decide here and now that we have got the will power to move ahead with real solutions for Social Security.

Mr. DAVIS of Florida. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank my friend from Florida for yielding me this time.

Mr. Speaker, I am going to vote for this resolution today even though I'm not convinced it is needed. Early this morning many of us got up and we had a nice early morning meeting with outgoing Secretary of the Treasury Robert Rubin. He has been showered in recent weeks with accolades, given his impending retirement, based on his management over the years of our economy and how well it has been going.

He gave us one piece of advice that he drove home so clearly today as policymakers. If we do one thing in this United States Congress to ensure long-term prosperity for this country, it is to use the projected budget surpluses to download our \$5.6 trillion national debt. We do not need gimmicks and fake legislation like we have here today to do that. What is required is some fiscal discipline and coming together in a bipartisan fashion to maintain fiscal discipline and download the debt, instead of dipping into the Social Security Trust Fund for new spending programs as what happened last week with the supplemental appropriation bill, or by offering fiscally irresponsible, across-the-board tax cuts.

That is the same message that Alan Greenspan, Chairman of the Federal Reserve, delivers to us every day. We do not need legislation like this. What we need is political courage to do it.

I have two sons, Mr. Speaker, Johnny and Matthew who are probably going to be living throughout most of the 21st century. If there is anything that we can do to ensure a bright and prosperous economic future for these two little boys, it is by delivering some political courage, practicing some fiscal discipline, making the tough choices that we are capable of making to preserve Social Security, Medicare and pay down our national debt instead of offering legislative gimmicks like the one we are debating here today.

Mr. HERGER. Mr. Speaker, I yield myself such time as I may consume. This is not a gimmick. I guess the question is, why have we not done something before? Is this going to solve the whole problem? No. But at least it is a beginning. It is a first step.

I also have a picture I just pulled out of my eight children, I care about them, one grandchild. This is really for those who are coming after us as well as those who are seniors today. We have to begin sometime. Why not now?

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN), my good friend on the Committee on the Budget.

Mr. RYAN of Wisconsin. I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to wrap up this issue. We have heard from a lot of Members from both sides of the aisle, from Members on this other side of the aisle that although they have all these criticisms, they are going to end up voting for this bill.

We can work together on this. I do believe that this should be a bipartisan issue, not a partisan issue. We have heard a lot of partisan spats back and forth. We have heard a lot of criticisms. At the end of these criticisms just about every speaker has said, "But I'll be voting for the bill."

Let us work together on this thing. We all are saying we want to stop the raid on Social Security. We all are saying we believe FICA taxes should go to Social Security, period, end of story. So let us put this partisan talk aside and work on this.

This legislation is necessary. If we thought the discipline was there to make sure that all FICA taxes went to Social Security, we would not need this legislation. However, for over 30 years Congress and the White House, Republicans and Democrats, have been raiding Social Security. That is a fact. That is why we are addressing this issue with this lockbox legislation.

This legislation gives us the necessary tools to fight in Congress for stopping the raid on Social Security. It empowers us with the ability to, when any piece of legislation comes up which seeks to raid Social Security, it gives us the ability to stop that legislation. That is what this legislation achieves. It also stops the smoke and mirrors accounting by stopping from masking the deficit with Social Security trust funds.

Can we go farther? Absolutely. Will we go farther? I hope so. But is this a gimmick? Absolutely not. This is real legislation that helps us stop the raid on the Social Security Trust Fund. This is a bipartisan issue. We should work on this together. We should stop these partisan spats. Because if you are going to go vote for the bill, then applaud the bill.

Mr. DAVIS of Florida. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. STABENOW).

Ms. STABENOW. I appreciate my colleague yielding me the time.

Mr. Speaker, we all support protecting Social Security. I totally support placing Social Security outside of the budget process. But the larger issue is how we are going to strengthen Social Security and Medicare for the future.

Unfortunately, this lockbox becomes a gimmick when it does not add one dime to the Social Security Trust Fund or one day to the solvency of the Social Security Trust Fund, let alone Medicare. It becomes an empty box without a commitment to have the entire surplus focused on strengthening Social Security and Medicare for the future. That is what we are talking about.

The motion to recommit really does the job. That is what we really want to have from our colleagues, is a commitment that we will join together to strengthen Social Security and Medicare for the future. Without that commitment, we do not in fact have anything but a gimmick.

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

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from California is recognized for 2 minutes.

Mr. HERGER. Mr. Speaker, we have to work together. As the gentlewoman from Michigan said, the only way we are going to solve this problem is by both sides of the aisle working together. I would like to urge us today to allow this to be the first step in doing that, in working together on this. Could we do more? Sure. But this is a first step and the next step will be a little more.

□ 1815

Mr. Speaker, this debate is very simple. This House has an opportunity today to make it much more difficult to spend the Social Security surplus. We have a choice before us. We can take the almost \$1.8 trillion of Social Security surplus and spend it as we have been doing for the last 40 years, or we can take that same \$1.8 trillion and protect it, put it in a lockbox so it can only be used to save Social Security and Medicare.

No matter what some of my colleagues from the other side of the aisle may say about this bill, they would be hard pressed to say it does not make it dramatically more difficult to spend Social Security surpluses. Let us lock it away as a first step. Then we can move on to reform Social Security and Medicare.

Mr. Speaker, I urge my colleagues to support this very important first step of saving and preserving Social Security.

The SPEAKER pro tempore (Mr. LATOURETTE). All time allocated under the rule to the Committee on the Budget having expired, it is now in order to proceed with the time allocated to the Committee on Ways and Means. The gentleman from Florida (Mr. SHAW) and the gentleman from California (Mr. MATSUI) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. SHAW).

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

Mr. Speaker, I appreciate the opportunity today to express my support for H.R. 1259, the Social Security and Medicare Safe Deposit Act of 1999.

Today Social Security protects 44 million Americans. Social Security's core features: risk-free, lifetime benefits, progressivity, inflation protection and family and disability benefits are particularly important to women and to our lower-income people.

In fact, Social Security is the main and only source of income for about one in three seniors today. Thanks mostly to Social Security, poverty among seniors has dropped 69 percent since 1959, making seniors today the least likely group in America to be poor.

Yet despite its success, Social Security will not be able to pay promised benefits in the future. The reasons are simple. We are living longer and retiring sooner and having fewer kids. By 2014 Social Security will spend more than it receives in taxes. That is right, by 2014. By 2034, the trust fund will be empty, and only about two-thirds of the benefits will be payable.

In the past the answer has always been to cut benefits or raise payroll taxes, but today these traditional fixes are not acceptable. Social Security is the largest tax most workers pay today, and we must not increase that burden. We must avoid benefit cuts like COLA cuts and retirement age hikes that harm today's seniors or tomorrow's seniors.

That means our only choice is to save and invest, to save Social Security as provided in the Social Security Guarantee Plan the gentleman from Texas (Mr. ARCHER) and I have proposed. This plan converts Social Security surplus into personal retirement savings for every American worker to help save Social Security. At retirement, workers' savings guarantee full Social Security benefits and are paid without cuts or payroll tax hikes. The plan even creates new inheritable wealth for many workers who die before retirement after ensuring that full survivor benefits are paid. And the plan eliminates the Social Security earnings limit so seniors can work without further penalties.

But most importantly the Social Security Guarantee Plan saves Social Security for all time. Full promised benefits are paid, and the Social Security trust funds never go broke. In fact, the Social Security Administration has said the guarantee plan eliminates Social Security's long-range deficit and permits payment of full benefits through 1973 and beyond, and that is a quote. In the long run there are budget surpluses and the first payroll tax cuts in the program's history.

Passing H.R. 1259, the Social Security and Medicare Safe Deposit Act of 1999 will be a first critical step in this progress. This legislation, for the first time in history, locks away Social Se-

curity surpluses in a safe deposit box, only to be opened to save Social Security and Medicare.

Today there are no rules to protect the Social Security surplus. In contrast, H.R. 1259 sets new rules to protect those surpluses. If a measure does not pay for itself, either the House Committee on Rules or a supermajority of 60 Senators will have to agree to use Social Security surplus to pay for it.

So while the budget resolution made it out of order for the Congress to spend Social Security surpluses this year, this bill goes further to protect Social Security surpluses for as long as it takes to save Social Security and Medicare.

Consider what a difference that will make. For 30 years Federal budgeteers have included Social Security surpluses in their reporting to cover up what was really going on in the rest of the Federal budget. This safety deposit box stops the government from hiding behind Social Security surpluses to claim that its budget is balanced. In the future, all official budget documents must include the Social Security surplus in determining the government's budgetary bottom line. That is a solid foundation for legislation that will finish the job and really save Social Security for 75 years and beyond.

I encourage all Members to support this bill, and I must say this bill does not include the remedy to save Social Security for all time. It puts in place a discipline upon this House of Representatives, upon the Senate and upon the White House to live within our means without raiding the Social Security Trust Fund.

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

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

Mr. Speaker, as my colleagues know, it was about January or February of this year that we had a resolution offered by the gentleman from Wisconsin (Mr. RYAN), a new Member of Congress, who spoke earlier. In that resolution he basically said we should save Social Security. We all voted for that. That was about 5 months ago. And now we have this proposal, this so-called lockbox proposal.

We have been debating this now for about 4 hours. Mr. Speaker, do our colleagues not think it would be better if we just went to a markup and starting marking up a piece of legislation?

We have a real problem on our hands with respect to Social Security. Over the next 35 years benefits paid out will exceed revenues coming in by 25 percent even if the Social Security money is set aside. We have to come up with a solution. We should not be playing around with resolutions and with little gimmicks about setting aside money. We should go to a markup.

And I have to say, the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security, and the gentleman from Texas

(Mr. ARCHER) are really trying. They have come up with a bill that maybe I might disagree with, but it is credible. Why do they not just go to a markup with that bill? Why do they not put it in legislation?

The problem is that their Republican leadership and Mr. LOTT on the Senate side do not support it, and as a result of that, we are now playing around. We are not going to come to any resolution of this this year because the polling data that the Republicans showed says that we should not do Social Security because it is too difficult.

But I tell my colleagues the American public wants Social Security done, but if we are going to do a lockbox, we ought to do it right because the legislation of the gentleman from Florida (Mr. SHAW) and the gentleman from Texas (Mr. ARCHER) does a deal with just 62 percent of the Social Security surplus. They actually use general fund surpluses in order to make sure that the benefits in this, revenues coming in on Social Security over the next 35 years, balance out.

So what we are going to do is we are going to say, "You have got to set aside the Social Security surplus, but the surplus that is on budget we can spend. Well, in the Archer-Shaw bill, one has to use that to save Social Security, so there is an inconsistency in what we are doing now."

I just want everyone to know that we are going to vote for this, but we are going to vote for this on the basis that, why not, it does not do any harm, just like the gentleman from Wisconsin's resolution earlier in the year did no harm. But I have to say that when the day is over, we are not going to extend Social Security by 1 day, or we are not going to actually increase any more revenues or cut expenditures on Social Security. We are not going to do anything.

We are really misleading the American public and pretending, and this Congress has to finally come to grips with the fact that we have been brought here to do the people's business. We probably will not even get an appropriations bill out this week. We will probably leave for the Memorial Day recess without getting one appropriations bill out, even though three were promised, and now we are talking about Social Security on Wednesday night after 3 hours, and we are not going to do anything. It is not going to make one senior citizen or one member of the work force feel any better.

And so let us not kid ourselves. Let us pass this, but let us not tell anybody that this is really going to save Social Security. It is going to set aside money, it is not going to do anything; and we know it and you know it and everyone else knows it as well.

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

Mr. SHAW. Mr. Speaker, I yield myself 1 minute.

I would answer the gentleman from California (Mr. MATSUI), who is the

ranking member on the Subcommittee on Social Security, that I look forward to working with him. We do need legislation that is actually drawn up so we can actually look at it. Our conceptual model has been out there for some time, and people are looking at it, and I know the gentleman from California has just recently reviewed this, reviewed the documents that we have supplied, and is becoming knowledgeable and becoming familiar with what it is that we are trying to do.

I also understand that the President will be submitting some legislative language, and this is a positive step. So we do need to get together. This has to be a bipartisan solution, and this is what I think is so important in this whole process.

The gentleman is right. This lockbox is not the solution, but this lockbox does make it more difficult for this Congress to go ahead and continue to raid the Social Security Trust Fund surplus, and that is a fact of life, and that is what this does, and this is why I am supporting this particular bill.

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

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

Mr. MATSUI. Mr. Speaker, this is just for a question, because if he plans to do this this year, why do we need a lockbox? We can just do it. I mean, we only have 3 more months in the year. Why do we not try to get this done?

Mr. SHAW. Reclaiming my time, both processes are going forward, and this lockbox simply puts an impediment in front of the Congress to continue to raid the Social Security Trust Fund while we are trying to come together on a solution.

I may be one of the few Members of this House on Capitol Hill that really believes we are going to produce something this year, but I do, I have confidence in the process, I have confidence that the President wants to cooperate, I have confidence that there are a sufficient number of Democrats and Republicans that want to get together and put together a good bill that will solve the situation, and I am confident that we will do it.

But in the meantime, as we are going through the appropriation process, as we will be going through tax cuts and what not, I think that the decision has been made to hold this money aside, this surplus aside, and I think it is a positive step.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), a member of the Committee on Ways and Means.

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

Mr. HOUGHTON. Mr. Speaker, it is good to be here talking about this issue.

I really do not think it is playing around. This is an honest debate, and it is a good debate, and I applaud the basic concept of the lockbox. Since

Vietnam, we have been digging into the Social Security fund. It does not make any sense. It is not right. It has got to be stopped. This is one method to stop it.

I just do not happen to agree with it, and I know my associate on the other side of the aisle says, we are going to vote for it. But why not? I think there is a real distinction here, and I would like to tell my colleagues why I am going to vote against the bill.

The goal is valid, and we have got to reach that goal, but we have got to reach it honestly. The thing I fear is that we are so driven by a concept that we will not think through what it means, and this is a pretty exact piece of legislation. It requires that all Social Security receipts, all of them in excess of cost, paying Social Security checks, be set forth separately and immediately into the House and Senate budget resolution.

□ 1630

There are no exceptions for emergencies, and it requires a point of order in the House, and 60 votes of the Senate to act otherwise.

Now, there is going to be a surplus, but there is not a surplus now, and with the supplemental emergency dollars just approved for Kosovo and the military buildup and other natural disasters, we are, as we have in the past, using a part of that Social Security excess.

Now, if we do not, then we have to borrow that money because we do not have that money, and we all want to stop that practice. Now, we have borrowed enough, so all we need to do is to avoid borrowing, or if we do not want to do that, we can wean ourselves away from using Social Security funds.

These are worthy goals. We are within sight of achieving both of them, but we are not there yet, and I think we will be in three years, but we are not today.

So if we insist on passing this lockbox legislation, I predict with almost certainty that before the year is out we will be violating our promise. I cannot believe this is a sound way of approaching our budget and, therefore, I am going to vote against the measure.

Mr. MATSUI. Mr. Speaker, I yield 5½ minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank my friend from California for yielding me this time. I agree with the point that the gentleman made, and that is that it would be a lot better if we were talking about a bill that would actually help the people on Social Security, that would extend the solvency of the program. We have been here now for many months, and it is time for us to use the regular legislative process of committee hearings and markup to start taking up legislation.

So rather than spending so much time on this lockbox, I wish we would spend the time debating how Social Se-

curity should be strengthened and how we should deal with the long-term solvency.

I also agree with the gentleman from California (Mr. MATSUI) in that this bill is one that we should vote for because it does contain some provisions that, if we adhere to them, would be good. Why am I skeptical about that? Because we have current budget rules in effect that do pretty much everything that is in this bill, but every time we waive those rules or find ways of getting around it. Just look what we did with emergency spending. We found ways to get around the budget rules. I am afraid that what is contained in this particular legislation, it will be very easy for Congress to get around it.

Mr. Speaker, let me tell my colleagues my problems, though, with the lockbox itself. We normally think of a lockbox that we put in there what we need in order to deal with the problem and we have a strong lock on it in order to make sure it is only used for that purpose. Well, that is not the case in the legislation we have before us. We have not put into this lockbox what we should; that is, all the surplus. We should not be spending the surplus until we have fixed Social Security first. I thought that was the commitment that we made on both sides of the aisle, that both leaderships said we are going to fix Social Security first. Yet, we do not put into the lockbox the resources that will be needed in order to deal with that. That is the first major flaw.

But perhaps even more significant is that there is no lock on this lockbox. All we need to do is pass legislation that says that we fixed the problem and we can spend the money. Let me read the language in the bill. I know we rarely do that around this place, but let me read what we are asked to vote on.

It says the term "Social Security reform legislation" means a bill or a joint resolution that is enacted into law and includes a provision stating the following: "For the purposes of the Social Security and Medicare Safe Deposit Box Act of 1999, this act constitutes Social Security reform legislation."

Mr. Speaker, there is no lock on this lockbox. There is no requirement that we extend solvency of Social Security even one day before we can spend the money that we say that we are locking up for Social Security.

Now, Mr. Speaker, we are going to have an opportunity to cast a really significant vote, and that significant vote will be on the Holt-Lucas-Moore proposal. It will be in the motion of the gentleman from New York (Mr. RANGEL) to recommit. That will be a real vote. Why do I say that?

First, it will put into a lockbox all of the surplus and say that we cannot spend that until we have dealt with Social Security and Medicare. But it goes a second step and puts a lock on the lockbox. It puts a lock on the lockbox

by defining what is Social Security reform, defining what is Medicare reform.

We do not do that in the legislation before us. We do not even allow an amendment for the legislation before us. We have a closed rule. We cannot even bring forward suggestions to improve the bill. That is not the democratic process and the bipartisan cooperation that my colleagues are asking for, when they will not even give us a chance to really debate the issue before us today.

But the motion to recommit, the Holt-Lucas-Moore proposal actually does define what we need to do in order to be able to spend the money in the lockbox: seventy-five year solvency for Social Security. We all agree on that. Let us put it in the bill. We do not do that. But we will have a chance.

Vote for the motion to recommit. It does not delay the process. It brings the resolution immediately back for passage, but says that we have to deal with the 75-year solvency of Social Security, which we should do. And then on Medicare we say we have to have at least 30-year solvency in Medicare. That makes sense. Then we would really be putting this money aside and putting a real lock on the lockbox to make sure the money, in fact, is not spent until we have, in fact, dealt with the solvency of both Medicare and Social Security.

So, Mr. Speaker, we are being asked for bipartisan cooperation. We agree with that. We do not have any chance to amend the bill. Vote for a motion to recommit so that we can have a true lockbox.

Mr. SHAW. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ENGLISH), a member of the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I rise in very strong support of this legislation. Its time has come. This is legislation that is a seminal first step in ensuring that Social Security's retirement safety net will be there for our seniors when they need it. By putting all of the Social Security surpluses into a lockbox, we ensure that Social Security surpluses are not diverted into new spending or new programs by Congress.

Under this legislation Congress could only use non-Social Security surpluses, real surpluses, for spending increases and tax cuts. In effect, it ends the smoke and mirrors of the budget process by not allowing the Social Security surpluses to be invaded.

This legislation commits Congress to setting aside \$1.8 trillion for Social Security and Medicare over the next 10 years. These resources are an essential component of any viable proposal to rescue Social Security. I urge the passage of this legislation.

Mr. MATSUI. Mr. Speaker, I yield 4½ minutes to the gentleman from California (Mr. BECERRA).

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

Mr. Speaker, I find some difficulty in this debate in that evidently this House is planning to adjourn after this vote takes place and leave for the Memorial Day weekend and recess. It seems odd that we would be leaving, having heard that in the Senate chamber, after a great deal of debate and quite a bit of strenuous deliberation, the Senate passed legislation that would deal with crime issues. Whether we agree with every aspect of it or not is not the point. The fact remains that there is a bill on the Senate side sitting, waiting for House action, that would deal with the issue of crime and youth violence, and there it sits.

Here on the House side, we bring up legislation that talks about a so-called lockbox, legislation that did not go through committee, because the people that are debating and sitting on the Committee on Ways and Means, including the Members that are here right now, the committee that has jurisdiction, and asked for a chance to have this bill debated to get the substance out, to really discuss what could be done on Social Security, and, in fact, if we could improve it, to add amendments to it, but rather than go through the normal legislative process where we would have a hearing in committee to discuss and debate the merits of the proposal, we are going straight to the floor of the House, never having gone through the committees of jurisdiction.

We could do that with this bill. And, as we have heard, the bill really does not do anything, because current law already requires that we do these things. But yet legislation that would deal with crime and youth violence and try to address the concerns of many Americans when it comes to the safety of their children in schools, sits right now awaiting action on the part of the House, and yet we are getting ready to adjourn without having taken any action on that crime legislation. Yet we are willing to pull something straight out from earth without ever having given it a chance to be debated and heard and the merits be discussed in committee the way we would normally do soon something as important as crime.

Why is it that on crime we have to let it sit and go through the whole committee process and wait who knows how many months before it can come to the House when the Senate has already passed it, when on Social Security, when we are not doing anything that is not already in existing law, we have to rush it through? I do not understand, but let us continue with the debate.

On the merits of this legislation, one, as we have heard, we could do nothing with this bill and the law would require we do what this bill claims it does, and that is to reserve Social Security surpluses for Social Security. Secondly, if we truly intend to send a message to the American people that we want to act on Social Security, then we would

do as others have said as well. We would really lock up the surpluses, because everyone knows that if we lock up just what is considered a surplus in the Social Security fund, that that will not be enough to resolve the issues of long-term solvency for 75 years.

But this bill does not do it, nor are we being given a chance to amend the legislation to allow it to do that, so we really can send a meaningful message to the American people that we really want to do something on Social Security.

If this is all we are going to do on Social Security for the year or for the term, we are in real trouble, because at the end of the day we can tell the American people we did nothing more than already existed in current law. We could have been absent for the entire two-year session as Members of Congress, and Social Security would be in as good a shape as if this bill passed and quite honestly as bad a shape as it could be if we do not do anything over the next two years.

So here we are in a situation where we are being told this is a way to remedy part of the Social Security problem. In a way, it is a feel-good proposal that maybe makes people believe that we are going to now begin to lock monies up. So in that sense, okay, let us vote for this thing. But the reality is, if we are going to deal with the long-term solvency issues of Social Security, we have to deal with what the President said.

The difficult question is to get us the last 20 or so years of 75 years worth of solvency. This does not do any of that. This does not even come close to doing what the President said would be the easy part of saving the Social Security surpluses, because at the end of the day the President committed that we save part of our surpluses for Medicare. This does not help in that regard.

We really need to get to work. If we are going to do something, let us make it meaningful, and certainly if we are going to rush it through, then let us deal with the crime bill as well, because that is just as important as this because this does not really get us anywhere.

I urge the Members to consider doing something meaningful before we move on.

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

I would say to the gentleman from California, who I do not believe was here when his party was in the majority, that it was rare that a motion to recommit was offered to the minority side when the Republicans were in the minority. So I think this is a very Democratic process. The gentleman can come forward with his bill. Many of his Members have already argued in favor of his motion to recommit, so I think the process going forward is very good.

I would also remind the gentleman that but for the grace of God and six Members, you would be in the majority

today. Nothing is precluding the gentleman and Members from his side from coming forward with their own plan. As a matter of fact, I think we are also looking for one from the White House, and I think there is a certain amount of cooperation.

So I am not slamming this side for it, but I think also when the gentleman from Texas (Mr. ARCHER) and I have come forward with a plan before the Committee on Ways and Means and are working that plan and talking to the Members, briefing the Members, and the gentleman from California was at the briefing that we had the day we unveiled it, I think this is important progress. We are making progress. However, it is a slow process.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my friend from Florida (Mr. SHAW) for yielding me this time.

It is interesting to listen, and our goal is, of course, a bipartisan solution to this challenge of Medicare, and this lockbox simply sets aside all of the funds designated for Medicare and Social Security to that purpose. It is different, if we want to get technical, from what was done in 1990 that dealt with direct reductions.

What we have heard throughout our districts, whether we are Republicans or Democrats, and I know there is a temptation to deride any effort made in good faith as some sort of gimmick, but what we have heard, not as Republicans or as Democrats but as Americans, is that we need to deal with this problem, devote Social Security surpluses to Social Security, keep the trust fund intact.

I listened with interest to my friend the ranking member from California, who encouraged our side to bring forth legislation, and of course my good friend from Florida, the chairman of the full committee, had brought forward a plan; others folks have, too.

□ 1845

Mr. Speaker, in fairness, my friend, the gentleman from California, also asked that the Treasury Secretary designate, Mr. Summers, where the administration plan was.

I think it is important that we work on this. As we know, a journey of a thousand miles begins with a single step. This is a profound step. It is not a gimmick.

The motion to recommit will be akin to double secret probation. The other side is entitled to do that, but Americans want a rational, reasonable response, and locking up of this fund. That is what it does. It is simple. It is practical. This House should do it.

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

I would just point out to the gentleman from Arizona that even though the gentleman only has a 6-vote majority, he is a majority. We cannot bring a bill to the floor of the House, we can-

not bring a bill to the committee and get it marked up. Only the people in the majority can.

The gentleman's side is in the majority. They have the obligation to mark up a piece of obligation. We are 6 months into this year without it.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, let me introduce myself. My name is Hillary Clinton. I say that because I see that we have a bill before us today which says that a bill may in the future declare itself to be whatever it wishes to declare itself. I thought since the majority seems to take that seriously, I would see how seriously they took me if I introduced myself as Hillary Clinton.

Let me simply say that if Members look at this bill, what it says is that no point of order will lodge against a bill if it declares itself to be social security or Medicare reform. Boy, there is really some protection, is there not?

I remember that their leader 2 years ago said that social security should be allowed to wither on the vine. I know that their existing floor leader has said that, as far as he is concerned, there should be no room for a program like Medicare in a free society.

I would simply say that letting legislation written by people like that self-declare itself to be reform legislation is a little like asking John Dillinger to pretend that he is Mother Teresa. It may be believable to some people, but it certainly would not be believable to me.

What this bill says, and man, it has muscle, what it says is this Congress will put every dollar on the books into social security unless it votes not to. That is what this wonderful lockbox says. It is just wonderful, what the Congress can do to pass its time when it is not being serious about real legislation.

I would simply suggest to my friends on the majority side of the aisle that if they are serious about saving social security, then I would urge the Members to quit promising the American public that we can provide \$1.7 trillion in tax cuts in the next 15 years and still protect social security and still protect Medicare. We all know that that is not possible, and we can get on with serious legislation as soon as everybody in this place admits it.

I have a simple suggestion. We were sent here not to adopt gimmicks, we were sent here to deal with our problems in serious legislative ways. If Members want to save social security, bring out a bill that saves social security. Do not bring out something which ought to be labeled the number one legislative fraud of the year.

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

Mr. Speaker, I would say to my friend, the gentleman from Wisconsin (Mr. OBEY), I know Hillary Clinton, and he is not Hillary Clinton.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. WELLER),

a member of the Committee on Ways and Means.

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

Mr. WELLER. Mr. Speaker, I thank the chairman for yielding time to me, and for the opportunity to say a few words in support of this important legislation.

Mr. Speaker, let me ask this House a very basic question. My friends on the other side of the aisle have been claiming that existing rules and existing laws already protect the social security trust fund.

If that is the case, then, let me ask Members of this House, why do the social security trustees report that this Congress over the last 30 years and the President have raided the social security trust fund to the tune of \$730 billion?

Obviously, the so-called protections that they claim are in place are not really there. That is why this legislation is so important as we take the steps to save social security for future generations, not just today but for the next three. The first step, the important step, is to lock away 100 percent of social security for social security; not part of social security, but all of social security.

I represent a diverse district, the South Side of Chicago, the south suburbs, in Cook and Will counties, a lot of bedroom and rural communities. Whether I am at the union hall, the VFW, the grain elevator, the local coffee shop on Main Street, I am often asked a pretty basic question: When are you guys, when are you politicians in Washington, going to stop raiding the social security trust fund? Because they have been watching Congress and the President do that now for 30 years, to the tune of \$730 billion.

This legislation is important because we set aside \$1.8 trillion of social security revenues, 100 percent of these revenues, for social security and Medicare. That is a big victory, because when we compare that with the alternative, and I point out, this is an important first step as we work to save social security for the long-term.

I would like to point out the alternative here. If we look at why this is the centerpiece of this year's budget, 100 percent of this is for social security.

On this chart I have here, in this coming year \$137 billion is the projected social security surplus. With the lockbox, we set aside \$137 billion, the entire social security surplus, over the next year. The Clinton-Gore Democrat alternative sets aside only 62 percent, continuing the raid on social security. In fact, the Clinton-Gore budget would spend \$52 billion of the social security surplus on other things.

That is why this legislation is so important. We want to wall off the social security trust fund. We need measures that work. Obviously the current rules, the current laws, do not protect the social security trust fund. That is why

the Medicare, social security and Medicare safe deposit box is so important.

Let us give it bipartisan support. Let us take this important first step as we work to save social security.

Mr. SHAW. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Speaker, rarely has a government program caused so much confusion and misled so many people and perhaps bedeviled so many of us here in Congress, so it is appropriate tonight that we establish this lockbox and go ahead and pass this legislation.

I might point out to my colleagues who are complaining that this did not go through a committee, I have been here 10 years. As the gentleman from California (Mr. MATSUI) knows, there are often times that the Democrats brought legislation that was good without going through the subcommittee or the full committee.

So I think this has wide support. It will pass. I think it is appropriate that we bring this before the committee.

Lastly, I would say that it is a great accommodation for us to be debating and completing this tonight.

Mr. Speaker, the legislation before us would create a lockbox to ensure that Social Security surpluses be dedicated solely for the purpose they were intended to pay seniors their benefits.

Today we can make history by standing up for not only what we believe to be right but what is absolutely necessary. If we are to make good on our promise to our country's seniors that we will protect the Social Security program, this can be achieved by putting future surpluses into a lockbox that could not be used to perpetuate the tax and spend policies of the past. In other words, the Social Security surpluses could not be used to pay for new spending projects or for tax cuts.

Right now the Social Security Trust Fund is running a 126,000,000,000 surplus and it is used to mask the deficit. The Social Security Trust Fund's surplus shouldn't be used to fund other programs. And it should not be used to mask our Nation's deficit.

Added to that is the irony that this very same fund is scheduled to go bankrupt soon after the baby boomers start to retire.

And so this trust fund which will soon go bankrupt is now in surplus, hiding the true state of the Federal budget.

Rarely has a Government program caused so much confusion, misled so many people, and bedeviled so many policy makers.

We have been very zealous in cutting wasteful spending and reducing the size of our Government's bureaucracy. We should keep up our efforts and continue to cut out unnecessary spending. Whatever surplus we may have is a result of lower taxes and less government spending.

What would happen if the economy should start to falter? How would that affect the budget process if the surplus were to shrink—keeping in mind that the true state of our budget surplus is dubious at best.

We can through the passage of H. R. 1259—finally stop this practice which started

when President Johnson unified the budget in 1969. It was then that Social Security, and the other Federal trust fund programs, were first officially accounted for in the Federal budget.

The "Safe Deposit Box Act" establishes the submission of separate Social Security budget documents by excluding outlays and receipts of the Old-Age, Survivors, and Disability Program under the Social Security Act thereby preventing Social Security surpluses being used for any purpose other than for retirement benefits.

Mr. SHAW. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN), a member of the Committee on Ways and Means and a valued member of the Subcommittee on Social Security.

Mr. PORTMAN. Mr. Speaker, I thank the chairman of the Subcommittee on Social Security for yielding time to me.

I want to also commend the gentleman from California (Mr. WALLY HERGER) for bringing this legislation before us tonight. It is my view that the next logical step toward fiscal sanity in this town. The first step was through a Republican majority to actually get a balanced budget in terms of a unified budget, all the receipts in, income taxes, payroll taxes, other fees, and all payments out of the Federal Government; for the first time in 30 years, we now have a unified balanced budget.

But it is time now to ensure the integrity of the social security system by taking those payroll taxes and requiring that they indeed go to the trust fund and to the social security system. That is what this does, by walling it off. It is not the last step. It is the next logical step.

The next step is actually to take those funds and put them to work for the American people so that financial security and retirement is ensured. That is why I want to compliment the chairman of the subcommittee, the gentleman from Florida (Mr. SHAW) and the gentleman from Texas (Mr. ARCHER) for coming forward with a plan that does that over the requisite 75-year period.

That is the challenge of this Congress. It does not mean this step is not important, because it is the foundation upon which real social security reform must be built.

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

Mr. Speaker, I would like to commend the gentleman from Florida (Mr. SHAW), because I think he and the gentleman from Texas (Mr. ARCHER) have attempted to come up with a piece of legislation conceptually that at least deserves not only a hearing, but perhaps even a markup.

What I really would suggest we do now is go to a markup. We are 6 months into this year. We had a White House summit or conference last December. It appears to me now that now is the time to mark up a bill.

We have essentially 3 months left, probably 25 to 30 legislative days left

this year, and if we run out of time we are going to get into the year 2000, and everyone can see we probably will not take social security up in an election year, Democrats and Republicans. It is not a partisan observation.

So we have a slight window. That means this window is probably within the next 20 or 30 days at the very most, and this issue is too critical to put off with resolutions, as we saw in January, or this so-called lockbox, which will do no harm but do no good.

As a result of that, we should begin the markup. We are going to be 25 percent short of paying out benefits over the next 35 years, 25 percent short. As a result of that, we have an obligation to deal with this problem now. We should not be fooling around with gimmicks like lockboxes and resolutions. We should take this issue seriously.

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

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

Mr. Speaker, I would like to say, I compliment the gentleman from California (Mr. MATSUI), the ranking member on the Subcommittee on Social Security of the Committee on Ways and Means, and I take what he says as reaching out to Republicans and wanting to work together to solve this terrible problem that we have.

Mr. Speaker, we talk about the year 2035. The real problem is going to start in 2014, when the fund starts to run out of money. That means that the FICA taxes will not be sufficient to take care of the benefits. That means that those baby-boomers that are getting into the retirement system at that time are going to require either a decrease in their benefits, which would be terrible, or an increase in the payroll taxes for the people that are already overtaxed, and particularly the people of low income.

That would be terrible to do that. So let us not kid ourselves, we do not have until 2035. The problem starts at 2015, and the disaster happens at 2035.

Just 2 weeks ago our ninth grandchild was born to Emily and to me, little Casey Carter, a beautiful little girl. And I cannot help but think, and all of us think as we look into our children's eyes, our grandchildren's eyes, just go out front and look into the eyes of the young people around this Capitol, we are handing them a hand grenade, pulling the pin, and say you hold it, it is your problem.

We can solve it now, and we do need to solve it now. If we do not solve it now, it would be the biggest, biggest curse on this House and the Senate and the White House.

We can work together. There is a way to do it. We have put down a plan. The President is going to be putting down a plan. I hope the Democrats will come out with a plan that they can support. We need to work together. We need to come together and solve this situation.

We can do it now without in any way interfering with the benefits that our

seniors rely upon and without increasing the taxes on our kids and our grandkids. But this may be the last Congress that can do this with as little pain as we can put into it.

So let us work together, and I think this has been a very constructive, constructive session. I accept a lot of the criticism that has been given, and I hope that Members will accept a lot of the criticism that has come from this side. Together we can work together to solve the social security crisis in this country.

Ms. ROYBAL-ALLARD. Mr. Speaker, today I will reluctantly vote in favor of the Republican "lock box" proposal. I do so with reluctance because Democrats were not allowed to offer a far better alternative which would have truly extended the life of both Social Security and Medicare.

I am disappointed that, for all their rhetoric, the Republican leadership cannot come up with a real Social Security reform proposal that truly protects and extends the life of our nation's retirement security program.

H.R. 1259 fits into a pattern of Republican-controlled congresses to pass harmless legislation that make political points instead of taking the tough steps necessary to solve our nation's problems. The bill in front of us was not even considered by the committees that have jurisdiction over Social Security. We need real action on Social Security and Medicare, not just procedural bills that do not address the heart of the matter.

The heart of the matter is that 44 million people currently receive Social Security benefits, and Social Security has kept millions of our seniors out of poverty. Without Social Security, a staggering 42% of our seniors would be in poverty. But now due to the pending retirement of the baby boom generation and the very positive fact that people are living longer today, we need to take steps to provide for the long-term health of Social Security.

Democrats are very clear about this—we want to reserve the budget surplus for the long-term health of both Social Security and Medicare. We have a basic difference of opinion with Republicans, who would like to use a significant percentage of the budget surplus for tax cuts which would benefit the richest Americans at a time when the economy is performing superbly.

So while the bill today does no harm, neither does it do any good. Let's take the politics out of this debate about Social Security, roll up our sleeves, and get down to work on realistic and lasting reforms that will extend the life of Social Security and Medicare for generations to come.

Mr. STARK. Mr. Speaker, I rise today in support of the Democratic motion to recommit H.R. 1259 so that it can go through the normal Committee process and we can actually save the budget surplus for Social Security and Medicare.

This bill appears to protect Medicare and Social Security from the cavalier spending of Congress, but it merely creates shelter for Congress when our constituents ask us why Social Security and Medicare are facing financial failure. Let's be honest with the American people. We must devise an honest approach to financing and strengthening the two systems.

This bill did not go through the normal legislative process so it does not have the enforce-

ment provisions it could have had if the Ways and Means Committee was allowed to debate and amend it. Furthermore, we must stop blaming the President and take responsibility for enacting—or avoiding—responsible legislation. Not one dollar of taxpayer funds can be spent by the President unless Congress approves it. Finally, we must take this opportunity as a first step in real debate to strengthen Social Security and Medicare.

I. LET'S TAKE A LOOK AT PROCESS SO FAR WITH H.R.

1259

H.R. 1249 did not go through the regular Committee process. It was pulled from the Committees with jurisdiction and brought directly to the House floor without any normal deliberation.

The Republicans avoided sending H.R. 1259 through Ways & Means so the Committee was not able to debate or amend the bill prior to coming to the floor.

Had we used the normal legislative process, today's bill might have the enforcement measures needed to address Medicare and Social Security's insolvency problems. The Speaker promised to meet us half way when he took office. He also promised to play by the rules. Neither promise has been honored in this case. Clearly, we will move back to regular order only when it is convenient to do so.

Had the Ways and Means Committee considered the bill, I would have offered an amendment to more clearly define what would qualify as "Medicare reform". H.R. 1259 makes the "lockbox" provisions of the bill effective until Medicare and Social Security are saved. However, it does not define "saved." This allows Congress to raise the age of eligibility, to force people into HMOs, and to reduce benefits as the means of "extending" the financial life of the program. Medicare is a vital program for our nation's seniors and disabled populations. In my mind, reform cannot include reductions in benefits like some would like to achieve. Some Members may believe that this is an adequate definition of "saved" but I don't. We cannot sacrifice the health and well-being of the American workers for the sake of balancing the books.

II CONGRESS—NOT THE PRESIDENT—RAIDS THE TRUST FUNDS

I might point out that Social Security has already been taken "off-budget" by three separate public laws: by the Social Security Amendments of 1983; by the Balanced Budget and Emergency Deficit Control Act of 1985; and once more by the Budget Enforcement Act of 1990. If Congress has been able to circumvent the spirit of the law for this long, what makes us believe that anything will change this time around?

The GOP has been blaming the President for raiding the Social Security trust funds. This is simply not the case. This body is responsible for passing all spending bills. Just last week, we spent \$12 billion for Kosovo in the Emergency Supplemental bill. Congress spent twice as much as the President requested for a war that the GOP refused to authorize.

This is a clear case of hypocrisy. On the one hand, Congress doesn't want to authorize the war, but on the other hand they'll spend an exorbitant amount on pork for the mission. On the one hand, Congress claims they want to save the budget surplus for Medicare and Social Security but right after, they spend it on a war they don't support.

Let's be honest. Congress controls the spending and we have always been able to

control whether it goes for needed programs like Social Security and Medicare or programs like the National Missile Defense system.

III. STRENGTHEN SOCIAL SECURITY AND MEDICARE

I agree that there should be a lockbox for Social Security and Medicare. But I want all surpluses to be used for these programs. First and foremost we must strengthen Social Security and Medicare and ensure their solvency. Before any tax bills are brought to the floor of the House, we must guarantee the American people that their Old Age, Survivors and Disability Insurance is as strong as they need it to be for a happy and healthy retirement. We must guarantee them that their health care needs will be met with quality in their golden years.

We must lock up all of the budget surpluses until these two systems are strengthened through bipartisan legislation. The big tax cut for the wealthy must be postponed until the American worker is assured that his or her health and retirement insurance is safe for years to come.

The only way to do this is by giving this bill some teeth. We must send this bill back to committee and give it the enforcement provisions it needs. Let's really lock up the surplus until Medicare and Social Security are solvent for the long-term.

Mr. FORBES. Mr. Speaker, the best way to stop the politicians from spending the taxpayers' money is to take it away from them before they can waste it. Today we have the chance to take Social Security and Medicare's money away from the politicians.

The Congressional Budget Office has projected a surplus of \$1.55 trillion over the next ten years. Of that amount, \$1.52 trillion—98 percent—is Social Security reserves, which consist of the payroll tax payments made by employees and employers during the next decade and interest earned on the Social Security Trust Fund during that period.

Clearly, the surplus is not extra money which Congress can spend on any worthy cause. Every one of those dollars will be needed to honor our commitment to future retirees. Social Security is sound today, but we in Congress have a responsibility to worry about tomorrow.

We must ensure that Social Security and Medicare will continue to provide the benefits promised to those who have paid into the system. No one should have to worry that one day Social Security will not be there for them. Our children and our grandchildren deserve to know that Social Security and Medicare will be there when they need it. We can give them that guarantee by voting for H.R. 1259, the "Social Security and Medicare Safe Deposit Box Act."

This bill:

Removes Social Security surpluses from all budget totals used by Congress or the President, so they can no longer be used to mask deficits or inflate overall budget surpluses.

Blocks budgets that spend excess Social Security money by requiring a supermajority (60) in the Senate for passage and allows for a point of order against any legislation in the House—including all spending initiatives or tax cuts.

Creates a safe deposit box shielding Social Security surpluses that can only be opened for Social Security and Medicare reform.

Using Social Security dollars to pay for anything other than retirement benefits would be

an act of political larceny. The victims would be those hard-working men and women who are counting on Social Security to protect them in their retirement years.

Save Social Security and Medicare for future generations, vote for this bill.

Mr. BARTLETT of Maryland. Mr. Speaker, I rise today to express my deep concerns about the rhetoric that surrounds this bill. I am deeply concerned that some members have stated that this budget will "lock away the Social Security and Medicare surplus." I am puzzled as to what this means. Is the money going to be stuffed under a mattress at the Department of Treasury. Will there be a huge safe with armed guards at the Bureau of Public Debt stuffed full of stacks of cash? Obviously not.

When you peel back the rhetoric, you find out that what the bill really does is to use the Social Security Trust Fund Surplus to pay down publicly held debt. This does absolutely nothing to address the long-term problems of Social Security. As a matter of fact, if Congress leaves current law as it is, all of the surplus from all of the trust funds, and any unified budget surplus, will be used to pay down the publicly held debt. When was the last time you heard seniors in your district telling you that they want FICA taxes to be used to pay for Congress' voracious spending during the 1980's and 90's?

While paying down the publicly held debt may be a laudable goal, let's not say it does something to "Save Social Security." All paying down the publicly held debt does is allow the government to pay down publicly held debt now, so that when all of the IOU's in the Social Security Trust Fund come due in 2014 we can take out more debt. I am puzzled why it is good policy to pay down debt now so that we can take out massive amounts of debt in the future.

My colleague, Mr. MARKEY, and I have introduced legislation which will actually do something to save Social Security. Our legislation will add six years to the solvency of the Social Security Trust Fund. Our bill does this by authorizing the investment of a portion of the Social Security Trust Fund in broad-based index stock funds, just like every pension manager in the country does. We have included extensive provisions to protect the fund from political manipulation. By having a private sector fund managers invest in the market, our bill will finally get a portion of the trust fund out of the hands of a spend-happy Congress in Washington, and simultaneously grow the assets in the trust fund. This is almost identical to the investment strategy that has been employed by the highly successful Thrift Savings Plan. Most importantly though, our bill will add at least six years to the solvency of the Social Security Trust Fund.

While I intend to vote for this bill, let's be honest with the American people. This bill does nothing to "Save Social Security." And if we tell the taxpayer otherwise we are doing them a disservice.

Mr. WELDON of Florida. Mr. Speaker, I am pleased to rise in support of H.R. 1295, the Social Security and Medicare Safe Deposit Box Act of 1999. We must move this bill forward. For decades politicians in Washington have voted to spend the Social Security surplus on new and larger government programs.

When Republicans took control of the Congress in 1994, we promised to put a cap on government spending and to protect Social

Security. We were submitted to a relentless attack by those who wanted to expand the size and scope of government. But our efforts have paid off and the American people are better off because we have a real balanced budget for the first time in decades. When we take all of the Social Security Surplus money and set it aside in the lock-box, we still have a few dollars left over.

Social Security is much safer today that it was four years ago because we have balanced the budget. Had we not persevered in our efforts to balance the budget no one would be here today talking about a Social Security Trust Fund lock-box. This debate would be impossible.

I am pleased that the Republican Budget Resolution that we passed earlier this year committed us to passing a lock-box. We are doing that today with the passage of H.R. 1295.

The greatest objections to this bill are coming from those who have voted over the past years to use the Social Security Trust Fund money to pay for larger government. They know that after today it will be more difficult to do so because they can no longer secretly dip their hand into the Trust Fund to pay for their new program.

The bill will force fiscal discipline on Washington. In order to create a new federal program, politicians who propose new Washington programs will have to say how they are going to pay for their new program because they can no longer dip into Social Security for the money.

Mr. CAMP. Mr. Speaker, I rise in strong support of H.R. 1259, the Social Security Lock Box bill. For too long, our Nation's seniors—and tomorrow's seniors—have been faced with uncertainty. It's an uncertainty about the promises they've been made, that the Social Security benefits they earned will be there for them when it's time for retirement.

Our legislation locks away 100 percent of all Social Security surpluses. It locks them away from Congressional big spenders who'd rather break tomorrow's promises and fill the Social Security Trust Fund with IOUs, to spend for budget-busting federal spending today. With passage of our bill today, we can ensure that any new federal spending does not come at the expense of Social Security beneficiaries.

Today, we make the guarantee for future beneficiaries and current Social Security recipients, that their benefits will be there. When they step toward retirement, they won't find IOUs in their Social Security accounts. Instead, they'll find their full benefits, and a promise kept.

Let's put "security" back in Social Security. Support the Social Security Lock Box bill.

Mr. SHAW. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. All time has expired. Pursuant to House Resolution 186, 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. RANGEL.

Mr. RANGEL. Mr. Speaker, I offer a motion to recommit.

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

Mr. RANGEL. Yes, in its present form, Mr. Speaker.

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

The Clerk read as follows:

Mr. RANGEL moves to recommit the bill H.R. 1259 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendments:

Redesignate sections 4 and 5 as sections 5 and 6, respectively, and insert after section 3 the following new section:

**SEC. 4. SURPLUSES RESERVED UNTIL SOCIAL SECURITY AND MEDICARE SOLVENCY LEGISLATION IS ENACTED.**

(a) IN GENERAL.—Section 312 of the Congressional Budget Act of 1974 (as amended by section 3) is further amended by adding at the end the following new subsection:

“(h) SURPLUSES RESERVED UNTIL SOCIAL SECURITY AND MEDICARE SOLVENCY LEGISLATION IS ENACTED.—

“(1) IN GENERAL.—Until there is both a social security solvency certification and a Medicare solvency certification, it shall not be in order in the House of Representatives or the Senate to consider—

“(A) any concurrent resolution on the budget, or conference report thereon or amendment thereto, that would use any portion of the baseline budget surpluses, or

“(B) any bill, joint resolution, amendment, motion, or conference report if—

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

“(ii) the adoption and enactment of that amendment, or

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

would use any portion of the baseline budget surpluses.

“(2) BASELINE BUDGET SURPLUSES.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘baseline budget surplus’ means the sum of the on- and off-budget surpluses contained in the most recent baseline budget projections made by the Congressional Budget Office at the beginning of the annual budget cycle and no later than the month of March.

“(B) BASELINE BUDGET PROJECTION.—For purposes of subparagraph (A), the term ‘baseline budget projection’ means the projection described in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 of current year levels of outlays, receipts, and the surplus or deficit into the budget year and future years; except that if outlays for programs subject to discretionary appropriations are subject to statutory spending limits then these outlays shall be projected at the level of any applicable statutory discretionary spending limits. For purposes of this subsection, the baseline budget projection shall include both on-budget and off-budget outlays and receipts.

“(3) USE OF PORTION OF THE BASELINE BUDGET SURPLUSES.—For purposes of this subsection, a portion of the baseline budget surpluses is used if, relative to the baseline budget projection—

“(A) in the case of legislation affecting revenues, any net reduction in revenues in the current year or the budget year, or over the 5 or 10-year estimating periods beginning with the budget year, is not offset by reductions in direct spending,

“(B) in the case of legislation affecting direct spending, any net increase in direct spending in the current year or the budget year, or over such 5 or 10-year periods, is not offset by increases in revenues, and

“(C) in the case of an appropriations bill, there is a net increase in discretionary outlays in the current year or the budget year when the discretionary outlays from such bill are added to the discretionary outlays from all previously enacted appropriations bills.

“(4) SOCIAL SECURITY SOLVENCY CERTIFICATION.—For purposes of this subsection, the term ‘social security solvency certification’ means a certification by the Board of Trustees of the Social Security Trust Funds that the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are, taken together, in actuarial balance for the 75-year period utilized in the most recent annual report of such Board of Trustees pursuant to section 201(c)(2) of the Social Security Act (42 U.S.C. 401(c)(2)).

“(5) MEDICARE SOLVENCY CERTIFICATION.—For purposes of this subsection, the term ‘Medicare solvency certification’ means a certification by the Board of Trustees of the Federal Hospital Insurance Trust Fund that such Trust Fund is in actuarial balance for the 30-year period utilized in the most recent annual report of such Board of Trustees pursuant to section 1817(b) of the Social Security Act.”.

(b) SUPER MAJORITY REQUIREMENT.—(1) Section 904(c)(1) of the Congressional Budget Act of 1974 (as amended by section 3) is further amended by inserting “312(h),” after “310(g).”.

(2) Section 904(d)(2) of the Congressional Budget Act of 1974 (as amended by section 3) is further amended by inserting “312(h),” after “310(g).”.

□ 1900

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

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes in support of his motion.

Mr. RANGEL. Mr. Speaker, this is merely a parliamentary maneuver. It does not mean too much as it relates to whether or not this Congress or this House deals with Social Security. It takes the so-called Social Security surplus, puts it into a lockbox, and gives the key to that lockbox to the majority.

I suppose that this is supposed to send a positive message to America that we do recognize the serious nature of the crisis that will face the next generation as they look forward to receiving the benefits that they rightly deserve.

We on this side say that the President has tried to put pressure on the Congress by saying, let us do Social Security first. Let us do Medicare first.

In order to put additional pressure on us, it is suggested, not only by the President, but by this stronger lockbox provision, which is identical to H.R. 1927 introduced by the gentleman from New Jersey (Mr. HOLT), the gentleman from Kentucky (Mr. LUCAS), and the

gentleman from Kansas (Mr. MOORE), that says why restrict ourselves just to the Social Security surplus? Why not take the on-budget surplus? Why not take the monies that we will have, and as some people say, while the sun is shining, that is the time to fix the roof?

Why not say that we are going to attempt to work in a bipartisan way, not to see who can outscore each other on points? Because when this motion is analyzed by those who study the work of the Committee on Ways and Means, it is going to be clear to everybody that we have not locked anything in. As long as there is a majority in this House, that box can be unlocked. There is no lock on it.

But if we did say that we were going to work together, not as Democrats and Republicans, but as committed Members of this House, it would seem to me that we would start now in trying to cooperate with each other and not bring motions out on the floor without having full debate in the Subcommittee on Social Security and the Committee on Ways and Means.

No one has worked harder to achieve a bipartisan approach to this than the gentleman from Florida (Mr. SHAW). I think that our chairman and my President would like to be able to say that on their watch, they have been able to tackle this very serious problem.

But this problem is not going to be resolved by Republicans, and it is not going to be resolved by Democrats. It is not going to be resolved by demagoguery. It is not going to be resolved by rhetorical motions and amendments.

It can only be done when the leadership of this House decides that it is going to talk with the leadership on the other side, and they agree that we are going to work together, not to make points, but to make history.

These things could have been discussed in the committee, but then again, if we do that, we have debate, and God knows we do not want any of that anymore.

It seems to me that now is the time for the leadership to be a little more outspoken, not in terms of lockboxes, but in terms of leadership in saying that they have met, they have decided, and they have talked with the President, and they would like to resolve this problem. That way, we will not spend a lot of time pointing at each other for what we have not done, but we can spend more time taking care of the people's business.

This motion to recommit, those who are voting for it are saying we make this a priority. If it is going to be a lockbox, let us lock up the leadership of the Republicans and Democrats and put them in a room and say they cannot get out of that room until they come up with a Social Security reform package. But my colleagues know and I know, if this is not done this year, it is not going to be done in this session.

So we can bring out these amendments, we can talk about it, and we

can move to recommit, but so far, we have no bill.

I just want to thank the gentleman from Florida (Mr. SHAW) for having the courage to put his name at least on the talking paper when his colleagues could not see fit to put their name on a bill.

Mr. HERGER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California (Mr. HERGER) is recognized for 5 minutes.

Mr. HERGER. Mr. Speaker, it is important to understand what is going on here. H.R. 1259 saves 100 percent of the Social Security surplus, \$1.8 trillion over the next 10 years or \$100 billion more than the President proposed in his budget for saving Social Security and Medicare.

Under our safe deposit box, none of that money can be spent on anything else until we actually save Social Security and Medicare. For those who say that is not enough, Mr. Speaker, not enough, the gentleman from Texas (Chairman ARCHER) and the gentleman from Florida (Chairman SHAW) have already offered a proposal to save Social Security for 75 years and beyond, that costs far less than the \$1.8 trillion over the next decade, leaving hundreds of billions of dollars for Medicare reform.

But in their zeal to prevent any tax relief for American people, the Democrat proposal would also freeze budget surpluses that have nothing to do with Social Security and Medicare. Apparently what that means is that the fiscal policy of the House Democrat leadership is that hard-working Americans who have paid too much in income taxes cannot get any of their money back. It all has to stay trapped in Washington until the government agrees on how to save Social Security and Medicare. The longer that takes, the less money there is to return to the taxpayers.

This proposal does not just prevent excess taxes from being returned in the form of income tax cuts, it also blocks the money from being spent on building a stronger military, improving public schools, or protecting the environment.

The President said in his State of the Union address, we need to use the surplus wisely, including for such purposes. Is the Democrat leadership now telling the country those important goals do not matter? Or are the Democrats saying that, to the degree that issues other than Social Security and Medicare matter, we have to raise taxes to pay for them? Or are they suggesting we cut current government spending to pay for any new spending? I seriously doubt it.

Finally, the Democrats' motion states any legislation opening the safe deposit box must save Social Security for at least 75 years. I welcome their use of this standard which the Social Security Administration says the Archer-Shaw plan achieves. Since the President's plan the Democrats are

drafting falls short of this 75-year standard, saving Social Security for only about 55 years, I look forward to hearing how the Democrats would fill in those final 20 years.

Until then, we should defeat the Democrat motion and get on with saving the Social Security surplus, to strengthen Social Security and Medicare without tying the rest of the government in knots.

In closing, our H.R. 1259 saves \$100 billion more than under the President's budget for Social Security and Medicare. My colleagues from the other side of the aisle were in power here in the House for 40 years, and guess how much money was set aside for Social Security? Zero. Nada. Not a single penny.

Mr. Speaker, this lockbox in H.R. 1259 is good legislation. It is good for Social Security. That is why H.R. 1259 is supported by the United Seniors Association, the Seniors Coalition, the 60 Plus Association, the Concord Coalition, and the U.S. Chamber of Commerce.

Mr. Speaker, last month the House and Senate passed the fiscal year 2000 budget resolution which committed to locking up 100 percent of Social Security. Now it is time to put that commitment into law.

I urge my colleagues to vote no on this motion to recommit and vote yes on H.R. 1259 and lock up Social Security for current and future generations.

Mr. MOORE. Mr. Speaker, I rise in support of the motion to recommit with instructions. The language contained in the instructions, which was introduced yesterday by my colleagues, Mr. HOLT, Mr. LUCAS, and me, offers the strongest lockbox of the proposals before us today.

The Holt-Lucas-Moore language improves upon H.R. 1259 in two respects. First, it protects all unified budget surpluses, not just those attributed to Social Security. Second, it allows the Trustees of the Social Security and Medicare programs to be the arbiters of those programs' long term stability, not Congress and the White House.

Mr. Speaker, we need to protect all budget surpluses until we've solved the problem of Social Security and Medicare solvency. The Clinton Administration and Congress, throughout this decade, have worked hard to bring us to the verge of a budget surplus. H.R. 1259, however, would allow us to exploit the surpluses through a loophole described as Social Security or Medicare "reform." But the word "reform" is never defined. Let the Trustees of the Social Security and Medicare programs make these decisions—not Congress. We cannot allow politics to wreck Social Security and Medicare.

Don't just take my word for it, though. I am including in the RECORD a statement released today by the nonpartisan Concord Coalition. These budget watchdogs "give extra credit to Congressmen RUSH HOLT, KEN LUCAS, and DENNIS MOORE for their proposal to protect the entire budget surplus, over and above the Social Security surplus, until real entitlement reform is enacted."

Many of us are in Congress today because we pledged to our constituents that we would make the tough choices necessary to preserve

and protect Social Security and Medicare. I made the same promise and adoption of the motion to recommit is an essential step toward keeping our faith with our constituents. Our responsibility to future generations of Americans remains.

Mr. Speaker, I urge my colleagues to support this motion to recommit, and I thank Mr. RANGEL for offering it on our behalf.

#### THE CONCORD COALITION

CONCORD COALITION APPLAUDS SOCIAL SECURITY LOCK BOX PROPOSALS BUT WARNS THEY ARE NOT TAMPER PROOF

WASHINGTON.—The Concord Coalition today commended the sponsors of Social Security lock box proposals, specifically bills H.R. 1259 and H.R. 1927, for their efforts to lock away the Social Security surplus.

"Both bills would make it more difficult for Congress to pay for new spending or tax cuts by dipping into the Social Security surplus. While structured somewhat differently, either bill would provide an extra measure of protection for the Social Security surplus. I applaud the sponsors of both bills for their commitment to this issue and give extra credit to Congressmen Rush Holt, Ken Lucas and Dennis Moore for their proposal to protect the entire budget surplus, over and above the Social Security surplus, until real entitlement reform is enacted," said Concord Coalition Policy Director Robert Bixby.

While encouraged by the lock box proposals, the Concord Coalition cautioned that their enforcement measure—a budget point of order—is not tamper proof. "Both lock box proposals make attacking the Social Security surplus subject to a budget point of order requiring additional votes. However, we only have to look at the number of yes votes for last week's emergency supplemental legislation to see that this enforcement mechanism is not tamper proof," Bixby said.

For example, the Senate requires a supermajority of 60 votes to override a budget point of order. Last week's emergency spending legislation received 64 votes, more than enough votes to waive a budget point of order.

"The Social Security lock box proposals have raised the important question of how we can best preserve budget surpluses for entitlement reform. However, we cannot let these proposals overshadow the need for real reform. We hope Congress and the President will turn to this task next," Bixby said.

Mr. STARK. Mr. Speaker, I rise today in support of the Democratic motion to recommit H.R. 1259 so that it can go through the normal Committee process and we can actually save the budget surplus for Social Security and Medicare.

This bill appears to protect Medicare and Social Security from the cavalier spending of Congress, but it merely creates shelter for Congress when our constituents ask us why Social Security and Medicare are facing financial failure. Let's be honest with the American people. We must devise an honest approach to financing and strengthening the two systems.

The bill did not go through the normal legislative process so it does not have the enforcement provisions it could have had if the Ways & Means Committee was allowed to debate and amend it. Furthermore, we must stop blaming the President and take responsibility for enacting—or avoiding—responsible legislation. Not one dollar of taxpayer funds can be spent by the President unless Congress approves it. Finally, we must take this oppor-

tunity as a first step in real debate to strengthen Social Security and Medicare.

#### I. LET'S TAKE A LOOK AT PROCESS SO FAR WITH H.R. 1259

H.R. 1259 did not go through the regular Committee process. It was pulled from the Committees with jurisdiction and brought directly to the House floor without any normal deliberation.

The Republicans avoided sending H.R. 1259 through Ways & Means so the Committee was not able to debate or amend the bill prior to coming to the floor.

Had we used the normal legislative process, today's bill might have the enforcement measures needed to address Medicare and Social Security's insolvency problems. The Speaker promised to meet us halfway when he took office. He also promised to play by the rules. Neither promise has been honored in this case. Clearly, we will move back to regular order only when it is convenient to do so.

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#### II. CONGRESS—NOT THE PRESIDENT—RAIDS THE TRUST FUNDS

I might point out that Social Security has already been taken "off-budget" by three separate public laws: by the Social Security Amendments of 1983; by the Balanced Budget and Emergency Deficit Control Act of 1985; and once more by the Budget Enforcement Act of 1990. If Congress has been able to circumvent the spirit of the law for this long, what makes us believe that anything will change this time around?

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Let's be honest. Congress controls the spending and we have always been able to control whether it goes for needed programs like Social Security and Medicare or programs like the National Missile Defense system.

#### III. STRENGTHEN SOCIAL SECURITY AND MEDICARE

I agree that there should be a lockbox for Social Security and Medicare. But I want all surpluses to be used for these programs. First

and foremost we must strengthen Social Security and Medicare and ensure their solvency. Before any tax bills are brought to the floor of the House, we must guarantee the American people that their Old Age, Survivors and Disability Insurance is as strong as they need it to be for a happy and healthy retirement. We must guarantee them that their health care needs will be met with quality in their golden years.

We must lock up all of the budget surpluses until these two systems are strengthened through bipartisan legislation. The big tax cut for the wealthy must be postponed until the American worker is assured that his or her health and retirement insurance is safe for years to come.

The only way to do this is by giving this bill some teeth. We must send this bill back to committee and give it the enforcement provisions it needs. Let's really lock up the surplus until Medicare and Social Security are solvent for the long-term.

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the question of passage.

The vote was taken by electronic device, and there were—yeas 205, nays 222, not voting 6, as follows:

[Roll No. 163]

YEAS—205

|              |            |                |
|--------------|------------|----------------|
| Abercrombie  | Condit     | Gephardt       |
| Ackerman     | Conyers    | Gonzalez       |
| Allen        | Costello   | Goode          |
| Andrews      | Coyne      | Gordon         |
| Baird        | Cramer     | Green (TX)     |
| Baldacci     | Crowley    | Gutierrez      |
| Baldwin      | Cummings   | Hall (OH)      |
| Barcia       | Danner     | Hall (TX)      |
| Barrett (WI) | Davis (FL) | Hastings (FL)  |
| Becerra      | Davis (IL) | Hill (IN)      |
| Bentsen      | DeFazio    | Hilliard       |
| Berkley      | DeGette    | Hinchee        |
| Berman       | Delahunt   | Hinojosa       |
| Berry        | DeLauro    | Hoefel         |
| Bishop       | Deutsch    | Holden         |
| Blagojevich  | Dicks      | Holt           |
| Blumenauer   | Dingell    | Hooley         |
| Bonior       | Dixon      | Hoyer          |
| Borski       | Doggett    | Inslie         |
| Boswell      | Dooley     | Jackson (IL)   |
| Boucher      | Doyle      | Jackson-Lee    |
| Boyd         | Edwards    | (TX)           |
| Brady (PA)   | Engel      | Jefferson      |
| Brown (FL)   | Eshoo      | John           |
| Brown (OH)   | Etheridge  | Johnson, E. B. |
| Capps        | Evans      | Jones (OH)     |
| Capuano      | Farr       | Kanjorski      |
| Cardin       | Fattah     | Kaptur         |
| Carson       | Filner     | Kennedy        |
| Clay         | Ford       | Kildee         |
| Clayton      | Frank (MA) | Kilpatrick     |
| Clement      | Frost      | Kind (WI)      |
| Clyburn      | Gejdenson  | Kleckza        |

|                    |               |               |            |             |             |
|--------------------|---------------|---------------|------------|-------------|-------------|
| Klink              | Moore         | Sisisky       | Shays      | Sununu      | Walden      |
| Kucinich           | Moran (VA)    | Skelton       | Sherwood   | Sweeney     | Walsh       |
| LaFalce            | Murtha        | Slaughter     | Shimkus    | Talent      | Wamp        |
| Lampson            | Nadler        | Smith (WA)    | Shuster    | Tancredo    | Watkins     |
| Lantos             | Napolitano    | Snyder        | Simpson    | Tauzin      | Watts (OK)  |
| Larson             | Neal          | Spratt        | Skeen      | Taylor (NC) | Weldon (FL) |
| Lee                | Oberstar      | Stabenow      | Smith (MI) | Terry       | Weldon (PA) |
| Levin              | Obey          | Stark         | Smith (NJ) | Thomas      | Weller      |
| Lewis (GA)         | Olver         | Stenholm      | Smith (TX) | Thornberry  | Whitfield   |
| Lipinski           | Ortiz         | Strickland    | Souder     | Thune       | Wicker      |
| Lowe               | Owens         | Stupak        | Spence     | Tiahrt      | Wilson      |
| Lucas (KY)         | Pallone       | Tanner        | Stearns    | Toomey      | Wolf        |
| Luther             | Pascrell      | Tauscher      | Stump      | Upton       | Young (FL)  |
| Maloney (CT)       | Pastor        | Taylor (MS)   |            |             |             |
| Maloney (NY)       | Payne         | Thompson (CA) |            |             |             |
| Markey             | Peterson (MN) | Thompson (MS) |            |             |             |
| Martinez           | Phelps        | Thurman       |            |             |             |
| Mascara            | Pickett       | Tierney       |            |             |             |
| Matsui             | Pomeroy       | Towns         |            |             |             |
| McCarthy (MO)      | Price (NC)    | Traficant     |            |             |             |
| McCarthy (NY)      | Rangel        | Turner        |            |             |             |
| McGovern           | Reyes         | Udall (CO)    |            |             |             |
| McIntosh           | Rivers        | Udall (NM)    |            |             |             |
| McIntyre           | Rodriguez     | Velazquez     |            |             |             |
| McKinney           | Roemer        | Vento         |            |             |             |
| McNulty            | Rothman       | Visclosky     |            |             |             |
| Meehan             | Roybal-Allard | Waters        |            |             |             |
| Meek (FL)          | Rush          | Watt (NC)     |            |             |             |
| Meeks (NY)         | Sanchez       | Waxman        |            |             |             |
| Menendez           | Sanders       | Weiner        |            |             |             |
| Millender-McDonald | Sandlin       | Wexler        |            |             |             |
| Miller, George     | Schakowsky    | Weygand       |            |             |             |
| Minge              | Scott         | Wise          |            |             |             |
| Mink               | Serrano       | Woolsey       |            |             |             |
| Moakley            | Sherman       | Wu            |            |             |             |
|                    | Shows         | Wynn          |            |             |             |

NAYS—222

|              |               |               |
|--------------|---------------|---------------|
| Aderholt     | Everett       | Linder        |
| Archer       | Ewing         | LoBiondo      |
| Armey        | Fletcher      | Lofgren       |
| Bachus       | Foley         | Lucas (OK)    |
| Baker        | Forbes        | Manzullo      |
| Ballenger    | Fossella      | McCollum      |
| Barr         | Fowler        | McCrary       |
| Barrett (NE) | Franks (NJ)   | McDermott     |
| Bartlett     | Frelinghuysen | McHugh        |
| Barton       | Galleghy      | McInnis       |
| Bass         | Ganske        | McKeon        |
| Bateman      | Gekas         | Metcalfe      |
| Bereuter     | Gibbons       | Mica          |
| Biggert      | Gilchrest     | Miller (FL)   |
| Bilbray      | Gillmor       | Miller, Gary  |
| Bilirakis    | Gilman        | Mollohan      |
| Biley        | Goodlatte     | Moran (KS)    |
| Blunt        | Goodling      | Morella       |
| Boehlert     | Goss          | Myrick        |
| Boehner      | Graham        | Nethercutt    |
| Bonilla      | Granger       | Ney           |
| Bono         | Green (WI)    | Northup       |
| Brady (TX)   | Greenwood     | Norwood       |
| Bryant       | Gutknecht     | Nussle        |
| Burr         | Hansen        | Ose           |
| Burton       | Hastings (WA) | Oxley         |
| Buyer        | Hayes         | Packard       |
| Callahan     | Hayworth      | Paul          |
| Calvert      | Hefley        | Pease         |
| Camp         | Herger        | Peterson (PA) |
| Campbell     | Hill (MT)     | Petri         |
| Canady       | Hillery       | Pickering     |
| Cannon       | Hobson        | Pitts         |
| Castle       | Hoekstra      | Pombo         |
| Chabot       | Horn          | Porter        |
| Chambliss    | Hostettler    | Portman       |
| Chenoweth    | Houghton      | Pryce (OH)    |
| Coble        | Hulshof       | Quinn         |
| Coburn       | Hunter        | Radanovich    |
| Collins      | Hutchinson    | Rahall        |
| Combest      | Hyde          | Ramstad       |
| Cook         | Isakson       | Regula        |
| Cooksey      | Istook        | Reynolds      |
| Cox          | Jenkins       | Riley         |
| Crane        | Johnson (CT)  | Rogan         |
| Cubin        | Johnson, Sam  | Rogers        |
| Cunningham   | Jones (NC)    | Rohrabacher   |
| Davis (VA)   | Kelly         | Ros-Lehtinen  |
| Deal         | King (NY)     | Roukema       |
| DeLay        | Kingston      | Royce         |
| DeMint       | Knollenberg   | Ryan (WI)     |
| Diaz-Balart  | Kolbe         | Ryun (KS)     |
| Dickey       | Kuykendall    | Sabo          |
| Doolittle    | LaHood        | Salmon        |
| Dreier       | Largent       | Sanford       |
| Duncan       | Latham        | Saxton        |
| Dunn         | LaTourette    | Schaffer      |
| Ehlers       | Lazio         | Sensenbrenner |
| Ehrlich      | Leach         | Sessions      |
| Emerson      | Lewis (CA)    | Shadegg       |
| English      | Lewis (KY)    | Shaw          |

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

NOT VOTING—6

|            |        |             |
|------------|--------|-------------|
| Brown (CA) | Pelosi | Scarborough |
| Kasich     | Sawyer | Young (AK)  |

□ 1930

Messrs. HORN, RAHALL, and SMITH of Michigan changed their vote from "yea" to "nay."

Mr. Peterson of Minnesota and Mr. BLUMENAUER changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 12, not voting 6, as follows:

[Roll No. 164]

YEAS—416

|              |            |               |
|--------------|------------|---------------|
| Abercrombie  | Brown (FL) | DeFazio       |
| Ackerman     | Brown (OH) | DeGette       |
| Aderholt     | Bryant     | Delahunt      |
| Allen        | Burr       | DeLauro       |
| Andrews      | Burton     | DeLay         |
| Archer       | Buyer      | DeMint        |
| Armey        | Callahan   | Deutsch       |
| Bachus       | Calvert    | Diaz-Balart   |
| Baird        | Camp       | Dickey        |
| Baker        | Campbell   | Dicks         |
| Baldacci     | Canady     | Dixon         |
| Baldwin      | Cannon     | Doggett       |
| Ballenger    | Capps      | Dooley        |
| Barcia       | Capuano    | Doolittle     |
| Barr         | Cardin     | Doyle         |
| Barrett (NE) | Carson     | Dreier        |
| Barrett (WI) | Castle     | Duncan        |
| Bartlett     | Chabot     | Dunn          |
| Barton       | Chambliss  | Edwards       |
| Bass         | Chenoweth  | Ehlers        |
| Bateman      | Clay       | Ehrlich       |
| Becerra      | Clayton    | Emerson       |
| Bentsen      | Clement    | Engel         |
| Bereuter     | Clyburn    | English       |
| Berkley      | Coble      | Eshoo         |
| Berman       | Coburn     | Etheridge     |
| Berry        | Collins    | Evans         |
| Biggert      | Combest    | Everett       |
| Bilbray      | Condit     | Ewing         |
| Bilirakis    | Conyers    | Farr          |
| Bishop       | Cook       | Fattah        |
| Blagojevich  | Cooksey    | Fletcher      |
| Bliley       | Costello   | Foley         |
| Blumenauer   | Cox        | Forbes        |
| Blunt        | Coyne      | Ford          |
| Boehlert     | Cramer     | Fossella      |
| Boehner      | Crane      | Fowler        |
| Bonilla      | Crowley    | Franks (NJ)   |
| Bonior       | Cubin      | Frelinghuysen |
| Bono         | Cummings   | Frost         |
| Borski       | Cunningham | Galleghy      |
| Boswell      | Danner     | Ganske        |
| Boucher      | Davis (FL) | Gejdenson     |
| Boyd         | Davis (IL) | Gekas         |
| Brady (PA)   | Davis (VA) | Gephardt      |
| Brady (TX)   | Deal       | Gibbons       |

|                |                |               |
|----------------|----------------|---------------|
| Gilchrest      | Lucas (KY)     | Ryun (KS)     |
| Gillmor        | Lucas (OK)     | Salmon        |
| Gilman         | Luther         | Sanchez       |
| Gonzalez       | Maloney (CT)   | Sanders       |
| Goode          | Maloney (NY)   | Sandlin       |
| Goodlatte      | Manzullo       | Sanford       |
| Goodling       | Markey         | Sawyer        |
| Gordon         | Martinez       | Saxton        |
| Goss           | Mascara        | Schaffer      |
| Graham         | Matsui         | Schakowsky    |
| Granger        | McCarthy (MO)  | Scott         |
| Green (TX)     | McCarthy (NY)  | Sensenbrenner |
| Green (WI)     | McCollum       | Serrano       |
| Greenwood      | McCrery        | Sessions      |
| Gutierrez      | McGovern       | Shadegg       |
| Gutknecht      | McHugh         | Shaw          |
| Hall (OH)      | McInnis        | Shays         |
| Hall (TX)      | McIntosh       | Sherman       |
| Hansen         | McIntyre       | Sherwood      |
| Hastert        | McKeon         | Shimkus       |
| Hastings (FL)  | McKinney       | Shows         |
| Hastings (WA)  | McNulty        | Shuster       |
| Hayes          | Meehan         | Simpson       |
| Hayworth       | Meek (FL)      | Sisisky       |
| Hefley         | Meeks (NY)     | Skeen         |
| Herger         | Menendez       | Skelton       |
| Hill (IN)      | Metcalf        | Slaughter     |
| Hill (MT)      | Mica           | Smith (MI)    |
| Hilleary       | Millender-     | Smith (NJ)    |
| Hilliard       | McDonald       | Smith (TX)    |
| Hinchee        | Miller (FL)    | Smith (WA)    |
| Hinojosa       | Miller, Gary   | Snyder        |
| Hobson         | Miller, George | Souder        |
| Hoefel         | Minge          | Spence        |
| Hoekstra       | Mink           | Spratt        |
| Holden         | Moakley        | Stabenow      |
| Holt           | Moore          | Stark         |
| Hooley         | Moran (KS)     | Stearns       |
| Horn           | Moran (VA)     | Stenholm      |
| Hostettler     | Morella        | Strickland    |
| Hoyer          | Myrick         | Stump         |
| Hulshof        | Napolitano     | Stupak        |
| Hunter         | Neal           | Sununu        |
| Hutchinson     | Nethercutt     | Sweeney       |
| Hyde           | Ney            | Talent        |
| Insole         | Northup        | Tancredo      |
| Isakson        | Norwood        | Tanner        |
| Istook         | Nussle         | Tauscher      |
| Jackson (IL)   | Oberstar       | Tauzin        |
| Jackson-Lee    | Obey           | Taylor (MS)   |
| (TX)           | Ortiz          | Taylor (NC)   |
| Jefferson      | Ose            | Terry         |
| Jenkins        | Oxley          | Thomas        |
| John           | Packard        | Thompson (CA) |
| Johnson (CT)   | Pallone        | Thompson (MS) |
| Johnson, E. B. | Pascrell       | Thornberry    |
| Johnson, Sam   | Pastor         | Thune         |
| Jones (NC)     | Paul           | Thurman       |
| Jones (OH)     | Payne          | Tiahrt        |
| Kanjorski      | Pease          | Tierney       |
| Kaptur         | Peterson (MN)  | Toomey        |
| Kelly          | Peterson (PA)  | Towns         |
| Kennedy        | Petri          | Trafficant    |
| Kildee         | Phelps         | Turner        |
| Kilpatrick     | Pickering      | Udall (CO)    |
| Kind (WI)      | Pickett        | Udall (NM)    |
| King (NY)      | Pitts          | Upton         |
| Kingston       | Pombo          | Velazquez     |
| Kleczka        | Pomeroy        | Vento         |
| Klink          | Porter         | Visclosky     |
| Knollenberg    | Portman        | Walden        |
| Kolbe          | Price (NC)     | Walsh         |
| Kucinich       | Pryce (OH)     | Wamp          |
| Kuykendall     | Quinn          | Waters        |
| LaFalce        | Radanovich     | Watkins       |
| LaHood         | Ramstad        | Watt (NC)     |
| Lampson        | Rangel         | Watts (OK)    |
| Largent        | Regula         | Waxman        |
| Larson         | Reynolds       | Weiner        |
| Latham         | Rivers         | Weldon (FL)   |
| LaTourette     | Rodriguez      | Weller        |
| Lazio          | Roemer         | Wexler        |
| Leach          | Rogan          | Weygand       |
| Lee            | Rogers         | Whitfield     |
| Levin          | Rohrabacher    | Wicker        |
| Lewis (CA)     | Ros-Lehtinen   | Wilson        |
| Lewis (GA)     | Rothman        | Wise          |
| Lewis (KY)     | Roukema        | Wolf          |
| Linder         | Roybal-Allard  | Woolsey       |
| Lipinski       | Royce          | Wu            |
| LoBiondo       | Rush           | Wynn          |
| Lofgren        | Ryan (WI)      | Young (FL)    |
| Lowey          |                |               |

NAYS—12

|         |            |           |
|---------|------------|-----------|
| Dingell | Frank (MA) | McDermott |
| Filner  | Houghton   | Mollohan  |

|        |       |        |
|--------|-------|--------|
| Murtha | Olver | Rahall |
| Nadler | Owens | Sabo   |

NOT VOTING—6

|            |             |             |
|------------|-------------|-------------|
| Brown (CA) | Pelosi      | Weldon (PA) |
| Kasich     | Scarborough | Young (AK)  |

□ 1940

Mr. FRANK of Massachusetts changed his vote from "yea" to "nay." Ms. LOFGREN changed her vote from "nay" to "yea."

So the bill, as amended, was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for: Mr. WELDON of Pennsylvania. Mr. Speaker on rollcall No. 164, I was inadvertently detained. Had I been present, I would have voted "yea."

CONDITIONAL ADJOURNMENT OR RECESS OF SENATE FROM MAY 27, 1999 TO JUNE 7, 1999, AND CONDITIONAL ADJOURNMENT OF HOUSE FROM MAY 27, 1999 TO JUNE 7, 1999

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution (S. Con. Res. 35) providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 35

*Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, May 27, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 7, 1999, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, May 27, 1999, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 12:30 p.m. on Monday, June 7, 1999, for morning-hour debate, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

□ 1945

The SPEAKER pro tempore (Mr. LATOURETTE). The resolution is not debatable.

PARLIAMENTARY INQUIRY

Mr. GEORGE MILLER of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GEORGE MILLER of California. Mr. Speaker, my parliamentary inquiry is, the vote that is before us is the adjournment resolution.

Does the passage of this resolution mean that we will not be able to address the school violence issue before we adjourn?

The SPEAKER pro tempore. The concurrent resolution is self-explanatory. When the House adjourns on tomorrow's legislative day, it will reassemble on June 7, 1999.

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

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

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The vote was taken by electronic device, and there were—yeas 249, nays 178, not voting 7, as follows:

[Roll No. 165]  
YEAS—249

|              |               |               |
|--------------|---------------|---------------|
| Aderholt     | Dunn          | Knollenberg   |
| Archer       | Ehlers        | Kolbe         |
| Army         | Ehrlich       | Kuykendall    |
| Bachus       | Emerson       | LaHood        |
| Baker        | English       | Lampson       |
| Ballenger    | Everett       | Largent       |
| Barr         | Ewing         | Latham        |
| Barrett (NE) | Fletcher      | LaTourette    |
| Bartlett     | Foley         | Lazio         |
| Barton       | Forbes        | Leach         |
| Bass         | Fossella      | Lewis (CA)    |
| Bateman      | Fowler        | Lewis (KY)    |
| Bereuter     | Franks (NJ)   | Linder        |
| Biggett      | Frelinghuysen | Lipinski      |
| Bilbray      | Gallegly      | LoBiondo      |
| Billrakis    | Ganske        | Lucas (KY)    |
| Bliley       | Gekas         | Lucas (OK)    |
| Blunt        | Gibbons       | Manzullo      |
| Boehlert     | Gilchrest     | McCollum      |
| Boehner      | Gillmor       | McCrery       |
| Bonilla      | Gilman        | McHugh        |
| Bono         | Goode         | McInnis       |
| Boswell      | Goodlatte     | McIntosh      |
| Boucher      | Goodling      | McIntyre      |
| Boyd         | Gordon        | McKeon        |
| Brady (TX)   | Goss          | Metcalf       |
| Bryant       | Graham        | Mica          |
| Burr         | Granger       | Miller (FL)   |
| Burton       | Green (TX)    | Miller, Gary  |
| Buyer        | Green (WI)    | Moran (KS)    |
| Callahan     | Greenwood     | Morella       |
| Calvert      | Gutknecht     | Murtha        |
| Camp         | Hall (OH)     | Myrick        |
| Campbell     | Hall (TX)     | Nethercutt    |
| Canady       | Hansen        | Ney           |
| Cannon       | Hastert       | Northup       |
| Castle       | Hastings (WA) | Norwood       |
| Chabot       | Hayes         | Nussle        |
| Chambliss    | Hayworth      | Obey          |
| Chenoweth    | Hefley        | Ose           |
| Coble        | Herger        | Oxley         |
| Coburn       | Hill (MT)     | Packard       |
| Collins      | Hilleary      | Paul          |
| Combest      | Hobson        | Pease         |
| Cook         | Hoekstra      | Peterson (MN) |
| Cooksey      | Horn          | Peterson (PA) |
| Costello     | Hostettler    | Petri         |
| Cox          | Houghton      | Phelps        |
| Cramer       | Hulshof       | Pickering     |
| Crane        | Hunter        | Pickett       |
| Cubin        | Hutchinson    | Pitts         |
| Cunningham   | Hyde          | Pombo         |
| Danner       | Isakson       | Porter        |
| Davis (VA)   | Istook        | Portman       |
| Deal         | Jenkins       | Pryce (OH)    |
| DeLay        | Johnson (CT)  | Quinn         |
| DeMint       | Johnson, Sam  | Ramstad       |
| Diaz-Balart  | Jones (NC)    | Regula        |
| Dickey       | Kasich        | Reynolds      |
| Dingell      | Kelly         | Riley         |
| Doolittle    | Kind (WI)     | Rogan         |
| Dreier       | King (NY)     | Rogers        |
| Duncan       | Kingston      | Rohrabacher   |