

[Roll No. 353]

AYES—187

Aderholt	Hall (TX)	Petri
Archer	Hansen	Phelps
Armey	Hastings (WA)	Pickering
Bachus	Hayes	Pitts
Baker	Hayworth	Pombo
Ballenger	Hefley	Portman
Barcia	Heger	Quinn
Barr	Hill (MT)	Radanovich
Barrett (NE)	Hilleary	Rahall
Bartlett	Hoekstra	Reynolds
Bilirakis	Holden	Riley
Bliley	Hostettler	Rogan
Blunt	Hulshof	Rogers
Boehner	Hunter	Rohrabacher
Bonilla	Hutchinson	Royce
Bono	Hyde	Ryan (WI)
Brady (TX)	Istook	Ryun (KS)
Bryant	Jenkins	Salmon
Burr	John	Sanford
Burton	Johnson, Sam	Saxton
Buyer	Jones (NC)	Scarborough
Callahan	Kasich	Schaffer
Calvert	Kildee	Sensenbrenner
Camp	King (NY)	Sessions
Canady	Kingston	Shadegg
Cannon	Knollenberg	Sherwood
Chabot	LaFalce	Shimkus
Chambliss	LaHood	Shows
Chenoweth	Largent	Smith (NJ)
Coble	Latham	Smith (TX)
Coburn	Lewis (KY)	Souder
Collins	Linder	Spence
Combest	Lipinski	Stearns
Cook	LoBiondo	Stenholm
Costello	Lucas (KY)	Stump
Cox	Lucas (OK)	Stupak
Crane	Manzullo	Sununu
Cunningham	Mascara	Talent
Deal	McCollum	Tancredo
DeLay	McCrery	Tauzin
DeMint	McHugh	Taylor (MS)
Dickey	McIntosh	Taylor (NC)
Doolittle	McIntyre	Terry
Dreier	McKeon	Thornberry
Duncan	Metcalf	Thune
Ehlers	Mica	Tiahrt
Emerson	Miller (FL)	Toomey
English	Miller, Gary	Traficant
Everett	Mollohan	Vitter
Ewing	Moran (KS)	Walsh
Fletcher	Murtha	Wamp
Forbes	Myrick	Watkins
Fossella	Nethercutt	Watts (OK)
Franks (NJ)	Ney	Weldon (FL)
Gekas	Northup	Weldon (PA)
Goode	Norwood	Weller
Goodlatte	Nussle	Whitfield
Goodling	Ortiz	Wicker
Goss	Oxley	Wolf
Graham	Packard	Young (AK)
Green (WI)	Paul	Young (FL)
Gutknecht	Pease	
Hall (OH)	Peterson (MN)	

NOES—237

Abercrombie	Capps	Doyle
Ackerman	Capuano	Dunn
Allen	Cardin	Edwards
Andrews	Carson	Ehrlich
Baird	Castle	Engel
Baldacci	Clay	Eshoo
Baldwin	Clayton	Etheridge
Barrett (WI)	Clement	Evans
Bass	Clyburn	Farr
Bateman	Condit	Fattah
Becerra	Conyers	Filner
Bentsen	Cooksey	Foley
Bereuter	Coyne	Fowler
Berkley	Cramer	Frank (MA)
Berman	Crowley	Frelinghuysen
Berry	Cummings	Frost
Biggert	Danner	Galleghy
Bilbray	Davis (FL)	Ganske
Bishop	Davis (IL)	Gejdenson
Blagojevich	Davis (VA)	Gephardt
Blumenauer	DeFazio	Gibbons
Boehler	DeGette	Gilchrist
Bonior	Delahunt	Gillmor
Borski	DeLauro	Gilman
Boswell	Deutsch	Gonzalez
Boucher	Diaz-Balart	Gordon
Boyd	Dicks	Granger
Brady (PA)	Dingell	Green (TX)
Brown (FL)	Dixon	Greenwood
Brown (OH)	Doggett	Hastings (FL)
Campbell	Dooley	Hill (IN)

Hiiliard	McCarthy (NY)	Sanders
Hinchee	McGovern	Sandlin
Hinojosa	McInnis	Sawyer
Hobson	McKinney	Schakowsky
Hoefel	McNulty	Scott
Holt	Meehan	Serrano
Hoolley	Meek (FL)	Shaw
Horn	Meeks (NY)	Shays
Houghton	Menendez	Sherman
Hoyer	Millender-	Simpson
Insee	McDonald	Sisisky
Isakson	Miller, George	Skeean
Jackson (IL)	Minge	Slaughter
Jackson-Lee	Mink	Smith (MI)
(TX)	Moakley	Smith (WA)
Jefferson	Moore	Snyder
Johnson (CT)	Moran (VA)	Spratt
Johnson, E. B.	Morella	Stabenow
Jones (OH)	Nadler	Stark
Kanjorski	Napolitano	Strickland
Kaptur	Neal	Sweeney
Kelly	Oberstar	Tanner
Kennedy	Obey	Tauscher
Kilpatrick	Olver	Thomas
Kind (WI)	Ose	Thompson (CA)
Klezcka	Owens	Thompson (MS)
Klink	Pallone	Thurman
Kolbe	Pascrell	Tierney
Kucinich	Pastor	Towns
Kuykendall	Payne	Turner
Lampson	Pelosi	Udall (CO)
Lantos	Pickett	Udall (NM)
Larson	Pomeroy	Upton
LaTourette	Porter	Velazquez
Lazio	Price (NC)	Vento
Leach	Pryce (OH)	Visclosky
Lee	Ramstad	Walden
Levin	Rangel	Waters
Lewis (CA)	Regula	Watt (NC)
Lewis (GA)	Reyes	Waxman
Lofgren	Rivers	Weinert
Lowe	Rodriguez	Wexler
Luther	Roemer	Weygand
Maloney (CT)	Ros-Lehtinen	Wilson
Maloney (NY)	Rothman	Wise
Markey	Roukema	Woolsey
Martinez	Roybal-Allard	Wu
Matsui	Sabo	Wynn
McCarthy (MO)	Sanchez	

NOT VOTING—9

Barton	Gutierrez	Rush
Cubin	McDermott	Shuster
Ford	Peterson (PA)	Skelton

□ 0011

So the amendment was rejected. The result of the vote was announced as above recorded.

Mr. WALSH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

AN HONEST DEMOCRAT IN THE SENATE

(Mr. LARGENT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include therein extraneous material.)

Mr. LARGENT. Mr. Speaker, I would like to read some quotes from one of our senator colleagues in the Senate, a Democrat from the State of Nebraska. He said this:

I recently voted with Republican colleagues for a sensible and realistic tax cut.

We are projected to run a \$2.9 trillion surplus over the next 10 years, and I strongly believe that we should return part of that money to hard-working Americans. This tax cut will provide Americans with broad-based tax relief and aim squarely at the middle class. To suggest that we cannot afford to cut income taxes when we are running a \$3 trillion surplus is ludicrous.

This coming from a Democrat.

To say that tax cuts stand in the way of needed domestic spending, Medicare, and debt relief is also folly. What is standing in the way of debt reduction and a shrinking discretionary spending budget is a refusal to make structural reforms to our entitlement programs.

Mr. Speaker, this comes from a Democrat colleague in the Senate who happened to be one of the co-chairs of the Social Security Reform Committee, and I think when a Democrat is honest that we should tip our hat to him.

[From The Washington Post, July 27, 1999]

WHY I CROSSED PARTY LINES ON THE TAX CUT

(By Bob Kerrey)

As a member of the Senate Finance Committee, I recently crossed party lines to vote with my Republican colleagues for a sensible and realistic tax cut. We are projected to run a \$2.9 trillion surplus over the next 10 years, and I strongly believe that we should return part of that money to hard-working Americans.

This tax cut will provide Americans with broad-based tax relief aimed squarely at the middle class. Not only will it encourage Americans to save more for their retirements, it will also encourage Americans to give more generously to charities.

I am proud to have participated in and voted for three budget acts—in 1990, 1993 and 1997—which have radically altered the fiscal condition of the federal government and the debate about how the public's hard-earned tax dollars should be spent. After the enactment of these three budget acts—particularly the 1993 and 1997 budget acts—and on account of impressive gains in private-sector productivity and growth, we were able to reverse the deficit trend.

Deficits have continued to shrink since 1994—and we were able to celebrate our first unified budget surplus (counting Social Security surpluses) of \$70 billion last year. The Congressional Budget Office (CBO) is now projecting surpluses of \$2.9 trillion over the next 10 years.

Since 1983 working Americans have been forced to shoulder a disproportionate amount of deficit reduction by paying larger-than-necessary payroll (FICA) taxes. Now they are being asked to shoulder a disproportionate share of debt reduction. I strongly believe that a portion of these surpluses should be returned to the American people.

To put it in another context: If, over the next 10 years, Congress projected a balanced budget and I proposed a \$3 trillion tax increase, people would call it ridiculous. To suggest we can't afford to cut income taxes when we are running a \$3 trillion surplus is just as ludicrous.

To say that tax cuts stand in the way of needed domestic spending, Medicare and debt relief is also folly. What is standing in the way of debt reduction and a shrinking discretionary spending budget is our refusal to make structural reforms to our entitlement programs.

In 1970 entitlement spending accounted for only 35 percent of federal spending. By 2010, it will account for nearly 70 percent of federal spending. During the same period, discretionary spending will have fallen from 58

percent of spending to 27 percent. Absent structural reforms or massive tax increases. Social Security and Medicare will continue to eat up ever larger percentages of our budget—at the expense of important investments in our children and our future.

In the Finance Committee last week, I offered an amendment with Sens. John Breaux (D-La.), Charles Grassley (R-Iowa), Charles Robb (D-Va.) and Fred Thompson (R-Tenn.) to cut the payroll tax, increase retirement savings and restore permanent solvency to the Social Security program.

This amendment would have provided a \$928 billion payroll tax cut to the 80 percent of American families who pay more in payroll taxes than in income taxes. This tax cut would be directed into individual savings accounts for retirement security. Not only does this amendment provide all workers with a massive payroll tax cut, it also substantially expands the ownership of assets in this nation.

Ownership of wealth is essential for everyone to have a shot at the American dream. The payroll tax is the principal burden on savings and wealth creation for working families. Furthermore, this payroll tax cut would still have left room for Medicare reform, an income tax cut, debt reduction and other spending priorities.

While I did vote for the Senate finance committee tax bill, I believe that a \$500 billion income tax cut is a compromise figure that will leave room to reform and modernize the Social Security and Medicare programs and to invest in important domestic priorities, such as education, defense, veterans and housing.

I agree a compromise is ultimately doable. That's why I intend to join Sens. Breaux, John Chafee (R-R.I.) and Jim Jeffords (R-Vt.) in proposing a \$500 billion income tax cut alternative. While it can easily be argued that the GOP version is too high, it's also as clear the Democratic alternative is too low.

OMISSION FROM THE CONGRESSIONAL RECORD OF JULY 27, 1999, PAGE H6536, DURING CONSIDERATION OF H.R. 2605, ENERGY AND WATER APPROPRIATIONS ACT, 2000

The CHAIRMAN. If there is no further debate on the Visclosky motion to strike, it will remain in abeyance pending

disposition of the Boehlert perfecting amendment, on which proceedings have been postponed.

The Clerk will read.

The Clerk read as follows:

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, \$150,000,000, to remain available until expended: *Provided*, That the United States Army Corps of Engineers under this program shall undertake the following functions and activities to be performed at eligible sites where remediation has not been completed: sampling and assessment of contaminated areas, characterization of site conditions, determination of the nature and extent of contamination, selection of the necessary and appropriate response actions as the lead Federal agency, cleanup and closeout of sites, and any other functions and activities determined by the Chief of Engineers as necessary for carrying out this program, including the acquisition of real estate interests where necessary, which may be transferred upon completion of remediation to the administrative jurisdiction of the Department of Energy: *Provided further*, That response actions by the United States Army Corps of Engineers under this program shall be subject to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et seq.), and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR, Chapter 1, Part 300: *Provided further*, That these provisions do not alter, curtail or limit the authorities, functions or responsibilities of other agencies under CERCLA or, except as stated herein, under the Atomic Energy Act (42 U.S.C. 2011 et seq.): *Provided further*, That any sums recovered under CERCLA or other authority from a liable party, contractor, insurer, surety, or other person for any expenditures by the Army Corps of Engineers or the Department of Energy for response actions under the Formerly Utilized Sites Remedial Action Program shall be credited to this account and will be available until expended for response action costs for any eligible site: *Provided further*, That the Secretary of Energy may exercise the authority of 42 U.S.C. 2208 to make payments in lieu of taxes for Feder-

ally-owned property where Formerly Utilized Sites Remedial Action Program activities are conducted, regardless of which Federal agency has administrative jurisdiction over the property and notwithstanding references to "the activities of the Commission" in 42 U.S.C. 2208: *Provided further*, That the unexpended balances of prior appropriations provided for these activities in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account; and thereafter, may be accounted for as one fund for the same time period as originally enacted.

POINT OF ORDER

Mr. BOEHLERT. Mr. Chairman, on behalf of the gentleman from Pennsylvania (Mr. SHUSTER), I raise a point of order against the portion of the Formerly Utilized Sites Remedial Action Program beginning with the last comma on page 7, line 7 through page 9 line 2, on the grounds that it is legislation on an appropriations bill in violation of clause 2 of Rule XXI of the Rules of the House. This program has not been authorized for fiscal year 2000. In fact, it is likely that there has never been an authorization for this program.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. PACKARD. Mr. Chairman, I concede the point of order.

The CHAIRMAN. Does the gentleman from Indiana wish to be heard on the point of order?

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The portion of the paragraph identified by the point of order provides for extended availability of funds without a supporting authorization in law, and includes five legislative provisos.

As such, that portion of the paragraph constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The specified portion of the paragraph is stricken.