

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 241, not voting 17, as follows:

[Roll No. 35]

AYES—174

Allen	Hilliard	Neal
Andrews	Hinchey	Oberstar
Baca	Hinojosa	Obey
Baird	Hoeffel	Olver
Baldwin	Holden	Ortiz
Becerra	Holt	Owens
Bentsen	Honda	Pallone
Berkley	Hoyer	Pascarell
Berman	Inslee	Payne
Berry	Israel	Pelosi
Bishop	Jackson (IL)	Peterson (MN)
Blagojevich	Jackson-Lee	Phelps
Bonior	(TX)	Pomeroy
Borski	Jefferson	Price (NC)
Boswell	John	Radanovich
Boucher	Johnson, E. B.	Rangel
Boyd	Jones (OH)	Rivers
Brady (PA)	Kanjorski	Rodriguez
Brown (FL)	Kaptur	Ross
Brown (OH)	Kennedy (RI)	Rothman
Capps	Kildee	Roybal-Allard
Capuano	Kilpatrick	Rush
Cardin	LaFalce	Sabo
Carson (IN)	Lampson	Sanchez
Carson (OK)	Langevin	Sanders (CT)
Clay	Lantos	Sandlin
Clement	Larsen (WA)	Sawyer
Clyburn	Larson (CT)	Schakowsky
Condit	Lee	Schiff
Conyers	Levin	Serrano
Coyne	Lewis (GA)	Sherman
Cramer	Lowey	Sisisky
Crowley	Lucas (KY)	Slaughter
Cummings	Luther	Smith (WA)
Davis (CA)	Maloney (CT)	Snyder
Davis (IL)	Maloney (NY)	Solis
DeFazio	Markey	Spratt
DeGette	Mascara	Stark
DeLauro	Matsui	Stenholm
Deutsch	McCarthy (MO)	Strickland
Dicks	McCarthy (NY)	Tanner
Dingell	McCollum	Tauscher
Doggett	McDermott	Taylor (MS)
Doyle	McGovern	Thompson (CA)
Engel	McIntyre	Thompson (MS)
Eshoo	McKinney	Tierney
Evans	McNulty	Tornes
Farr	Meehan	Turner
Filner	Meek (FL)	Udall (CO)
Ford	Meeks (NY)	Udall (NM)
Frank	Menendez	Velazquez
Frost	Millender	Visclosky
Gephardt	McDonald	Waters
Gonzalez	Miller, George	Watt (NC)
Gutierrez	Mink	Weiner
Hall (OH)	Moakley	Wexler
Harman	Moore	Woolsey
Hastings (FL)	Nadler	Wynn
Hill	Napolitano	

NOES—241

Abercrombie	Burr	Deal
Aderholt	Burton	DeLay
Akin	Buyer	DeMint
Armey	Callahan	Diaz-Balart
Bachus	Calvert	Dooley
Baker	Camp	Doolittle
Baldacci	Cannon	Dreier
Ballenger	Cantor	Duncan
Barcia	Capito	Dunn
Barr	Castle	Edwards
Barrett	Chabot	Ehlers
Bartlett	Chambless	Ehrlich
Barton	Clayton	Emerson
Bass	Coble	English
Bereuter	Collins	Etheridge
Biggart	Combest	Everett
Bilirakis	Cooksey	Ferguson
Blumenauer	Costello	Flake
Blunt	Cox	Fletcher
Boehlert	Crane	Foley
Boehner	Crenshaw	Fossella
Bonilla	Cubin	Frelinghuysen
Bono	Culberson	Gallegly
Brady (TX)	Cunningham	Ganske
Brown (SC)	Davis, Jo Ann	Gekas
Bryant	Davis, Tom	Gibbons

Gilchrest	Latham	Roukema
Gillmor	Leach	Royce
Gilman	Lewis (KY)	Ryan (WI)
Goode	Linder	Ryun (KS)
Goodlatte	Lipinski	Scarborough
Gordon	LoBiondo	Schaffer
Goss	Lofgren	Schrock
Graham	Lucas (OK)	Scott
Granger	Manzullo	Sensenbrenner
Graves	Matheson	Sessions
Green (TX)	McCrery	Shadegg
Green (WI)	McHugh	Shaw
Greenwood	McInnis	Shays
Grucci	McKeon	Sherwood
Gutknecht	Mica	Shimkus
Hall (TX)	Miller (FL)	Simmons
Hansen	Miller, Gary	Simpson
Hart	Mollohan	Skeen
Hayes	Moran (KS)	Smith (MI)
Hayworth	Morella	Smith (TX)
Hefley	Murtha	Souder
Herger	Myrick	Spence
Hilleary	Nethercutt	Stearns
Hobson	Ney	Stump
Hoekstra	Norwood	Sununu
Hooley	Nussle	Sweeney
Horn	Osborne	Tancredo
Hostettler	Ose	Taylor (NC)
Houghton	Otter	Terry
Hulshof	Oxley	Thomas
Hunter	Pastor	Thornberry
Hutchinson	Paul	Thune
Hyde	Pence	Thurman
Isakson	Peterson (PA)	Tiahrt
Issa	Petri	Tiberi
Istook	Pickering	Toomey
Jenkins	Pitts	Traficant
Sanders (CT)	Platts	Upton
Johnson (IL)	Pombo	Vitter
Johnson, Sam	Portman	Walden
Jones (NC)	Pryce (OH)	Walsh
Keller	Putnam	Wamp
Kelly	Quinn	Watkins
Kennedy (MN)	Rahall	Watts (OK)
Kerns	Ramstad	Weldon (FL)
Kind (WI)	Regula	Weldon (PA)
King (NY)	Rehberg	Weller
Kingston	Reyes	Whitfield
Kirk	Reynolds	Wicker
Kleczka	Riley	Wilson
Knollenberg	Roemer	Wolf
Kolbe	Rogers (KY)	Wu
Kucinich	Rogers (MI)	Young (FL)
LaHood	Rohrabacher	
Largent	Ros-Lehtinen	

NOT VOTING—17

Ackerman	Lewis (CA)	Smith (NJ)
Davis (FL)	Moran (VA)	Stupak
Delahunt	Northup	Tauzin
Fattah	Saxton	Waxman
Hastings (WA)	Shows	Young (AK)
LaTourette	Skelton	

□ 1059

Messrs. SMITH of Michigan, BONILLA, KELLER, and Ms. HART changed their vote from “aye” to “no.” So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 35 I was unavoidably detained. Had I been present, I would have voted “no.”

PROVIDING FOR CONSIDERATION OF H.R. 3, ECONOMIC GROWTH AND TAX RELIEF ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 83 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 83

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3) to amend the In-

ternal Revenue Code of 1986 to reduce individual income tax rates. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

□ 1100

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Texas (Mr. STENHOLM) will state his parliamentary inquiry.

Mr. STENHOLM. Mr. Speaker, under what rules of the House is the rule that we are about to consider being brought to the floor when Section 303 of the Congressional Budget Act says that until the concurrent resolution on the budget for a fiscal year has been agreed to, it shall not be in order in the House of Representatives, with respect to the first fiscal year covered by that resolution, or the Senate, with respect to any fiscal year covered by that resolution, to consider any bill, any bill or joint resolution, amendment or motion thereto, or conference report thereon that; one, first provides new budget authority for that fiscal year; two, first provides an increase or decrease in revenues during the fiscal year; three, provides an increase or decrease in the public debt limit to become effective during the fiscal year; and, four, in the Senate only, first provides new entitlement authority for that fiscal year?

Mr. Speaker, my parliamentary inquiry is, under what rule of the House are we bringing this rule and this resolution today before this body?

The SPEAKER pro tempore. The Chair would respond to the gentleman that the rule is brought under rule XIII of the House, which allows the Committee on Rules to bring special orders of business to the House at any time, and it is under clause 5 of rule XIII that the rule is being considered.

Mr. STENHOLM. Mr. Speaker, I have a further parliamentary inquiry.

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

Mr. STENHOLM. Do I understand the Speaker to say that this rule is waiving this particular Federal law, or are there some technical definitions that we will hear in which technically that we are still within this law?

The SPEAKER pro tempore. The Chair would respond that the Clerk has

read the rule, which includes waiver of all points of order against consideration, and that was read to all Members.

Mr. STENHOLM. Mr. Speaker, briefly continuing on my parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may continue.

Mr. STENHOLM. So that I might understand, it is the decision of the Speaker that this bill that we will soon take up shall come to the floor of the House under a rule that waives technically all points of order?

My opposition, I guess, to this if that is the Chair's ruling, this centers around the fact that I thought that we got away from technically defining words on January 20, but it seems that we are going to continue that in the House for a few more days.

The SPEAKER pro tempore. The Chair would respond to the gentleman that it is up to the will of the House as to whether the rule is adopted or not.

The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MOAKLEY); pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

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

Mr. REYNOLDS. Mr. Speaker, just for information, my understanding is that the Democratic substitute actually probably violates more rules that we are waiving points of order on than the Republican measure of any points that the gentleman from Texas (Mr. STENHOLM) brings before us today.

House Resolution 83 is a modified closed rule, providing for the consideration of H.R. 3, a bill to reduce individual income tax rates by amending the Internal Revenue Code of 1986.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means. Additionally, the rule waives all points of order against consideration of the bill.

The rule provides that the amendment recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted.

The rule also provides consideration of an amendment in the nature of a substitute, printed in the Committee on Rules report accompanying the resolution, if offered by the gentleman from New York (Mr. RANGEL) or his designee, which shall be considered as read and shall be separately debatable for 1 hour equally divided and controlled between a proponent and an opponent.

Furthermore, the rule waives all points of order against the amendment in the nature of a substitute.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, I speak in strong support of this rule and its underlying bill, H.R. 3, the Economic Growth and Tax Relief Act of 2001.

This bill provides immediate relief to taxpayers by reducing the present-law structure of five income tax rates to four by 2006.

Mr. Speaker, 238 years after patriot James Otis first railed that "taxation without representation is tyranny," the American people have found that taxation with representation is not so hot either.

Working Americans are spending a greater percentage of their income towards taxes than at any time since World War II. In an era of unprecedented budget surpluses, that is just plain wrong.

The Economic Growth and Tax Relief Act is the first step towards establishing parity and fairness in America's Tax Code.

The President's plan gives a tax cut to every American who pays income taxes and gives the lowest income families the largest percentage reduction.

When fully implemented, President Bush's tax plan will eliminate the death tax, reduce the marriage penalty, and continue this majority's commitment to fiscal responsibility in paying down our Nation's debt.

Equally important, the President's tax plan will spur savings and investment and, in an analysis released just yesterday by the respected Heritage Foundation, will boost economic activity, creating 917,000 new jobs and strengthen the income of taxpayers.

As Federal Reserve Chairman Alan Greenspan has warned, America's economy is slowing, and relief such as this, that puts more money in the pockets of working families, may very well keep us out of a recession.

In my own congressional district, earning the district's family median income of just under \$35,000, they would pay no Federal income taxes under the President's plan, saving them more than \$1,400.

Mr. Speaker, \$1,400 is enough to send a child to a semester of community college, make a mortgage payment or pay off a credit card. This is real savings, real money in the pockets of local families.

Of course, under the Democrats substitute included within this rule, that family in my district would not be able to afford a semester of community college for their child, pay off their credit card or even make a mortgage payment. That is because in testimony yesterday before the Committee on Rules, the measure's sponsor admitted that the family would pay \$700 in Federal income taxes, and that is \$700 more than they would pay under President Bush's plan.

We all know that it was a position of a previous administration and even some of my colleagues on the other

side of the aisle that this plan will benefit only the very rich.

The median family income in my district is \$34,573, not exactly enough to be featured on *Lifestyles of the Rich and Famous*. Under the Republican plan, they would pay nothing, saving more than \$1,400. Under the Democratic plan, they would save less than half of that, having to write a check to Uncle Sam each and every year. Whose plan is it that is really helping working families?

Now, I know that there have been people that say Americans do not care about this tax cut. They are wrong. Paul Meloon, a husband, father, teacher from Batavia, New York, in my congressional district, recently wrote me about, and I quote, "whether the country can afford tax cuts."

"The people that pay the taxes" Paul wrote, "can't afford our high taxes. We can't afford so much year after year on Federal programs. No one asks if the taxpayer can afford a tax hike. It's not a matter of affording a tax cut, we demand it."

Paul, thanks to our President and this Congress, you are going to get the tax relief you need.

Mr. Speaker, I have another purely parochial reason for so enthusiastically supporting this tax relief package. Currently, my State gets back only 85 cents of every dollar it sends to the Federal Government.

For years, Senator Daniel Patrick Moynihan released a report detailing the tremendous inequity that New Yorkers were burdened with each and every year, sending their hard-earned dollars to Washington and losing billions of dollars on their investment.

As Senator Moynihan himself suggested, the more New Yorkers send to Washington, the bigger the disparity. So maybe we should not send down as much, and let New York's families keep more of their hard earned money to spend how they see fit.

Under the President's tax plan, New York State will receive the second most of any State in tax relief, \$88.6 billion over 10 years. On average, tax-paying households in New York will receive more than \$18,000 of relief over the next 10 years.

Mr. Speaker, there is a reason that this government is amassing record-breaking surpluses; it is because people are sending too much money to Washington. Today we have the opportunity to give them something they have earned and something they deserve. We can give them some of their money back. I ask only that my colleagues not let this historic opportunity slip by.

Mr. Speaker, I would like to commend the gentleman from California (Mr. THOMAS), our new chairman of the Committee on Ways and Means, and the gentleman from New York (Mr. RANGEL), our ranking member, for their hard work on this measure as it comes before the House today.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS), my good friend, for yielding me the time.

Mr. Speaker, we all know that the Senate will only take up a tax bill after they vote on the budget, so what is the rush here in the House? This is not the right time to debate a tax bill. This is not the right time to consider a spending bill. This is not the right time to require the House to decide about any part of a budget, because we have not agreed on an overall budget plan.

I do not say that because the law or the Congressional Budget Act says so. I do not say this just because plain old common sense tells us we should make decisions the same way any rational individual or family of business firm would. I know the Committee on Rules can waive the Budget Act and the dictates of common sense.

Mr. Speaker, this is not the right time to consider a tax bill, because we need an overall budget to see what we can actually afford.

Mr. Speaker, I sense a broad bipartisan support for a host of very important commitments, including providing tax relief. We agreed on the need to continue paying down the debt. There is a broad commitment to invest in more education and more national defense. We all say we need to provide prescription drug benefits and, most importantly, Mr. Speaker, there was a consensus to undertake a serious shoring up of Social Security and Medicare.

But, Mr. Speaker, H.R. 3 is estimated to cost almost \$1 trillion. Can we really afford a trillion dollar tax cut with our schools crumbling and overcrowded, our prescription drug costs skyrocketing, our Social Security and Medicare programs begging for reform?

We cannot answer that question, Mr. Speaker, unless we have an overall budget plan. I am sure a lot of people would be amazed, Mr. Speaker, to know that 43 percent of President Bush's tax cuts benefit the richest 1 percent of Americans. Let me repeat that, 43 percent of President Bush's tax cuts benefit only 1 percent of the richest Americans.

Those tax cuts are 13 times larger than all of President Bush's education reform proposals, 13 times larger than all of President Bush's education reform proposals, all the dollars that President Bush has proposed for all kinds of educational reform amounts to less than $\frac{1}{13}$ of the tax cuts that go to the richest 1 percent of America. I mean that figure is amazing.

I cannot understand how my Republican colleagues can defend a \$15,000 tax cut to a family making \$500,000 per year in income, while the Republican bill, that same bill, gives absolutely no tax cut to a working family with three children earning \$30,000 a year.

I cannot imagine how any Congressman can defend this proposal at home

unless they represent a district very different from the one I do.

□ 1115

In my State of Massachusetts, 224,000 families with children will not get any benefits whatsoever from this Republican tax bill.

Mr. Speaker, I urge defeat of the previous question so that I may offer an amendment to the rule. My amendment would require Congress to adopt the budget resolution before the House takes up the tax bill.

Mr. Speaker, we should not debate H.R. 3 until we have a budget to show us if H.R. 3 leaves room for all the other things we agreed we need to do. We need to fix Social Security. We need to fix Medicare. We need to keep our promises to the beneficiaries of these programs today and tomorrow.

Today's New York Times says, "The House leadership's rush for action today makes a mockery of President Bush's pledge for bipartisanship and respect for dissent." Cutting taxes without a budget, the Times continues, "is tantamount to telling lawmakers not to look too closely because they might change their minds if they do." Social Security and Medicare are too important to be treated so recklessly.

Mr. Speaker, let the Congress see whether this tax cut leaves the resources we need to do all the other important things we must do for America, and then we can take up this bill.

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

Mr. REYNOLDS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

Mr. Speaker, at this time of record surpluses, should Americans pay 40 percent of their income in taxes? Should they pay more to the tax collector than for food, shelter, and clothing combined? Mr. Speaker, the truth is that, if one is paying taxes today, one is paying too much. That is why we are here.

Let us take a look at the road that has led us down this path. We have paid down \$363 billion of debt since 1997. We have already taken steps to protect nearly \$3 trillion for Social Security, Medicare, to provide for further debt relief. According to the conservative budget projections that we keep hearing, we continue to maintain a very significant surplus.

Mr. Speaker, if one is paying taxes today, one is paying too much. Now we have the opportunity to provide American taxpayers, all American taxpayers, with a refund for the taxes they have been overcharged. By taking this step today, we can further empower people to help themselves and to help our economy.

How can we ever underestimate the importance of this money to individuals and their families? This tax relief represents new clothes for children,

school tuition or personal debt reduction or even a new heater or air conditioner for a home.

Mr. Speaker, if one is paying taxes today, one is paying too much. We have a record surplus. We cannot spend it. The American people need it. They have record debt. They can use it. Return to sender. Let us give it back and let them spend it.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. FROST), a member of the Committee on Rules.

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

Mr. FROST. Mr. Speaker, 20 years ago, this House and the Congress rushed headlong into the promised land of supply-side economics. This institution bought this medicine-show magic of cutting taxes along with rosy economic forecasts that within a year left us soaring deficits and a staggering public debt. It was a classic case of, if it is too good to be true, it probably is.

Mr. Speaker, we are right back there today. We have spent the last 18 years struggling to bring deficits and debt under control and have only now begun to see the fruits of our labor.

My Republican colleagues seem to have forgotten that the promises of 20 years ago were fool's gold. So today they are again rushing pell-mell toward yet another promised land that may turn out to be only a mirage.

Mr. Speaker, make no mistake, Democrats support tax relief for the American taxpayer. But Democrats do not support this bill. We do not support considering this bill or any other tax bill without having first put into place a budget that will give us a more realistic understanding of what we can and what we cannot afford.

Democrats cannot support a tax package that will once again trigger deficit spending and will set back our efforts to pay down the national debt. Democrats cannot support a tax package that is so heavily weighed toward the most well-off of this country that low- and moderate-income working families will necessarily have to be shortchanged.

Democrats cannot support a package that is built on a foundation of rhetoric and not on reality. Once one gets past the Republican rhetoric, it is clear that this package provides no tax relief for millions of Americans, including nationwide the families of 24 million children.

In Texas, the President's home State, 1.2 million families with 2.3 million children will receive no benefits at all. Over 85 percent of American households will receive a tax cut far less than the \$1,600 President Bush has promised. At the same time, the Republican tax plan gives 43 percent of its benefits to the richest 1 percent of Americans and in so doing, will force this Congress to cut funds for national priorities ranging from education and defense to law enforcement and health care.

This tax bill will ensure that any surpluses that do materialize in the Treasury will be spent and is, therefore, nothing more than a promise to raid the Social Security and Medicare Trust funds; and Democrats cannot and will not support that.

It is an amazing turn of events. The Democrats are now seen as the party of fiscal responsibility, the party that wants to protect the American taxpayers' money, now and in the future. The Republican Party today is relinquishing any claim to that title. They have relinquished any claim to responsible law-making.

In fact, Mr. Speaker, the consideration of this proposition is the height of fiscal irresponsibility. The consideration of this proposition, without having first put into place a budget, is, quite frankly, a dereliction of duty.

This is a shameful subversion of the process that no Member of this body should support.

Mr. Speaker, we were all elected to serve the people of our individual Districts and the people of the United States as a whole. That is a proud and noble responsibility. But, today we are doing them a disservice. Instead of doing the right thing, we are replaying the actions of 20 years ago that were neither proud nor noble.

Mr. REYNOLDS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT) in the spirit of bipartisanship for tax cuts.

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

Mr. TRAFICANT. Mr. Speaker, I support the rule and the bill. I hear the same old arguments: Cutting taxes only helps the rich. This time the excuse is the budget. Once again, the politics of division, pitting rich versus poor, worker versus company. Mr. Speaker, this is un-American.

If there is no wealth, there is no investor. If there is no investor, there is no company. If there is no company, there is no job. If there is no job, there is no American family.

It is time to wake up. America is still a Nation of free enterprise and capitalism. And, Mr. Speaker, profit is not a dirty word.

I happen to come from a poor family, like many others. My dad, Mr. Speaker, never worked for a poor guy. In fact, today, I want to thank every company that found my father fit, good enough to have worked for them and to have made a living to help our family.

But I thank more than anyone else and support today our President. I believe the President is right on this targeting business. Some who would target people in are the same who would target people out. Enough of the targeting in America. There is enough bull's-eyes on people's backs to go around.

All Americans deserve a tax cut. Every American that pays taxes should get a tax break. The President of the United States today should get that support because the American people

are coming to realize that it is not our money. It is the taxpayer's money, and we should in fact return some of that money. I compliment those who have crafted this bill. I also compliment Mr. RANGEL for making an attempt to mitigate some of the concerns that are realistic, but ladies and gentlemen, the politics of division must be set aside. It is wrecking America.

Mr. Speaker, let me say one last thing. The rhetoric of division is the rhetoric of socialism, not a capitalist, free enterprise America.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, this is not an accounting debate, this is a debate about the future of this country. I believe that every American ought to get a tax cut, and the kind of tax cut that I favor is one that will not eat up so much of the surpluses that there is nothing on the table to strengthen Social Security or Medicare or strengthen schools or pay for a prescription drug benefit or fill in the gaps in health care and pay down debt. That is why I believe that there should be no tax bill on this floor until we have a full, complete budget so we can see the entire game plan.

For this Congress to proceed with taxes alone before they have the other pieces on the basis of promises about what will happen to the economy 10 years from now is as irresponsible as the action that this Congress took in 1981. In 1981, this Congress roared through President Reagan's budget and said "If you pass that big tax cut, we will have a balanced budget in 4 years." This chart demonstrates, the green bar shows the promises and the red bar shows the results. Instead of getting to a surplus, we wound up with \$600 billion of added debt in those 4 years, and over the next 10 years we more than quadrupled the national debt.

Mr. Speaker, that is the route we are heading down again if you pass this bill. Fooled me once, shame on you. Fall for it twice, shame on me. Fall for it four times, please, bring on the adult supervision!

Mr. Speaker, the only other point I want to make is to say that this bill demonstrates that the top priority of the majority party, with all of the problems Americans face on Social Security, education, health care and the lot, their top priority is to ease the tax burden on those who make more than \$300,000 a year by huge amounts. If that is your top priority, I say pitiful.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, consumer confidence, capital investment and growth are down. Layoffs, energy prices, and concerns are up. Tax relief is critical to giving a boost to the economy and putting the brakes on runaway Washington spending. Americans

are more than aware that surplus money that stays in Washington is spent to perpetuate Washington bureaucracy.

H.R. 3 intends to put taxpayers' money first. We have walled off over \$3 trillion for Social Security, Medicare and further debt relief. Since 1997, Republicans have paid down \$363 billion of debt. Uncle Sam's fiscal house is not only in order, it is in the best shape it has been in generations. H.R. 3 works under a simple principle, that no one should be paying more than one-third of their income to the IRS. It helps lower-income Americans by making tax relief retroactive to January 1 of this year providing tax relief for working Americans.

Mr. Speaker, I hope that we can all support the rule for H.R. 3 and put money back into the pockets of American taxpayers instead of pouring in the abyss known as Uncle Sam's bank account.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I am here to represent the working people in my district, the schoolteacher dealing with an overcrowded class working to teach 30 students algebra, the waitress at my local diner serving tables, the police officer risking his life every day, these are the hard-working people that I am fighting to give a tax break to.

So when I look at a Republican plan that gives a tax-free inheritance to a billionaire's son, and an average tax cut of over \$28,000 to those making \$900,000 a year while giving, on average, only several hundred dollars per family to the vast middle class, that just does not seem fair to me.

I do not think that most American families would take all of their projected earnings for the next 10 years and spend every last dime up front leaving no room for ill health or a rainy day. Unlike the Republicans, most American families would never do this without first preparing a budget. But that is what the President wants us to do here, blindly follow him and leap off the budgetary cliff.

The Democratic plan gives everyone a fair tax break, leaves enough money to pay down the debt and invest in the future. The Republican plan gives away our future so that a few can share the lion's share of everyone's hard-earned surplus.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

□ 1130

Mr. FOLEY. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the Committee on Rules for bringing this to the floor.

Mr. Speaker, I want to talk specifically, because we are hearing a lot of rhetoric today, about how we are matching priorities with our ability to pay. Basically, we are covering a fiscal relief package that not only provides

Social Security and Medicare, but takes care of priorities and provides what we think is a rather slim tax relief package.

Now, the people on the other side of the aisle say they represent the working class, and I appreciate their interest in that subject. I started in life in a gas station. I went on to become a dishwasher in a restaurant. I went on at the age of 21 to start a small family business in Lakeworth, Florida. And week after week I would work hard, with the help of my employees, to make the business a success. But oftentimes there was no money left for me at the end of the week. So when people demean a \$180 tax cut as insignificant, maybe it is easy for people who make \$145,000 a year to say \$20 or \$30 a month is insignificant. But I know when I was struggling in my business, if I got an extra 5 bucks a week I was delighted, because I was able to do something in my community with that \$5.

Let us not diminish this debate into, as the gentleman from Ohio (Mr. TRAFICANT) said, a class warfare debate. I think it is significant that every American works hard and, when they work hard, they are rewarded for their good behavior. But I want to show one other thing and I will leave my colleagues with this next chart.

This is what we are facing now. This is Newsweek's impression of where our economy is. If we do not pass the tax cut we can look forward to more headlines like that. "Laid off. How safe is your job?"

Maybe \$20 is too much to give hard-working Americans back, or maybe it is the Lexus or muffler comparison used by the other side of the aisle, but I would suggest to my colleagues that those in the trenches working hard, and though I do not have a college degree, I know many people in my community who work hard every day would thankfully look at 20 bucks a week and say, Thank you, U.S. Congress; thanks for sending some relief. And maybe because of this economic stimulation, I will not face that headline and a pink slip at the end of the week.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank our distinguished ranking member for yielding me this time.

There are three points I want to make today about the tax plan before us: number one, when an American family considers spending in a major way, whether it be on a home or a car, they sit down first to figure out how it fits into their budget and if they can afford it. The Congress is not that sensible. Almost \$2 trillion of spending today and no budget. I think this is wrong.

Number two: do the American people deserve a tax cut? Sure they do. But we have some old bills to pay and interest on those bills. If all of the tax revenue belongs to all of the American people, so does our national debt, and that

should be paid off. And we have family obligations, too: A solvent Social Security System, a prescription drug benefit in Medicare, a superb education system for our children. That is why we should budget before we spend.

Number three: Let me warn Californians and New Yorkers to fasten their seatbelts, because under the Bush tax plan they will not be able to deduct their State income taxes or their property taxes anymore.

I think there is a better way. We should be fiscally responsible. We should budget first, pay off our debt, and save and invest prudently. Vote against the plan.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. TIBERI).

Mr. TIBERI. Mr. Speaker, I want to thank the gentleman from New York for yielding me this time.

Today's legislation is a great first step in providing tax relief for Americans and American families. All Americans who pay taxes deserve tax relief. Allowing Americans to keep more of what they earn in their own pockets and providing for paying down of the debt is a first good step for this Congress, but we need to do more. I look forward to working with this body to eliminate the marriage tax penalty and to putting an end to the death tax.

Today, however, let us help strengthen our slowing economy and support the rule. Mr. Speaker, I look forward to putting money back in people's pockets.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, I thank the ranking member for yielding me this time.

Mr. Speaker, today I rise in strong opposition to this rule. Yesterday, I offered an amendment to add a trigger mechanism, or a safety valve, to the President's rate-reduction plan. Under my amendment, the safety valve would only be triggered if the Treasury Secretary determines that we are financing tax cuts with the Social Security and Medicare trust funds. My amendment was rejected.

If bringing this bill to the floor is a litmus test on uniting instead of dividing, the Republican leadership has failed. President Bush pledged to change the tone in Washington; yet his own party is using its narrow majority to stifle bipartisanship.

The American people have worked hard and deserve real tax relief. Let us not squander this opportunity to give it to them by playing partisan politics. I urge my colleagues to oppose this rule.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. BIGGERT).

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

I rise in strong support of the rule on H.R. 3. Webster's dictionary defines the

word "refund" thus: to give back or put back; to return money in restitution; repayment or balancing of accounts.

Today, we have the opportunity to take a small part of the Federal surplus and give it back to Americans who have overpaid their taxes. It is a refund.

Now, I have heard that some suggest that this refund is nothing more than a giveaway to the wealthy. They will be able to buy a new Lexus, while others will only be able to buy a new muffler. Well, that was the message that was broadcast across the country, and here is what one of my constituents wrote to me. "Dear Judy, I want my tax relief, even if I only get the muffler."

Well, under H.R. 3, taxpayers of all income levels will get much more than a muffler. They will get the tax relief they deserve and the refund they deserve. I urge my colleagues to support the rule on H.R. 3.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, when I am at home in Orange County, people continuously tell me, Pay down the debt, Loretta. Strengthen Social Security; take care of Medicare. In other words, we need to figure out our budget before we make a tax cut.

The Blue Dogs have called for the largest possible tax cut available, the one that we can afford. But until we make our budget, we do not know what we can afford. No one would go out and buy a house and not do a budget.

Today, in the paper, we read that the Civil Engineers of America have written a report that says our sewers are in trouble, our water pipes are in trouble, our transportation system is in trouble, aviation is in trouble. Even businessmen who have been promised the Bush tax cut will spend more time and money sitting there waiting because that runway was not built in their city.

So let us do what is correct. Let us sit down and do a budget. Let us not vote for a tax cut until we know what our obligations are.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMAS), the distinguished chairman of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, at some point I do think we have to get realistic in terms of our arguments against this bill. The title of the bill is the Economic Recovery and Relief Act of 2001. That is this year. Despite all the arguments that are being made on the other side of the aisle about a budget not being in place, they are simply wrong. Why are they wrong? Because we have a budget for 2001.

We create a budget every year. No multiyear tax plan or spending plan has a budget that conforms to that plan beyond 1 year. We have a budget in place. It pays down debt. It takes

care of Medicare. We have a lock box for Social Security. That is this year's budget. Democrats voted for it.

This bill pays, this year, a return to the taxpayers. It is the only budget available, and it fits. Their problem is they are just having a hard time supporting real tax reduction.

Mr. MOAKLEY. Mr. Speaker, may I inquire as to how much time my colleague and I have remaining.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from New York (Mr. REYNOLDS) has 12 minutes remaining; the gentleman from Massachusetts (Mr. MOAKLEY) has 16 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1¼ minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, President Roosevelt once said, "The test of our progress as a society is not whether we do more for those who already have enough but whether we do enough for those who have too little." President Kennedy said, "Ask not what your country can do for you, but rather what you can do for your country."

The Republicans here today have issued a different kind of a challenge: "Ask not what you can do for your country, ask what can be done for your country club pals. Ask not what is in this titanic tax cut for ordinary families, ask what is in it for the wealthiest 1 percent," with an average income of \$1.1 million a year. Forty-five percent of the benefit goes to the upper 1 percentile. And, finally, "Ask not who pays now but who will pay 10 and 15 years from now," because this tax cut becomes so massive when the baby boomers retire, when the number of Alzheimer's patients will increase from 4 million to 14 million; Parkinson's disease down the line, long-term care, Social Security, and Medicare. That is when the tax cut begins to balloon, just as the greatest needs do for those seniors who built our country.

It is immoral, Mr. Speaker, to pass a bill which calls for sacrifice from those who will need much a decade from now.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I rise in strong support of this bill and the rule which brings it to the floor, and I thank the gentleman from New York for yielding me this time.

The average person, as many people have noted today, pays almost 40 percent of his or her income in Federal, State, and local taxes; as well as sales taxes, property, income, gas, excise, and all of the different taxes; Social Security and so forth. The GAO tells us that 80 percent of Americans pay higher Social Security taxes than anything else today. Then, of course as many people have noted, families pay out another 10 percent in regulatory costs, which are things that government forces or requires businesses to do that are passed on to the consumer in the form of higher prices.

One Member of the other body said recently that today one spouse works to support the family while the other spouse has to work to support the government. Former President Clinton said in Buffalo that we cannot give the people a tax cut because they would not spend it in the right way. Well, many of us believe that people know better how to spend their own money than bureaucrats in Washington know how to spend it for them.

The President's plan, as has been noted, takes only about 30 percent of the projected surplus, as has been projected by the nonpartisan Congressional Budget Office over the next 10 years, to give back to the people. Only about 30 percent. This is a balanced plan, with some going to those who will spend it immediately and some going to people who will invest it. So the benefits will be both short term and long term.

Over 6 million lower-income people will be removed from the tax rolls entirely under this bill. This is a moderate plan, a reasonable plan, and a responsible plan. It deserves our support, Mr. Speaker. Everyone is better off. More jobs are created. Prices are lower when more money is left in the private sector where it is spent more economically and more efficiently than does government.

PARLIAMENTARY INQUIRY

Mr. STENHOLM. Parliamentary inquiry, Mr. Speaker.

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

Mr. STENHOLM. In light of the statement the chairman of the Committee on Ways and Means made a moment ago, and which I agree he is technically correct regarding the budget, my parliamentary inquiry is, is the concurrent resolution on the budget that the House adopted last year still valid, even if the majority in this body voted last year to exceed the spending levels in that resolution by at least \$33 billion in the current fiscal year alone?

The SPEAKER pro tempore. The Chair can affirm that House Concurrent Resolution 290 of the 106th Congress is still in place by the adoption of House Resolution 5 on the opening day of the 107th Congress.

□ 1145

Mr. STENHOLM. Further extending my parliamentary inquiry, Mr. Speaker, it is my understanding that the chairman of the Committee on the Budget filed a report adjusting the revenue level set in the budget resolution last year to make room for the bill before us today.

Does the chairman of the Committee on the Budget have the authority to change the revenue and spending levels set by the budget resolution without a debate or vote in the full House of Representatives?

The SPEAKER pro tempore (Mr. THORNBERRY). The Chair would respond to the gentleman that the chairman of the Committee on the Budget makes

reports from time to time reflecting current levels and making such adjustments in appropriate levels as are consistent with the budget resolution. The chairman of the Committee on the Budget has authority under the budget resolution to make certain adjustments from time to time, and he does so consistent with that authority.

Mr. STENHOLM. Further extending my parliamentary inquiry to make sure that I understand what the Speaker has said, the chairman of the Committee on the Budget may make adjustments to the budget without action of the House of Representatives regarding the budget for the fiscal year 2001 of which we are now operating under which is being used, I believe technically correct, to justify bringing this bill before the House today?

The SPEAKER pro tempore. The Chair would again respond to the gentleman that the chairman of the Committee on the Budget may make such adjustments as are authorized under the budget resolution.

Mr. STENHOLM. I thank the Speaker for his clarification.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I oppose this multi-trillion-dollar tax plan that benefits mostly the wealthy. Without the context of a budget, it is impossible for us to foresee what vital programs will be sacrificed. We do know, however, that under the President's budget blueprint, all funding would be cut for both the FIRE Act and Project Impact, two FEMA programs that are vital to community safety. Last year, the FIRE Act was signed into law as part of the defense appropriations bill. Almost every single Member of this House supported this measure, illustrating how urgent it is.

Each year, over 100 firefighters die in the line of duty. Many of these deaths could have been avoided with improved technology and increased funding. And Project Impact, Mr. Speaker, helps communities prevent tragedies and prepare themselves if disaster strikes.

Mr. Speaker, I represent Worcester, Massachusetts, where six brave firefighters lost their lives in a terrible blaze that engulfed an abandoned building. No community should ever have to experience the pain my community did. Is it too much to ask that Donald Trump be given a slightly smaller tax cut in order to save efforts that save lives and make a difference for our communities? I urge my colleagues to support our firefighters, defeat the rule, and defeat this Republican tax bill.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. KELLER).

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

I rise today in support of the rule and in support of this important piece of tax relief legislation. I would like to

tell my colleagues why. We all pay taxes and we are all entitled to tax relief. It could not be more simple.

There are two big myths put out here about this tax relief plan: First, they say it is too big. Second, they say it is only for the wealthy. Let us address each. First, it is too big. We are using 70 percent of the tax surplus to pay down the debt, shore up Social Security, shore up Medicare and provide prescription drugs, with only 30 percent going back to the folks who paid the taxes, the taxpayers. Now, we could keep that money in Washington, but Washington is going to spend it if we keep it here. Whether it is a Republican Congress, a Democrat Congress, a Congress made up of space aliens, they will spend it if we keep it here.

The second myth is that this is only for the rich. The truth of the matter is that a secretary raising three children, a single mom making \$35,000 a year, will get a 100 percent tax cut. Her boss, a lawyer making \$100,000 a year, will get a 16 percent tax cut. The folks on the low end of the income spectrum are the big winners. The top 10 percent of wage earners provide 66 percent of the tax revenue. Of course they are entitled to relief. They are the people who provide jobs in this country.

I owe it to my colleagues to vote yes on the rule and yes on this tax relief measure.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Mrs. CLAYTON).

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

Mrs. CLAYTON. Mr. Speaker, I oppose this rule and I oppose the plan. If we choose wisely, we can provide very sensible tax relief for all Americans, we can pay down the national debt, we can invest in the priorities of the American people and the people of my district, the First Congressional District of North Carolina, providing quality education, providing prescription drugs for our seniors so they do not have to choose between buying food and buying medicine, supporting hardworking farmers, fighting the scourge of child poverty and strengthening Social Security so all Americans can rest easily and confidently in their retirement of tomorrow.

Is this tax bill too large? It is too large. Is it fair? It is unfair. It is too large because it is fuzzy math. I serve on the Committee on the Budget. We are now trying to decide what really is the true contingency, whether it is \$1.85 trillion, because you do not know. Indeed, the math is fuzzy. It is not fair.

All of these people are left out. As my colleague who preceded me said, three families, \$24,000, you get no money. That is unfair.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

Mrs. ROUKEMA. Mr. Speaker, I rise in support of the rule and of the tax program. I will say that this is a good opportunity because, after all, we need good jobs at good wages and this tax bill will give us more saving and investment in our economy. But I will express a regret that I have, and, that is, the fact that the trigger that I supported and that Chairman Greenspan has outspokenly supported in testimony both before House and Senate Committees. I wish that debt trigger could have been included in this. But it would seem to me that the Senate is probably going to pass a trigger also known as a "safety valve." So it may be in consideration in the conference. But in any case, we can certainly go back and deal with the trigger as we do the budget resolution later this year.

In any case, we have to be fiscally responsible, and I am speaking now as a fiscal conservative, and not increase the debt but balance the budget, pay down the debt and get the saving and investment back in this economy.

I take these positions for the following reasons:

Mr. Speaker, I say this for the following reasons:

REDUCING TAX RATES

The Economic Growth and Tax Relief Act of 2001 will provide approximately \$958 billion over 10 years in income tax relief. This plan will put money into the pockets of American families by reducing income tax rates across the board.

Mr. Speaker, hardworking American families are paying more in taxes than they should or need to pay. In fact, federal income tax revenues rose dramatically in the 1990s. Today, federal taxes from all sources are the highest they have ever been during peacetime, topping 20 percent of the Gross Domestic Product (GDP). No one, no matter what their income, should send more than one-third of their income to the IRS in taxes. That is why we need tax relief.

This bill provides immediate tax relief by reducing the current 15 percent tax rate on the first \$12,000 of taxable income for couples (\$6,000 for singles). This bill represents the heart of President Bush tax package to bring fairness, simplicity and tax relief to American families.

This tax bill not only provides tax relief for millions of American families but also generates economic growth by helping small businesses.

You see S corporations pay taxes at the individual rate level. By cutting the individual rates helps these small businesses. These small businesses create millions of new jobs every year. I have advocated S corporation tax relief and have introduced legislation to help these "job machines." This tax cut carries through on this action and will stimulate the economy by providing relief for S corporations.

AGE OF SURPLUS

This new "age of surplus" offer us both a great opportunity and challenge.

The opportunity is for once and all to put our fiscal house in order. We have the opportunity to make the necessary structural and funding changes to save Social Security and Medicare for this and future generations, pay down the debt, provide for national priorities

like education and healthcare, and provide for tax relief like we are today.

But like all true fiscal conservatives, I worry that we are making decisions today that will affect our national bottom line in ten years. And we are making these decisions based on ten-year economic assumptions. We cannot deny that the huge projected surplus is just that—"projected." While these assumptions may ultimately be correct, I believe there is no one in this House who would venture a bet on it. The money may or may not materialize in the amount we predict.

If the revenue materializes, that's great. Then what I am about to say is a moot point.

But if the revenue does not materialize, it's back to the bad old days—the bad old days of deficits and red ink as far as the eye can see.

Clearly, the American people want a tax refund. In our current economic and fiscal condition, they deserve it. But they do not want us to return to the bad old days of mounting national debt.

How do we prevent that? I submit that we need a double-barreled debt prevention mechanism—a debt trigger.

DEBT TRIGGER

I am very disappointed that we are not including a debt trigger as the Senate has under consideration.

In 1999, this House passed as part of that year's tax bill a debt trigger. A debt trigger is a fiscally conservative idea that was supported by 216 Republicans in the 1999 tax bill. The debt trigger on a tax bill would make future tax reductions contingent on debt reduction. Therefore if future surpluses failed to materialize, then no tax cuts would occur. But let me be perfectly clear—a trigger would not cancel tax cuts already in effect or cause a tax increase.

It would merely ensure that tax cuts are paid for in full so that we do not add to the national debt that hangs over our children's heads. We must understand that our children will inherit the debt. It is a burden created by us for them to carry. I firmly believe that the wish of every parent is to leave the world a better place for his or her children. And the greatest challenge of Congress is to make sure that the next generation will be better than this generation. That is the overwhelming moral imperative of this Congress. We must not shrink from this responsibility.

Chairman Greenspan supports the idea of a debt trigger and reaffirmed it in testimony to the House Financial Services Committee in February. In fact he supports a trigger on both the tax and spending side.

Again, I would expect that serious consideration will be given to this trigger in conference with the Senate. The trigger is the fiscally responsible, conservative procedure to follow. It will complement the growth of our economy on a sound financial basis.

Mr. Speaker, let me go on record as supporting a debt trigger for both the tax and spending side. That is why I believe we should adopt this "dual trigger" on the Budget Resolution that we will consider later this year. A debt trigger is a fiscally conservative idea whose time has come and I strongly urge my colleagues to join me in this effort.

CONCLUSION

Mr. Speaker, I strongly support tax relief provided in this bill and I strongly support providing tax relief in a fiscally conservative manner. That is why I am going to support this bill

and work for a debt trigger on the budget resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 3½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

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

Mr. SPRATT. Mr. Speaker, I rise in support of the budget process and in opposition to this rule because it overrides, overrules and dispenses with the budget process.

We are here talking about a tax bill for a particular reason. We are here because we have moved the budget from a deficit of \$290 billion, a record deficit, in 1992, to surpluses no one thought possible just a few years ago, surpluses that extend as far out as the eye can see. We did that because we adhered to a budget process. We adopted a provision that we would have 5-year forecasts and 5-year budget resolutions, and then we extended that to running out tax cuts, their application, to 10 years. We adopted ceilings, caps for discretionary spending. We imposed a rule called the pay-go rule, a rule that says you cannot increase entitlements or cut taxes unless you offset the amount so as to make it neutral on the bottom line. That is why we are here today. That discipline has helped us reap this reward of doing a major tax bill.

Let me say something. Democrats want to cut taxes. We are proposing tax cuts of \$800 to \$900 billion. Republicans want to cut by more, but the problem they have got is not by how much they want to cut so much as the fact as they are putting the cart ahead of the horse. What they want to do is do this without first having a budget resolution. Regarding all of those rules and budget process disciplines that I just mentioned, if you look in the Congressional Budget Act of 1974 where they are codified, you will see emblazoned at the very top of these provisions the language, "No budget-related legislation shall be considered before a concurrent budget resolution has been adopted."

That is the very thing we are doing today. That principle, which is emblazoned in big bold letters in the Congressional Budget Act, is being violated by this rule and this rule overrides and waives major provisions, major disciplines in the budget process. First of all, section 303. Section 303 says you shall not do a tax cut for future fiscal years until you have done a concurrent budget resolution. They are able to skirt past that particular provision because of the curious language of it. It says you cannot do one if it first decreases taxes in the fiscal year covered by the concurrent budget resolution. Since they first decreased the taxes this fiscal year, they are able to skirt by it but they violate the principle of it. They skirt by it only to run smack into section 202.

You see, this bill contains tax provisions that indirectly trigger credits to certain working families. Because of that, the bill increases refundable tax levels and as a result it violates the provisions of section 311, section 401, and section 302, three distinct provisions of the code.

It violates section 302 because you are exceeding the committee allocations that were set in the budget resolution last adopted, it violates section 311 because you are exceeding total spending, and it violates section 401 because you are creating new entitlement authority. And it violates the spirit of section 303. We are trashing the budget process. The disciplines that have brought us to this day where we can have a big tax cut, we are abandoning.

Mr. Greenspan was cited just a minute ago. Last week, he was asked about the budget projections and the fact that we were moving immediately with a tax cut. He said, all of these projections, regardless of how optimistic they are, will be worthless if you do not have the discipline and the process in place to keep it in balance.

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

For the record we no longer seem to be debating whether it is going to be a tax cut or not a tax cut because we are going to get a tax cut in America. But we are talking about process. For the record, in listening to the distinguished Member talk about the past, I would remind him that 48 Democrats voted for the marriage penalty relief before the budget resolution last year, which was in February of 2000, including the ranking Democrat on the Committee on the Budget, the gentleman from South Carolina (Mr. SPRATT).

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

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

Mr. CUNNINGHAM. Mr. Speaker, as to the question on the budget, we have now got a President that will not only not embarrass the country but he will not hold the Congress hostage to spend money above the budget or shut down the government. President Bush will increase the budget by 4 percent above inflation and give tax relief.

But even more of a joke, my friends on the other side in 1993, when they had the House, the White House and the Senate, we talk about middle class tax relief, they gave the middle class the biggest tax increase in history. They used the same rhetoric that they have here today. They talk about Social Security. They increased the tax on Social Security. They talk about, oh, saving the trust fund. They spent every dime in their budget on spending the Social Security Trust Fund. President Clinton and Al Gore every single budget spent every dime out of the Social Security Trust Fund. They even had a retroactive tax increase in which the First Lady redid her taxes. Remember that? We have retroactive tax relief.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I would like the gentleman from California (Mr. THOMAS), all my Democratic colleagues, all my Republican colleagues, I would like someone to come to the floor now and tell me that our Nation is not \$5,735,859,380,573.98 in debt, because we are. I keep hearing about the debt being paid down, but the truth of the matter is, according to our own Treasury statements, the debt has increased since September 30 by \$61,681,170,687. How can anyone come to this floor with a straight face and tell me we have a surplus?

□ 1200

It gets worse than that. Those taxes that were raised in the 1980s with a Republican Senate, a Democratic House and a Republican President, that placed on working Americans a 15 percent increase on their Social Security and Medicare taxes with the promise that that money would be set aside. The gentleman from California (Mr. CUNNINGHAM) is right on that, because we now owe Social Security \$1,070,000,000,000. We owe Medicare \$229 billion. There is no surplus.

Since the gentleman from California (Mr. CUNNINGHAM) mentioned it, and I know he is a military retiree, we owe the military retiree trust fund \$163 billion.

We owe the civil service trust fund, and I hope every single Federal employee is listening, \$501 billion. There is not one penny in any of these accounts, and yet speaker after speaker talks about a surplus.

Come tell me I am wrong because this is straight out of the Treasury Report.

I am voting against this rule because I offered an amendment yesterday that says before we have any tax relief we pay back to these people, the folks who pay Social Security taxes, the folks who pay Medicare taxes, the folks who had their military pay reduced so that some of it would be set aside for a trust fund, the folks who work for our Nation who had their pay reduced so that some of it would be set aside for a trust fund, that we will fulfill our obligations to them before we make new obligations.

Mr. Speaker, I am issuing a challenge to the Speaker of the House, the President of the United States, the Senate Majority Leader, come question any of these numbers, because they know they are all the truth.

Mr. REYNOLDS. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me this time.

Mr. Speaker, I rise today to encourage my colleagues to support this rule and, more importantly, to support what this rule stands for. This rule

stands for moving ahead with tax relief for Americans who have overpaid their tax bill.

We are going to pay down debt. We are going to pay down debt faster than any American family would reasonably assume this debt could have ever been paid off. We have a tax overcharge. This is a tax overcharge.

When one sees the price of what government is going to be needing for the next 10 years, and one sees that we are sending in much more money than that, what needs to happen is that families need to get that money back. This is a debate about what the tax rate structure should look like. Should there be a 15 percent bracket that affects every American family that is affected by it now or should we reduce that bracket to 10 percent? Should one pay more than a third out of every dollar that they earn at the highest bracket?

This is a question about how high that highest bracket should be, and we need to move forward with certainty. The economy has flattened out. Small businesses that now pay that 39 percent rate need to know that their rate is going to go to 33 percent. They can then reinvest money back into their businesses, into the economy. Families who know they are going to get a \$1,400 annual amount of their own money back to spend can make a decision about investing in their family's future, buying that new car, buying the washer and dryer, putting money aside for community college.

I urge a yes vote on this rule and on this tax package.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. CARSON).

Mr. CARSON of Oklahoma. Mr. Speaker, I thank the distinguished gentleman from Massachusetts (Mr. MOAKLEY) for yielding time.

Mr. Speaker, the entire budget debate has been caught up in so much mysterious facts and so much slight of hand that perhaps so many people in this country have been confused about that.

The tax cut will do nothing to stimulate the economy. That is not the words of the Democratic Party or people in opposition to the tax cut. That is the words of Chairman Greenspan himself who said that fiscal fine-tuning of the economy is, in fact, oftentimes counterproductive, not in fact helpful to an economy that may indeed be in decline.

The interesting question is not again what the marginal tax rate should be or what the tax structure should be, but instead how much we can afford to spend in this country over the next 10 years.

There has not yet been a significant tax overcharge. There is a prospective tax overcharge over the next 10 years, and if that money does come in, under the many assumptions behind these budget numbers, then we can talk about meaningful tax cuts. When the

Joint Chiefs of Staff alone want nearly \$1 trillion over the next decade, \$1 trillion for modernization of our military, we are going to have a \$2 trillion tax cut that is not consistent with President Bush's own priorities, which demonstrates the myopic thinking behind this entire move.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the newest member of the Committee on Ways and Means.

(Mr. RYAN of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. RYAN of Wisconsin. Mr. Speaker, there is just one big bottom line to this debate today: People are overpaying their taxes.

We are going to hear a lot of debate today saying it is too risky, the process is backwards, all of these things. What is behind these remarks is basically this: They want to deprive people from getting their tax payments back. They want to keep the size of the bite of Washington out of workers' paychecks as big as it is today.

Look at the whole perspective of this. This tax bill, in its entirety, is 6 cents on the dollar. The tax relief plan is 6 percent of all the Federal revenues over the next 10 years. So the idea that this is too big and irresponsible is irresponsible.

Make no mistake, Mr. Speaker. If this tax bill is defeated and this money comes to Washington and is laid up on the table, it will be spent by this body and we will not get tax relief.

This bill is responsible because we are first paying off our public debt. We are protecting the Medicare and Social Security trust funds; and, most importantly, we are giving every hard-working American some money back in their paychecks.

I urge passage of the rule and passage of the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. Speaker, I thank my friend, the gentleman from Massachusetts (Mr. MOAKLEY), for yielding me the time.

Mr. Speaker, this debate is not about whether there is bipartisanship support for tax relief. There is. It is just a matter of whether it is going to be responsible and fair.

President Bush, during his first address to Congress here a couple of weeks ago, quoted Yogi Berra by saying if we come to a fork in the road we should take it.

Well, Yogi Berra was also famous for having said "this is deja vu all over again," and it is. When we compare the Reagan economic plan of 1981 with what is being attempted today, it is deja vu all over again. The Reagan plan led to 15 consecutive years of deficit financing. We could get away with that then, with a \$1 trillion debt at that

time. I am afraid that we will not be able to get away with it again with the baby-boomers about to retire at a \$5.7 trillion debt today. I hope we are not merely repeating history by basing large tax cuts on speculative budget surpluses that may never materialize 10 years from now.

BUDGET PROCESS

Notwithstanding the fact that the law requires a budget to be passed before Congress considers tax cuts, the House leadership has decided to rush to the floor a fiscally irresponsible tax plan that gambles with our children's future.

This plan is irresponsible because once all of President Bush's campaign tax-cut promises are added up, the total of cost of his plan will easily exceed \$2 trillion.

1981 REAGAN TAX CUT

If this huge tax break plan is adopted, virtually all of the remaining projected surplus funds will be spent. In 1981, a similar tax plan and budget led us down the road of deficit budgeting. It took two decades and several acts of Congress to dig the country out of the deficit hole that was created.

This tax cut is even more risky than those of 1981. Today, we have a national debt that is 5 times higher than in 1981. Further, within the next decade we will see the retirement of the baby boomers, in the same years that the tax cuts will be fully phased in.

REPUBLICAN TAX CUT PROPOSAL

The Bush tax plan also overwhelming benefits the wealthiest Americans. The wealthiest 1 percent of Americans will get 43 percent of the benefits and their average tax cut will total \$46,000 a year.

Over 85 percent of American households will receive a tax cut far less than the \$1,600 that the President promised. And for the hardest-working Americans who do not pay any income taxes, the President delivers nothing, even though they still pay a disproportionate amount of their income for FICA taxes.

BUDGET SURPLUS PROJECTIONS

This plan is incredibly risky. Ten-year surplus projections are unreliable. If the budget projections are off by less than one-half of 1 percent, a \$1 trillion shortfall will occur, with these massive cuts in place, Congress will be tempted to tap into the Social Security and Medicare trust funds to balance the budget.

CHAIRMAN ALAN GREENSPAN

In January, Federal Reserve Chairman Greenspan testified before the Senate Budget Committee and confirmed that the budget projections are "subject to a wide range of error."

He also noted that when considering the emerging budget surplus, "debt reduction is the best use for the added revenue." Nonetheless, the administration and leadership are still pushing large tax cuts above debt reduction.

BUDGET PRIORITIES

In the end, the Bush plan will squander all of the funds necessary for critical investments in our nation's future. It is much more prudent to pay down our national debt, invest in education, and defense, shore up Social Security and Medicare, and provide a prescription drug benefit for seniors. With a tax cut of this magnitude, however, the surplus will be wasted, if it is not more fiscally responsible.

DEMOCRATIC ALTERNATIVE

That is why I support the alternative offered by Representative RANGEL, which will be nearly half the cost of the Republican plan.

It would provide immediate and fair tax relief for middle-income families and is also fiscally responsible.

A new 12 percent tax bracket would be created, thereby giving an across-the-board rate cut for all Americans. In addition, it will give those working families who only have payroll and Federal excise taxes a refund through expansion of the earned income tax credit.

Under the alternative, families with children who earn less than \$65,000 will receive equal or larger tax breaks than under the Bush proposal.

CONCLUSION

Mr. Speaker, show me a budget that will meet our domestic needs, and then we can begin serious consideration on a tax cut bill.

But don't force a vote on a tax cut bill that is being proposed outside of a budget and is destined to harm our children. I did not come to Congress to saddle my two boys with a debt burden they did not create.

Mr. Speaker, we have worked hard over the past four years to balance the budget and pay down the national debt. I urge my colleagues to oppose this bill, and support the Democratic alternative.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FOSSELLA).

MOTION TO ADJOURN

Mr. SANDLIN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the motion to adjourn offered by the gentleman from Texas (Mr. SANDLIN).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 171, nays 251, not voting 10, as follows:

[Roll No. 36]

YEAS—171

Allen	Clement	Gephardt
Andrews	Clyburn	Gonzalez
Baca	Condit	Gutierrez
Baird	Conyers	Hall (OH)
Baldwin	Coyne	Harman
Becerra	Cramer	Hill
Berkley	Crowley	Hilliard
Berman	Cummings	Hinchev
Berry	Davis (CA)	Hinojosa
Bishop	Davis (IL)	Holden
Blagojevich	DeFazio	Holt
Bonior	DeGette	Hoyer
Borski	Delahunt	Inslee
Boswell	Deutsch	Israel
Boucher	Dingell	Jackson (IL)
Boyd	Doggett	Jackson-Lee
Brady (PA)	Doyle	(TX)
Brown (FL)	Engel	Jefferson
Brown (OH)	Eshoo	John
Capps	Evans	Johnson, E. B.
Capuano	Farr	Jones (OH)
Cardin	Fattah	Kanjorski
Carson (IN)	Filner	Kaptur
Carson (OK)	Ford	Kennedy (RI)
Clay	Frank	Kildee
Clayton	Frost	Kilpatrick

Kind (WI)	Mink	Shiff	Ros-Lehtinen	Skeen	Toomey
LaFalce	Moakley	Serrano	Roukema	Smith (MI)	Trafficant
Lampson	Moran (VA)	Sherman	Royce	Smith (NJ)	Upton
Langevin	Nadler	Sisisky	Ryan (WI)	Smith (TX)	Walden
Lantos	Napolitano	Slaughter	Ryun (KS)	Souder	Walsh
Larsen (WA)	Neal	Smith (WA)	Saxton	Spence	Wamp
Larson (CT)	Oberstar	Snyder	Scarborough	Stearns	Watkins
Lee	Oliver	Solis	Schaffer	Stump	Watts (OK)
Levin	Ortiz	Spratt	Schrock	Sununu	Weldon (FL)
Lewis (GA)	Owens	Stark	Scott	Sweeney	Weldon (PA)
Lowe	Pallone	Stenholm	Sensenbrenner	Tancredo	Weller
Lucas (KY)	Pascrell	Strickland	Sessions	Tauzin	Whitfield
Luther	Payne	Tanner	Shadegg	Taylor (NC)	Wicker
Maloney (CT)	Pelosi	Tauscher	Shaw	Terry	Wilson
Maloney (NY)	Peterson (MN)	Taylor (MS)	Shays	Thomas	Wolf
Markey	Phelps	Thompson (CA)	Sherwood	Thornberry	Wu
Mascara	Pomeroy	Thompson (MS)	Shimkus	Thune	Young (AK)
Matsui	Price (NC)	Tierney	Simmons	Thurman	Young (FL)
McCarthy (MO)	Rangel	Towns	Simpson	Tiberi	
McCarthy (NY)	Reyes	Turner			
McCollum	Rivers	Udall (CO)			
McDermott	Rodriguez	Udall (NM)			
McGovern	Ross	Velazquez			
McIntyre	Rothman	Visclosky			
McNulty	Roybal-Allard	Waters			
Meehan	Rush	Watt (NC)			
Meek (FL)	Sabo	Waxman			
Meeks (NY)	Sanchez	Weiner			
Menendez	Sanders	Wexler			
Millender	Sandlin	Woolsey			
McDonald	Sawyer	Wynn			
Miller, George	Schakowsky				

NAYS—251

Abercrombie	Ehlers	Kingston
Aderholt	Ehrlich	Kirk
Akin	Emerson	Klecza
Armey	English	Knollenberg
Bachus	Etheridge	Kolbe
Baker	Everett	Kucinich
Baldacci	Ferguson	LaHood
Ballenger	Flake	Largent
Barcia	Fletcher	Latham
Barr	Foley	LaTourette
Barrett	Fossella	Leach
Bartlett	Frelinghuysen	Lewis (KY)
Barton	Galleghy	Linder
Bass	Ganske	Lipinski
Bentsen	Gekas	LoBiondo
Bereuter	Gibbons	Lofgren
Biggert	Gilchrest	Lucas (OK)
Bilirakis	Gillmor	Manzullo
Blumenauer	Gilman	Matheson
Blunt	Goode	McHugh
Boehlert	Goodlatte	McInnis
Boehner	Gordon	McKeon
Bonilla	Goss	McKinney
Bono	Graham	Mica
Brady (TX)	Granger	Miller (FL)
Brown (SC)	Graves	Miller, Gary
Bryant	Green (TX)	Mollohan
Burr	Green (WI)	Moore
Burton	Greenwood	Moran (KS)
Buyer	Grucci	Morella
Callahan	Gutknecht	Murtha
Calvert	Hall (TX)	Myrick
Camp	Hansen	Nethercutt
Cannon	Hart	Ney
Cantor	Hastings (FL)	Northup
Capito	Hastings (WA)	Norwood
Castle	Hayes	Nussle
Chabot	Hayworth	Obey
Chambliss	Hefley	Osborne
Coble	Heger	Ose
Collins	Hilleary	Otter
Combest	Hobson	Oxley
Cooksey	Hoeffel	Pastor
Costello	Hoekstra	Paul
Cox	Honda	Pence
Crane	Hooley	Petri
Crenshaw	Horn	Pickering
Cubin	Hostettler	Pitts
Culberson	Houghton	Platts
Cunningham	Hulshof	Pombo
Davis (FL)	Hunter	Portman
Davis, Jo Ann	Hyde	Pryce (OH)
Davis, Tom	Isakson	Putnam
Deal	Issa	Quinn
DeLauro	Istook	Radanovich
DeLay	Jenkins	Rahall
DeMint	Johnson (CT)	Ramstad
Diaz-Balart	Johnson (IL)	Regula
Dicks	Johnson, Sam	Rehberg
Dooley	Jones (NC)	Reynolds
Doolittle	Keller	Riley
Dreier	Kelly	Roemer
Duncan	Kennedy (MN)	Rogers (KY)
Dunn	Kerns	Rogers (MI)
Edwards	King (NY)	Rohrabacher

NOT VOTING—10

Ackerman	Peterson (PA)	Tiahrt
Hutchinson	Shows	Vitter
Lewis (CA)	Skelton	
McCrery	Stupak	

□ 1231

Messrs. FOLEY, GORDON, KING, OXLEY, RADANOVICH, KLECZKA, YOUNG of Alaska, SCARBOROUGH and SAXTON, and Ms. HART changed their vote from "yea" to "nay."

Messrs. ROTHMAN, HOLDEN, BRADY of Pennsylvania, BACA and DOGGETT, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Mr. TIAHRT. Mr. Speaker, on Rollcall No. 36 I was inadvertently detained. Had I been present, I would have voted "nay".

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 3, ECONOMIC GROWTH AND TAX RELIEF ACT OF 2001

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me the time, and evidently what I was about to say was so profound that the other side of the aisle wanted to adjourn and go home, and I can understand that, not that they wanted me to embarrass myself.

Today, Mr. Speaker, we ask ourselves a very fundamental question, do we believe in the power and the spirit of the American people? Do we believe in their ability to create new jobs? Do we believe that they should have the freedom to spend as much money as they see fit on their lives, on their families, on their small businesses or do we maintain and continue the position that whatever money comes to Washington, regardless of how much it is, should be spent by folks here in Washington?

The proposition is clear, the issue is clear. Now is the time, and it is long overdue, to send that money back to the American people for the refund they deserve so they can spend it on their kids' education, putting more people to work, on a vacation, a new car, whatever it is.