Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2950 in the Committee of the Whole pursuant to House Resolution 206 no further amendment to the bill may be offered except:

Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate.

The amendment numbered 8, which shall be debatable for 30 minutes.

The amendment by Representative FILNER of California that I have placed at the desk which shall be debatable for 40 minutes.

Each such amendment may be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment.

The SPEAKER pro tempore. Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission To Strengthen Social Security.

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

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

Mr. HOYER. Mr. Speaker, reserving the right to object, I think there was a unanimous agreement that the gentleman from Florida (Mr. HASTINGS) would go next. We have the chairman here who wants to participate and others, if that is okay. I think it is okay with the gentleman from California (Mr. FILNER). We increased his time.

Mr. ISTOOK. Any such unanimous consent is fine with me. I believe it is necessary before we return to Committee that we do this.

Mr. HOYER. Mr. Speaker, I make a unanimous consent request that the order of the amendments be the gentleman from Florida (Mr. HASTINGS), then the gentleman from California (Mr. FILNER).

The SPEAKER pro tempore. We are still on the unanimous consent request of the gentleman from Oklahoma (Mr. ISTOOK).

The Clerk will continue to report the amendment.

The Clerk continued to report the amendment.

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

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mr. SHAW). Pursuant to House Resolution 206 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2590.

□ 1837

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment by the gentleman from Ohio (Mr. TRAFICANT), had been postponed and the bill was open for amendment from page 68, line 3, through page 95, line 16.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except: pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; the amendment numbered 8, which shall be debatable for 30 minutes; the amendment by the gentleman from California (Mr. FILNER) that has been placed at the desk, which shall be debatable for 40 minutes.

Each such amendment may be offered only by the Member designated in the request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment.

Amendment No. 8 Offered by Mr. Hastings of Florida

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. HASTINGS of Florida:

Add at the end before the short title the following:

SEC. 6____. The amounts otherwise provided by this Act are revised by increasing the amount provided for ''FEDERAL ELECTION COMMISSION—SALARIES AND EXPENSES'' by $600,000,000 and by decreasing each other amount appropriated or otherwise made available by this Act which is not required to be appropriated or otherwise made available by a provision of law by such equivalent percentage as is necessary to reduce the aggregate amount appropriated for all such amounts by the amount of the increase provided under this section.

Mr. ISTOOK. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 15 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I claim the 15 minutes in opposition to the amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 3½ minutes to myself.

Mr. Chairman, my amendment provides an additional $600 million to the Federal Elections Commission for the purpose of assisting State and local officials in updating their voting systems.

240 days have passed since last year's embarrassment of an election. Congress should have acted by now. Aside from 1 minute speeches and special orders, press conferences, and hearings, this is the first time election reform has even been discussed in a meaningful way on the floor of the House, or in either of our legislative bodies.

The simple fact is the absence of a real debate on election reform is as much of an embarrassment as was the last election. Following last year's election, Florida's failing election system became the punch line of nearly ever political joke around.

However, Florida took the criticism, bounced back and passed what I consider up to this point to be the most comprehensive election reform package in the country, albeit still deficient. It is not perfect by any means.

Florida's new election law seeks to remedy some of the core problems that occurred last year, particularly in the area of updating voting technology. However, as counties throughout Florida begin to update their voting systems, they are finding themselves unable to fund their needs, and this is true across America.

In my home county, Broward, it will cost more than $20 million to purchase the state-of-the-art voting system. The State is providing Broward County with a mere $2.3 million, leaving the county with the remaining tab.

Broward County, ground zero during the election debate, may not purchase the best voting machines on the market because it cannot afford them.

My concern is if we do not appropriate now and legislate later, as Senator MCCONNELL has said, then we are missing our opportunity to provide the necessary funds in time for election day 2002.

Mr. Chairman, Republican leadership has yet to provide us with a formal commitment that a submittal or emergency appropriations bill will accompany any election reform legislation. I am hopeful that, as this debate progresses, such commitment will be made.

The amendment sends a message to the American people that help is on the way. My amendment says to State and local governments throughout America that the Federal Government wants to assist them in updating their voting technology. The amendment makes the commitment that Congress has yet to make.

Contrary to what many argue, the need for election reform is much more than a civil rights issue. Rather, the need for election reform is a challenge to our democracy. It is a challenge that burns at the heart of every American who believes in our country's democratic heritage. It is a challenge that we cannot back down from, and it is a challenge that we will not back down from. There is no price tag for democracy, and it is time for Congress to tell America that it is willing to spend whatever it takes.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Florida (Mr. HASTINGS) has made a very valid point. We all remember the exercise in Florida last year as we tried to declare the winner of a Presidential election. But after the focus on Florida faded away, we also learned that many other States had similar problems, and in some cases they were more serious than the problems in Florida.

Shortly after we came back to convene the new Congress, the gentleman from Maryland (Mr. HOYER), the ranking minority member on the subcommittee, and I began conversations, along with the gentleman from Florida (Mr. HASTINGS), the gentleman from Ohio (Mr. NEY) on our side of the aisle, and a number of other Members; and we understand that the Federal Government does have a responsibility here.

Conducting elections has always been the province and the responsibility of the States and the local governments, but I think we have reached a point where there is going to be a tremendous need for financial assistance. As chairman of the Committee on Appropriations, I believe that we should be prepared to meet the Federal responsibility in providing the relief necessary so that our elections in the future are not clouded by missed votes or votes that are not counted, or whatever the problem might be.

□ 1845

I am not sure what the exact dollar amount should be today. My colleague from Florida and I have discussed this. I am not sure we are prepared to set a dollar amount today. But I just want to make the commitment again to the gentleman from Florida (Mr. HASTINGS) and the gentleman from Maryland (Mr. HOYER) as we have discussed many, many times before in private, that I am here to be supportive of this, and I believe most of our colleagues will as well, once we determine what the real number is as far as the Federal responsibility in partnership with our States and in partnership with our communities.

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

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, I thank my esteemed colleague the gentleman from Florida (Mr. HASTINGS) for yielding me this time. I support the Hastings amendment.

Our election system is sick. Mr. HASTINGS has a remedy. That remedy would go throughout this country and make us whole again.

Do not fool yourselves. The people of this country are upset. They are angry. They are disappointed. It is time that we step up to the plate and say, yes, let's fund this system and work out something that will make all Americans happy to be able to vote.

We cannot muzzle justice. No matter who says to move on, we cannot move on until justice is rendered. It is hard to imagine in a free world that I must stand here and beg to be sure that we get a system, that we have the Federal Government participate in the reformation of our system.

I want to thank the gentleman from Florida (Mr. HASTINGS) and the gentleman from Maryland (Mr. HOYER) for this initiative.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Jacksonville, Florida (Ms. BROWN), who happens to have a number of constituents standing by.

Ms. BROWN of Florida. Mr. Chairman, I want to thank the gentleman from Florida (Mr. HASTINGS) for bringing this amendment to the floor.

Twenty-seven thousand of my constituents were disenfranchised in the last election. The whole nature of the last presidential election, from the roadblocks set up in black areas, to innocent people labeled as felons and kicked off the voting rolls, to thousands and thousands of votes being thrown out, is not acceptable. Our current President was selected by the Supreme Court and not by the American people. This last election has destroyed people's faith in our very system of government.

Yesterday I heard a Member on this floor speaking on the Foreign Ops bill about the flaws in another country's election. It is shameful for us to discuss another country's election when we have our own American coup d'etat here in the United States.

I strongly urge my colleagues to vote ''yes'' on this amendment, so that we can begin the process of finally getting over this shameful election.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Paterson, New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, the great poet Langston Hughes asked, ''What happens to a dream deferred?''

Well, in the case of the dream of fair and equal treatment at the polls, the dream deferred is a dream denied.

Last year's presidential election was a civics lesson for all of us. Unfortunately, not only did we learn that every vote counts, we learned that not every vote is counted.

For example, in Atlanta's Fulton County which uses punch card voting machines similar to those that gained notoriety in Florida, one of every 16 ballots for President was invalidated. In Harris County, Texas, which includes the city of Houston, 14,000 votes were not counted because the voter's selections simply did not register. In many Chicago precincts that have high African American populations, one in every six ballots was thrown out.

By not addressing this blatant inequality, we are letting down the thousands of Americans that take the time to vote each year and those votes are not counted because the voting machines in these districts are old, broken and inaccurate. Our goal should be simply to fix the system, to help in every way we can.

Yes, justice is difficult, Mr. Chairman, but as Sir James Mansfield said, ''Let justice be done though the heavens fall.'' And Ferdinand I, the Emperor of the Holy Roman Empire, said, ''Let justice be done though the world may perish.'' That should be our primary motivation, to bring justice to the system.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I have no doubt that some citizens were disenfranchised, many of those in Florida.

But I also know that I thought it was a travesty for the Gore and the Vice President candidate to try and disenfranchise our military vote in Florida as well through technicalities.

A Federal law says that you do not require a postmark because an FPO or APO many times, our military, are not able to get there. But yet the Gore and Vice President candidate tried to send lawyers to disenfranchise on technicalities those votes.

Also, the State law says that you have to have a date on it. The absentee ballot that was sent out by Florida did not have a date on it. I do not know about you, but if it does not have a date on there, I am not going to add it.

Yes, across this country, we need a fair vote system. I do not reject that. But what I do reject is people trying to make political points, coming down, saying that the election was stolen.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

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

Mr. Chairman, when we find neighborhoods built on top of toxic waste dumps, we respond to that emergency by buying out the homes and protecting the people who live there. When floods wipe out communities, we respond by buying out property to protect residents and help them find safe places to live.

Mr. Chairman, error-prone voting equipment is an emergency situation that threatens our democracy, and we need an immediate response. I commend the gentleman from Florida (Mr. HASTINGS) for offering an amendment that offers such a response. It is going to take some money to upgrade voting technology from error-prone punch card and other systems to reliable machines. We simply cannot afford to do nothing.

Just look at what error-prone voting equipment like punch cards does to our democracy. A study done by Cal Tech and MIT revealed that the spoilage rate for punch cards was as many as 986,000 ballots in 2000. In Florida last year the spoilage rate for punch cards was almost 4 percent. And in Cook County, Illinois, it was 5 percent during the last election.

Earlier this year, the gentleman from Maryland (Mr. HOYER), the gentleman from California (Mr. HORN) and I and other colleagues introduced the Voting Improvement Act, which would make buy-out grants available to any jurisdiction that used punch card voting systems in the last election. We want to see new equipment in place, and we want it there soon, in time for the 2002 elections. We want to buy out that inferior equipment and put accurate equipment in place that will give citizens the assurance that their vote is being counted. We need to push for adequate appropriations to make that happen.

Unfortunately, the President and our Republican friends failed to include any funding for election reform in the budget this year. But Congress can and must meet the challenge of restoring faith in our democracy. The Hastings amendment rises to that challenge, and I commend the gentleman for offering it.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the ranking member of the subcommittee.

Mr. HOYER. Mr. Chairman, I thank the gentleman from Florida for yielding me this time, and I also thank him for his statement and his continuing willingness to work with all of us for a mission that he thinks is very important and we share and we know is going to require money. He is going to be a critical player in that effort. We very much appreciate his role.

I rise, however, to pass along a paragraph that would have been in the statement of the gentleman from Ohio (Mr. NEY) had he been able to stay. Unfortunately, he had an engagement he could not get out of. If the gentleman from Ohio (Mr. NEY) were here, the chairman of the Committee on House Administration, he would have said this:

''These programs will cost money.'' ''These programs'' being the election reforms which are being discussed on the floor today. ''I want to assure the gentleman from Florida (Mr. HASTINGS) that I am fully committed to ensuring that the necessary funds are authorized and appropriated.''

I know that the gentleman from Ohio (Mr. NEY) has talked to the gentleman from Florida (Mr. YOUNG). I know that they are working together, that we are working together. This is a critical issue. I will have a few words to say on it later. But I am pleased that the gentleman from Ohio (Mr. NEY), although he could not be here, wanted me to make these remarks so that his commitment and his view of the importance of this issue was clearly on the record during the consideration of the Hastings amendment.

I might say at this point in time that the Hastings amendment's sum of $600 million is very close to the sums that are in most of the Senate bills and that the gentleman from Ohio (Mr. NEY) and I have been discussing will be necessary to effect the ends that I think all of us seek.

I thank the gentleman for yielding this time, and I thank him for his leadership on this issue.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. WATSON), one of our newer Members.

Ms. WATSON of California. Mr. Chairman, I would like to begin by thanking the gentleman from Florida (Mr. HASTINGS) for offering the amendment. As he has said, we are running out of time to fix our broken election process in time for the next elections.

The confusion surrounding last year's presidential election in Florida brought national attention to the failures of our voting process in many communities. I was in the Federated States of Micronesia at the time, and I could not believe what I saw. We resembled a banana republic.

In the 9 months since then, studies by the press, by universities, and even this House have all detailed the same problem, that too many Americans are forced to use outdated or faulty voting equipment. The vast majority of these faulty machines are concentrated in the communities of poor and minority voters.

No single act is more central to the American democratic process than casting a vote for the candidate of one's choice. The idea that some Americans might have their votes discarded because they live in the wrong neighborhood or they live as the wrong people should spur every Member of this body into action.

This amendment would finally give the Federal Election Commission the resources it needs.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Baltimore, Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I stand here to commend my good friend, the gentleman from Florida (Mr. HASTINGS), on his efforts to keep election reform alive and in the forefront of this body's legislative agenda.

I support this amendment in recognition that recently the principle of one person, one vote was abandoned, resulting in the disenfranchisement of thousands of citizens. It is time to take action to address this serious issue, and this amendment does just that.

Shamefully, the last national election resulted in numerous allegations of irregularities and minority vote dilution. The history of our country reveals the disturbing story of how many people fought and died in this country for the right to vote and exercise the full measure of their citizenship. It is outrageous that this country, the leader of the free world, continues to be plagued with this problem in this new millennium. Through numerous hearings, reports and individual citizen statements, it has come to light that outdated election systems caused thousands of votes to be undercounted, overcounted or not processed accurately.

□ 1900

Appropriately, this amendment would provide funding to the FEC to provide assistance to State and local governments in updating their election systems. This is not just a first step, but a giant leap towards addressing an issue that the American people believe in.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, there are a host of questions that need to be answered by the system of elections in this country, but there is one thing upon which Congress and I believe most Americans should agree: no single American

should be disqualified by virtue of using a defective voting machine.

Mr. Chairman, it was not isolated to Florida or any other part of the country. My Secretary of State did a study and, strangely enough, twice as many votes were disqualified in counties that used punchcard systems in Oregon as counties that used optical scanners. Now, a lot of people will say we cannot afford to help the States and counties; we cannot afford a system of good technology for the people of America to record their votes flawlessly.

Come on. This is the basis, the foundation, of our franchise, what makes this country work. If we cannot afford to pay for that technology, if we cannot afford to have a better election system, then we are indeed headed toward very dark times.

This is a modest amount of money to resolve this problem, and this should be approved by this Congress.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, it is not relevant who anyone believes really, in quotes, ''won'' the election in Florida last year to this amendment. This amendment is necessary because we know that people are being deprived of their votes by faulty and inadequate voting equipment, probably in every State and certainly in most States of the Union. Certainly in my State of New York, as well as in Florida.

A report by the National Association of Election Commissioners in 1988 said that punchcard voting machines have more than twice the error rate and disqualification of other technologies then in use, and that they ought to be phased out and discarded, in 1988. An MIT study just said about $600 million a year is what is necessary to bring to bear modern technology which will tell the voter who has tried to vote for two candidates he would be disqualified or if he skipped a vote, you have done it, before you leave the voting booth so he can correct it if he wants to.

We ought to do that. We ought to make sure our future elections are accurate and fair, regardless of which side of the aisle you are on. I commend the gentleman from Florida (Mr. HASTINGS) for his amendment.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to my friend, the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, as a Floridian, I wanted to share the painful story about what happened in Florida one more time tonight. Part of the tragedy of the Florida election, which was our country's election, was that the margin of error ultimately exceeded the margin of victory.

After the election, one of the painful lessons we learned was that it was widely exposed that we had an inexcusably casual, and, quite arguably, unconstitutional deficiency in our voting election system. Shame on us. Shame on anyone in the position of an elected authority should anything like that ever happen again.

Now, as the gentleman from Florida (Mr. HASTINGS), and I commend him for offering the amendment, has pointed out, the State of Florida has taken the lead on making illegal the infamous punchcard voting machine and providing partial funding to counties, including the county of the gentleman from Florida (Mr. YOUNG) and me, to fund some form of substitute technology.

A consensus is developing among Democrats and Republicans here, and I believe around the country, that the solution is a form of technology that is precinct-based and that gives the voter the opportunity to verify his or her vote. In a State and country where we have increasing numbers of voters who are aging, who are experiencing disabilities, be it sight or something else, it is very important, it is fundamental, that that voter has the opportunity to verify his or her vote before they leave the voting booth.

I want to close by pointing out why the Hastings amendment is so important. Time is of the essence. If we do not adopt this amendment today, or do something shortly thereafter to take the chairman, the gentleman from Florida (Mr. YOUNG), up on his willingness to fund this, we are going to lose the opportunity to repeat the terrible things that happened in the last election in time for the 2002 elections.

So shame on us if we let the next set of elections result in the same problems. Let us get it fixed now. Time is of the essence. We know how to do it.

Mr. HOYER. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments.

Mr. Chairman, this is a good amendment. This is an amendment which sets the dollars at an appropriate level. There is an ad on TV that says the watch cost $150, the trip to Jamaica cost $1,500, the confidence of a child is priceless.

The confidence that a citizen has in its country is priceless; the confidence that a citizen has when they do the ultimate act of democracy, which is to participate as a Nation, as a people, as a society, in making decisions, in choosing leaders, in choosing options and priorities for their country.

The tragedy of the last election was that there are many Americans who know that they have the right to vote, but are not ensured that they will be able to vote, and, that if they do so, their vote will count. Part of that problem is a technological problem, and we need to solve it; and it will take money to solve that technological problem.

The other problem is for this great democracy to ensure that every citizen not only has the right, but is guaranteed by our society to have access to whatever their disability may be, whatever their status in life may be, access to the polling place and, yes, the ability to vote, whatever their disability may be, whatever their condition may be, and have the integrity of that vote being ensured and counted correctly.

I am thankful that the gentleman from Florida (Mr. HASTINGS) has offered this amendment. I am thankful for the leadership of the gentleman from Michigan (Mr. CONYERS), who has introduced a bill; for the gentlewoman from California (Ms. WATERS), who has traveled throughout this country with the gentleman from Florida (Mr. HASTINGS) and myself and others; for all those, not just from Florida, because this is not a Florida problem. The gentleman from Florida made that point. He is absolutely correct. This is a national problem, a national challenge, to ensure that our elections are as good as the rest of the world thought they were, and their confidence in that was put at risk this last election.

We need to solve it; we will solve it. I thank the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this morning in the Committee on Rules, which you Chair, the gentleman from Maryland (Mr. HOYER) said the following: ''225 have passed where the Federal Government has committed zero dollars for the infrastructure in States and localities. This must change, and it must change now.''

Mr. Chairman, I wanted to thank my good friend, the gentleman from Florida (Chairman YOUNG), for his interest in this issue. His presence here on the floor as our debate has proceeded sends a clear message to anyone who does not wish to see election reform succeed.

I also would like to thank my good friend, the gentleman from Maryland (Mr. HOYER), for his continuing efforts in producing an election reform package that is acceptable to all sides. Also I would like to thank the gentleman from Oklahoma (Mr. ISTOOK) for his efforts and willingness to participate with us and the gentleman from Wisconsin (Mr. OBEY) for his leadership in this body and the entire caucus.

In addiction, I would like to thank the gentleman from Ohio (Mr. NEY) for his leadership on this issue as well. The chairman has pointed out that the gentleman from Ohio (Mr. NEY), the gentleman from Maryland (Mr. HOYER), a lot of us, have been discussing this matter, not in the light of the public as we have here today, but in an effort to really try to get something done. I am confident that under the leadership of these individuals, we will succeed in once again bringing dignity to the American election system.

One of my colleagues from California pointed out inequities with reference to military ballots. I did not bother to

try to take a shot at him, because the election is over. It is time for us to move forward and reform our election system in this Nation. I challenge this body to roll up its sleeves and pass meaningful election reform.

Mr. Chairman, with that, with the chairman's final remarks, I am prepared to withdraw the amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2½ minutes to the gentleman from Oklahoma (Mr. ISTOOK), distinguished subcommittee chairman.

Mr. ISTOOK. Mr. Chairman, I appreciate the gentleman yielding me time.

Mr. Chairman, I thought in this discussion that people were having of the great importance of making sure that Americans have the opportunity to vote, to vote correctly, to make sure their vote is counted, to put the responsibilities where they lie, between the voter and those who administer the voting. I thought it is very important when we talk about the problems, that somebody get up and talk about somebody who has done it right, a State that has done it right, and that is my home State of Oklahoma.

Several years ago, our State spent millions of dollars that could have been spent on roads, could have been spent on schools, could have been spent on public health, but felt that there was a very pressing need to spend it on solid uniform voting equipment. Every county, every precinct in Oklahoma uses the optical scanner voting machines, and has for several years, which is one of the methods that is receiving the highest level of support from people talking about the way it ought to be done.

If a voter has an improper ballot that has been marked twice, for example, the machine will spit it right back out at you so you still have a chance to correct it. I know that is an important thing to a great number of people.

I wanted to give some credit to the people who did that in Oklahoma. Our State Election Board secretary, a Democrat, Lance Ward, deserves a lot of credit for the foresight, and those that came before him, to say that there is a pressing need.

So when we talk about having the Congress of the United States spend a great amount of money to help States out in this situation, let us remember that there are some States, or certainly there is Oklahoma, that had the foresight to put it in place to prevent these problems. I want to make sure that we consider that in whatever we craft.

We are trying to say when other States ask for financial assistance for election reform, remember, we already bore the cost; and we hope that will be duly considered with whatever is done with appropriations from this body.

There was a map in USA Today right after the elections talking about the great disparity and the types of machines or paper ballots used in different places; and you looked at patchwork quilts, not only among the 50 States, but within the 50 States. Except if you look at that USA Today map, there was one State that was solid, with modern up-to-date uniform voting systems, and that was my home State of Oklahoma. I want to give credit to the State officials who had that foresight.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I do so to thank everybody for the very important debate that we have just had here.

Mr. RUSH. Mr. Chairman, on July 9, 2001, the House Government Reform Committee released the results of a national study that examined the income and racial disparities in the undercount of the 2000 presidential election. At my request, the Committee investigated voting patterns in the First Congressional District of Illinois, which I represent. The investigation also examined the impact of different voting machines on the undercount. This was the first report to examine voter undercounts on both the national and local levels.

The report analyzed the voting results in 20 Congressional districts with high poverty rates and majority minority populations. The startling results of the investigation illustrated that voters in my district were almost seven times more likely to have their votes discarded than voters in affluent white districts.

This disturbing quantification gives my district the dubious distinction of being one of two Congressional districts with the highest rate of undercounted votes among those surveyed. The first District tied with the 17th District of Florida, with the undercount rate a disturbingly high 7.9 percent!

Overall, the report found that voters in low-income predominantly minority districts were significantly more likely to have their votes discarded than were voters in affluent, predominantly white districts.

The report also showed that better voting technology significantly reduced undercounts in low-income, minority areas and narrowed the disparity between the two types of districts and voting populations examined.

Ballot undrecounts in my Congressional district are nothing new. I have heard and responded to my constituent complaints for many years on this subject. However, now, we, in Congress, have quantifiable proof that better technology improves the undercount rate.

What can be done is illustrated simply before us—both by the Government Reform Committee report and by the gentleman from Florida's amendment. We must provide the financial resources so critically needed by state and local governments to update their voting equipment. I urge my colleagues to support the Hastings amendment.

Mr. CONYERS. Mr. Chairman. I support ALCEE HASTINGS' amendment to the Treasury-Postal Appropriations Act. The amendment will provide an additional $600 million to the FEC budget, funds that are necessary to assist state and local governments in updating voting systems. This is an excellent first step in tackling the election reform issue. It is disappointing that President Bush's budget made no allowance for election reform.

But additional funding is not enough. Just throwing money at the problem will not solve the problem. We will end up with states simply taking the money and using it in rich neighborhoods while a state could continue using most disenfranchising machinery and procedures for minority communities. Or, if we offer the money conditionally, states will simply elect to decline a federal check and opt out of any standards.

We must provide minimal guarantees to every eligible voter. This is precisely what the bill I have introduced with Senator DODD and Majority Leader DASCHLE, the ''Equal Protection of Voting Rights Act,'' would do. The bill has a 140 cosponsors, more than any other election reform bill.

It sets comprehensive minimal standards for voting machines used in federal elections but does not tell states and localities what machine to buy—in other words, it only establishes a baseline for what the machines have to be capable of doing.

The standards for machines are common sense standards that would solve problems uncovered in 2000: First, to prevent spoiled ballots, machines would have to warn voters of mistakes like overvotes and undervotes and give voters a chance to correct these mistakes; Second, machines would have to be accessible to voters with disabilities; Third, the machines would have to be accessible to language minorities; Fourth, to eliminate the use of antiquated machines, the error rate for machines would have to be as close to zero as practicable.

To correct haphazard voting purges and registration mistakes by officials, the bill establishes a right for every citizen to cast a provisional ballot in a federal election if he or she believes he has been improperly excluded from the rolls.

To help prevent voter error and establish minimal standards for voter education, the bill requires that every registered voter in a federal election receive a sample ballot and instructions for filling out the ballot prior to an election.

To ensure that voting rights violations are reported, the bill requires that every registered voter receive a document advising them of their voting rights and who to contact if those rights have been violated.

The bill is constitutional. It is limited to federal elections. Under Art I, Sec. 4, Clause 1 of the Constitution, the Congress has the authority to set standards for federal elections.

It avoids creating an unfunded federal mandate by fully funding the minimal standards.

It recognizes that states may incur costs for meeting these obligations in state and local elections so it reimburses states for the costs of making state and local elections conform to the standards if they choose to do so.

Mr. YOUNG of Florida. Mr. Chairman, since my colleague from Florida has indicated that he intends to withdraw this amendment, I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Chairman, I ask unanimous consent that the amendment I offered be withdrawn.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Florida (Mr. HASTINGS) is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FILNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission To Strengthen Social Security.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. FILNER) and a Member opposed each will control 20 minutes.

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

Mr. FILNER. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this amendment, which is only one sentence long, may be the most significant sentence that we vote on in this Congress, because it would prevent any funding being used for the purpose of implementing a Social Security privatization plan.

Now, why must we take what seemingly looks like a drastic step? Because we have seen the report that was just issued by President Bush's Social Security Commission, a commission handpicked by the White House because they already supported a privatization plan.

□ 1915

This report is obviously the first step towards setting the stage of robbing a vital benefit for seniors.

Mr. Chairman, the deck has been stacked, the process has been rigged, and we must stop it in its tracks. Social Security has come to be the cornerstone of our Nation's income protection system and provides disability, retirement, and life insurance protection to virtually all American citizens. Obviously, the system requires continued evaluation, but it is not in crisis today. But the interim report of the Presidential Commission tries to create a crisis, a crisis that does not exist. Even if we did nothing about Social Security, and nobody is suggesting that, but even if we did nothing, the system would pay full benefits through the year 2038. This is a manageable problem, not a catastrophe that requires risky and radical solutions.

The proposed privatization program which plans to take approximately 2 percent of the payroll tax for Social Security to allow individuals to invest in private accounts would result in a loss of over $1 trillion from the Social Security system between this year and 2011, and would decrease benefits by 50 percent.

My constituents do not want to see that decrease, and my constituents are unwilling to have their secure retirement gambled away in the stock market. The stock market is not the way, Mr. Chairman, to determine who will be financially able and stable in their retirement years.

We know that privatization would also decrease benefits for disabled beneficiaries and survivors. Social Security is more than a retirement program. Almost one-third of its beneficiaries receive benefits because they or a family member are disabled or because a family member has died. In the case of survivors and those disabled, recipients have a shorter time period to accumulate balances in their individual accounts, so their benefits would be drastically reduced under a privatization plan. Women in this Nation would be disproportionately affected and hurt, and we will hear statements to that effect from my colleagues.

Privatizing Social Security, Mr. Chairman, is tantamount to gambling with the security of millions of Americans. It would expose workers and retirees to unacceptable risks, as well as substantial administrative fees that would eat into the returns. It would undermine the concept that through Social Security, we take care of each other, from neighbor to neighbor, and from generation to generation.

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

Mr. ISTOOK. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK) for 20 minutes in opposition of the Filner amendment.

Mr. ISTOOK. Mr. Chairman, I yield 6 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, sometimes in this body it pays to read the amendment. The amendment says that at the end of the bill, insert after the last section preceding the short title the following new section: none of the funds appropriated in this act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission to strengthen Social Security.

I do not read the word privatization in this amendment. I have read the report, the interim report of the commission. I do not read the word privatization in that report.

I am absolutely dumbfounded why we would talk about the President implementing the recommendations anyway. The recommendations and any implementation is going to have to come back here to the Congress. It is us that are going to have to change the method Social Security is going forward with if it is going to be changed at all.

But let us talk for just a moment about the trust fund itself. The trust fund, it is agreed by Democrats and Republicans, will not run out of Treasury bills until 2038. That is an estimate, but it is a pretty good one, and it is one we can count on. But we can also agree on the fact that there will not be enough cash coming into Social Security to pay the benefits beginning in 2016. What, then, is going to happen?

The Congress is going to have to do one of several things: either raise taxes and find the money, deficit spend in order to pay off the Treasury bills, cut benefits. Is there anyone in here that is prepared to do that? I think not.

So let us talk a moment about what is actually happening. I would like to call the attention of my colleagues to the communication from the Fiscal Assistant Secretary of the Department of Treasury in which they warn, in which they warn that there is going to be a cash shortfall beginning, in this report, it says 2015. 2015. And the report clearly says that money is going to have to come from other sources beginning in 2015. My colleagues may say this report is not true. Let me tell my colleagues who signed it. The Secretary of the Treasury, Lawrence Summers; Secretary of Health and Human Services, Donna Shalala; the trustee, Stephen Kellison; Alexis Herman, who is Secretary of Labor; Ken Apfel, the Commissioner of Social Security under President Clinton, and there are others.

I think that what is necessary and what we must do is face up to the fact that we are facing a cash shortfall beginning in 2016, and it may slip, and it may come back to 2015, if the trust fund is further depleted. Sure, they are Treasury bills, and Treasury bills are a safe investment and it is a sign of the commitment of the Congress to the future retirees. But are we going to send our retirees beginning in 2015 or 2016 saying sorry, here is a check for some cash, but there is a shortfall, so here is a Treasury bill. Of course not. We are going to continue to send them cash. And we are going to maintain the strength of the Social Security system.

What did the Commission say? The Commission says that they have to accumulate some wealth. They have to accumulate something in order to pay future benefits. Did it say anything about privatization? No.

Now, we hear so much, and so many Members will get up and talk about the risky stock market. I was watching the unions protesting the meeting that was going on. But we are going to have an opportunity just next week, because the Railroad Retirement Fund is coming before this House, and we are going to have an opportunity to say that the railroad retirement fund now does not have to be limited to just investing in Treasury bills; the railroad retirement fund now can invest in stocks. Mr. Chairman, I will guarantee my colleagues that people on both sides of the aisle and the very people that are getting up and talking about the risky stock market are going to vote yes, and they are going to vote yes, because both management and labor wants it that way, because they understand that that is the way to accumulate real wealth.

I see my friend from New York (Mr. NADLER), who I am sure is going to get up and speak. He has a plan to save Social Security, but it involves the Social Security Administration investing in stocks and bonds of the private sector.

I think it is time that we stop these scare tactics. Let the Commission come forward with their report. And in order to implement any change in the

Social Security system of any consequence is going to require legislation to come out of this body. So I am saying, let us not only have faith that they may come up with something that we can use and something that will be good, but let us have faith in ourselves, and let us live up to this problem that we have, and that is, we have a cash shortfall beginning in the year 2016. We will no longer have the payroll taxes coming in to take care of the benefits, and we are going to have to find the money to start paying off the Treasury bills.

This is going to be a huge problem, and the problem is caused by a very simple situation: we have less workers supporting less retirees than we have ever had before, and that is going to continue to go down, so not too long from now, we are going to be down to two workers per retiree. We can plan ahead; we can save Social Security for the next generation, so let us get together and let us get the job done and forget the scare tactics.

Mr. FILNER. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I support one thing the gentleman preceding me in the well said: let us stop the scare tactics. The scare tactics are contained in this report of the so-called Commission to Save Social Security. It is the Commission to privatize Social Security, not with aggregate investments, but with individual accounts, so Wall Street can better profit by charging 250 million people a little bit of money every month, reducing their benefits, ultimately, by 40 percent.

This report, for the first time in the 225-year history of the United States of America, is questioning whether or not the Federal Government will make good on its debts. Guess where the money in these accounts came from? He is saying, we are going to have a cash flow problem. Yes, Americans have been saving. We have been paying more taxes every year than are necessary to support Social Security with the idea that that money was put on deposit for future generations. This fund in 2016 will have more than $5 trillion, and $5 trillion of what? Of securities against the Federal Government.

In fact, one of these securities says, this bond is incontestable in the hands of the Federal Old Age and Survivors Insurance Trust Fund; this bond is supported by the full faith and credit of the United States and the United States has pledged the payment of the bond with respect to both principle and interest, yet the gentleman who preceded me and this so-called commission are questioning whether or not we can or will honor those bonds.

There is no question. We must honor those bonds, and we should honor those bonds and that obligation to the American people, through the process that we use to honor all other debts in the United States of America. We either run a surplus and we pay out of that, or we roll over debt. We have $6 trillion of debt. Now, it is okay apparently to honor the debts for people in Japan or industrial investors or anybody else, but we are now questioning whether we are going to honor the debt to the working people of America.

Mr. Chairman, this is extraordinary. It is bold in its scope. It is unprecedented that a Secretary of the Treasury, a President of the United States's hand-picked commission, would question whether or not we will honor this debt.

This year, Americans will pay $93 billion more in Social Security taxes than are necessary to support the system. If the gentleman who preceded me in the well is right, then let us lower that tax today, because we are defrauding the people of that $93 billion, because we are saying, hey, it is going to be really painful to pay that money back. We are taking it from them now, we are depositing it for them in the U.S. Treasury; we are telling them that it will pay their benefits, but maybe we will not be able to afford to honor that. That is absolutely extraordinary.

Social Security is totally and fully sound until the year 2038. It can pay 100 percent of every promised benefit to every American, every recipient, every beneficiary, disabled or dependent. After that, it can afford to pay 73 percent.

Now, that means we have a 27 percent problem beginning in 38 years, but what they are going to propose is to destroy the existing system, to steal the $6 trillion on account for the American workers, and convert to something else, and ignore the trillions of dollars in transition costs and benefits.

They can only get there a couple of ways. They are going to have to reduce existing benefits, or they are going to have to raise taxes to pay for the existing promises; one or the other. Or, they can honor the debts and fix the program in the future. The simplest way to do it is to lift the cap on earnings. If people earn over $80,000 a year, they do not pay the same tax as everybody else; they pay less. They only pay on the first $80,000. If we just lifted the cap and people paid Social Security on every penny they earn, guess what the actuaries say? The system is solvent forever, and, in fact, we could afford to lower the tax burden on working Americans.

□ 1930

Now, would that not be a great solution? But I do not think that is going to come out of a commission hand-picked by President George Bush and supported by the Republican majority in this House, because that would mean the millionaires and billionaires would pay a little bit more to secure the retirement future of working Americans.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Arizona (Mr. KOLBE), chairman of our Subcommittee on Foreign Operations, Export Financing and Related Programs from the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I think this amendment is really the height of irresponsibility. It is the height of the ostrich saying, ''Let us put our heads in the sand.'' It is the height of the Alfred E. Newman, ''What, me worry,'' syndrome. It pretends we do not have a problem when everybody knows there is a problem, every American.

If we talk to Americans out there, they know there is a problem with Social Security. Yet what we are hearing over here is, ''What? There is no problem. There is nothing we need to do here.''

I am glad, actually, that the gentleman from California has brought this amendment to us tonight, because at least it gives us a chance to call attention to the fact that we have a problem. I urge the Members of this body and I urge the American people to read this report, this interim report of the Commission, because it does talk about some of the problems.

The simple fact is, we have a system right now that really is not sustainable in the long run. The gentleman from Florida said it very well: We have a cash flow problem that begins in 2016, a cash flow problem. That is a very real problem that we have to deal with 15 years from now, in 2016.

Fifteen years ago I was finishing my first term in office. That was the middle of Ronald Reagan's second term. That was not that long ago. Fifteen years from now we begin to see a serious problem: How are we going to pay the benefits? Where are we going to borrow the money to make the cash, to cash in those bonds that the gentleman from Oregon was talking about, and to pay those benefits?

If we do not do anything by the year 2020 that requires cuts to Federal spending to address Social Security's financial shortfalls, it would equal the combination of Head Start, WIC, the Departments of Education, Interior, Commerce, and the EPA. Either we cut that or borrow the money someplace else, or we raise the taxes, as the gentleman said. But let us not deny the fact that we have a problem.

If tomorrow's shortfalls are faced today, if we had those problems right now, a two-earner couple with $50,000 in income would have to pay an additional $2,100 in taxes per year in the year 2030. I do not know about other Members, but I think these kinds of changes are really unacceptable.

The gentleman said that we have a system, do not tinker with it. We have made 50 changes-plus in the history of Social Security with the system. Do not tell me it is not going to be changed. It is a political system. We are going to make changes to it. We are going to have to do something. Let us figure out what we can do that protects everybody.

Let me just refer to the draft commission's report itself. I just want to read two simple paragraphs.

One, the third conclusion they reached, ''The system is broken. Unless we move boldly and quickly, the promise of Social Security for future retirees cannot be met without eventual resort to benefit cuts, tax increases, or massive borrowing. The time to act is now.''

And then they go on to say this: ''If the problems spelled out in this interim report become a topic of national debate and receive the public's focus and scrutiny, that in itself will be a positive step forward. The greatest threat is in taking the course of least resistance, ignoring the challenge and doing nothing.''

Mr. Chairman, those who oppose the Commission's report have a responsibility to stand here now, tonight, and tell us what we should do, what their conclusion is. The answer is not to put our heads in the sand and pretend there is not a problem. We do have a problem with Social Security, but it can be fixed. It can be fixed in a way that guarantees that those who get Social Security benefits now are protected today, and those who get them in the future are protected, but the young people have an opportunity to know that they, too, will have some benefits and some Social Security and some retirement system in their future, as well.

Mr. FILNER. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, some of my colleagues have talked about one putting one's head in the sand. I would agree that we must be careful not to keep our head in the sand while the President has appointed a commission which is fully in favor of privatizing Social Security.

I agree, it is time to stop the scare tactics. We do not need to scare the American people, or try to stampede them into believing that Social Security must be privatized, because the fact of the matter is the money is there. Social Security is solvent through the year 2038 without any changes whatsoever. It has $5 trillion in assets by the year 2015. There is no reason to scare the people and stampede them into agreeing with the privatization of Social Security.

It has been said that there is a cash flow problem. Mr. Chairman, next year the Department of Defense has a cash flow problem. In the year 2003, the Department of Defense, absent our action, will be lacking $330 billion they need for operation. But somehow this Congress in its wisdom finds a reason and a means to finance the operations of the Department of Defense.

I think it is important that we look at this Commission, because the amendment of the gentleman from California (Mr. FILNER) focuses on causing this Commission to lose its funding. Then Congress can regroup and fund a commission that would increase some kind of a debate here, because it is a one-sided story. The deck is stacked.

It is no secret, the Wall Street Journal said 2 months ago, that President Bush stacked his bipartisan Social Security Commission with members who agree with his goal of creating private accounts. That was the Wall Street Journal, May 10, 2001.

There are two Commission members, Ms. Weaver and Mr. Vargas, and they have ''supported the most ambitious privatization plan, to carve 5 percentage points of the payroll tax for individual accounts. Recognizing the huge transition costs, [they] proposed a 1.52 percentage point boost in the payroll tax, $1.9 trillion in government borrowing and a higher retirement age.''

Now, think about that: Privatization equals increased taxes, increased government borrowing, higher retirement age. If this Commission is a cure for Social Security, then the plague is a cure for the common cold.

Estelle James is a Democratic member of the Commission who ''as a former World Bank economist was that body's main voice for privatizing government retirement programs worldwide.'' That is hardly the person American consumers and seniors, the baby boomers, can count on to give a fair picture of the state of Social Security.

Sam Beard, ''Founder and president of the business-financed Economic Security 2000, which favors a fully privatized system,'' is hardly the person to give us an unbiased view.

Tom Saving, another Commission member, has written, ''Strange as it sounds, we must destroy the social security system, as we know it, to save it.''

Robert Pozen, an investment company executive with Fidelity, said, ''Even partial privatization is not a panacea.''

The Wall Street Journal went on to say, ''He served on a panel that recommended partial privatization but also a higher retirement age and reduced benefits, including spousal benefits.''

End the stacked deck.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, it is such a disservice to the American people to make this issue a political issue. It is easy to demagogue because seniors are frightened about the possibility of losing their Social Security benefits.

The facts are very clear: Thirty years ago it took 33 people to come up with the funding for every one retiree through their Social Security taxes. Today it takes three people to come up with the taxes to accommodate that Social Security benefit for every one Social Security retiree. And the estimate is in another 15 to 20 years it is only going to be two people working in the United States to have to pay enough taxes to accommodate every single one retiree.

To suggest that we should do nothing now because we might ruin the system is ridiculous. There are a lot of ways that maybe we could help cure the program. What the President has suggested, what the gentleman from Arizona (Mr. KOLBE) and others and I have suggested in the several bills we have introduced, in the last 7 years I have introduced three bills that have been scored, each of which has been scored by the Social Security Administration, to keep Social Security solvent for the next 75 years.

Every time I introduce a bill, from the first one in 1994 until the one last year, the solutions have to be more drastic because we are running out of time. We are wasting these kinds of funds that are coming in. The problem is real. The demographics are real. There are more seniors in relation to the number of people that are paying for those benefits.

If we do not do something, if we use this issue to scare people politically, we are doing a disservice to this Chamber, to the American people, and to those people on Social Security.

There are only two solutions to fix the problem, or maybe three solutions to fix the Social Security problem: Either bring in more revenues, so one can afford the payments, or reduce the amount that is going out in payments.

The real key date is not some date off in 2033, when it says the Social Security Trust Fund is becoming insolvent. The real date that we have to pay attention to, the latest estimate is 2016, when there is less money coming in from the Social Security taxes than is required to pay benefits. With the downturn in the economy, the next estimate is going to be less than that year of 2016.

Let us move ahead. Let us make sure if there are any private investments that they be limited to safe investments. Let us make it clear to the American people that we are not using any of the disability insurance funds, the disability insurance or the survivor benefit trust funds. That is off the table. That is not being considered.

How do we get a better return than the 1.7 percent that future retirees are going to get from the Social Security taxes the employees and employers have paid in?

Mr. FILNER. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, in 1935, about 178 Republicans voted against establishing Social Security. One voted for it. In 1964, 30 years later, the Republican party, behind Barry Goldwater, said, ''Let us get rid of Social Security. Let us make it private.'' Thirty years later

they are right on schedule again, and they want to destroy Social Security in order to save it.

To do this, the Bush administration sets up a biased commission. They have a habit of setting up biased commissions: first, Mr. CHENEY's energy task force of oil company executives; and now this task force, composed 100 percent of people who are on record as favoring the partial or full privatization of Social Security.

We can have an honest amendment that says, do not implement the report of the Commission because we know it is going to be privatization, because they said so. They told us that. We do not have to wonder about what it is going to be. ''Let us establish a commission to investigate the problem and come up with the solution that they designed before they investigated the problem.''

We are told in 2016 Congress, in order to pay off the Social Security bonds, will either have to raise taxes, cut benefits, or borrow to pay back these bonds. Why? Why did we increase FICA taxes, Social Security taxes in 1983 and cut the benefits in order to build up a trust fund so that it would keep Social Security solvent? Now they tell us those $5 trillion in assets do not matter, they are not real assets. Well, they are real assets to the Social Security system.

True, the government is to pay it. It will cost, to pay it, $200 billion a year, starting in 2016. How are we going to pay it? For one thing, the tax cut that we approved a few weeks ago will cost about $400 billion a year starting in 2011, once it is fully phased in. Half of that tax cut would pay for all the bonds on an annual basis.

They are only part of the bonds. That is part of the national debt of the United States. They are no different than the bonds that are held by Mitsubishi or the series E bonds held by the gentleman from Michigan (Mr. SMITH). We always pay back those bonds.

We are not going to have to raise taxes or cut benefits. If we do, it is a government budget problem, not a Social Security problem.

Now we are told the solution is privatize; take a system which guarantees a person a certain benefit, a certain retirement benefit, and tell them they will only get a certain fraction of that benefit, and the rest of it will depend on their luck on the stock market.

Maybe they will do well, and maybe they will not. A lot of people will do well, but a lot of people will not do well, and we will recreate the situation we had before Social Security in which some people have good retirements and others are in abject poverty because their investments were foolish or simply unlucky.

□ 1945

We are told that the railroad retirement system is going to invest in the stock market, pension funds will invest in the stock market. Sure, the whole system does, not individuals, and that makes all the difference in the world. If the Government decided to buy private stocks and bonds with the Social Security Trust Fund to get greater returns, the Government has a budget problem if those stocks do not pan out. The individuals still are guaranteed by law their Social Security. So the fact that pension funds invest in stocks does not mean we ought to put individuals at risk of the private stock market.

We are also told by an operation, by this task force, by others, Chicken Littles, that the sky is falling, we are going to run out of money. Well, the system will have enough money to pay all benefits for the next 37 years, if we believe the trustees; and then it will have a 28 percent shortfall, if we assume that the rate of economic growth of the United States is going to plummet to a rate not seen since the Depression and going to stay there.

Mr. FILNER. Mr. Chairman, I yield 4½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman for yielding me this time and for introducing this amendment.

I rise in strong support of the Filner amendment, which would prohibit the Office of Management and Budget from spending any funds to implement the final report of the President's Commission to Strengthen Social Security. People with disabilities, minorities, and women are especially hurt by Social Security privatization.

Today, there are approximately 45 million Americans receiving Social Security benefits, over 4 million of whom reside in my home State of California. Many people depend on this retirement benefit as a source of major income. Social Security is the principal source of retirement income for two-thirds of elderly Americans, representing 90 percent of the annual income for 29 percent of all seniors over the age of 65. In fact, Social Security benefits lifted approximately 13 million senior citizens out of poverty last year.

Social Security is not just a retirement program for our seniors. For millions of Americans, Social Security is the only protection against the shackles of low lifetime earnings, the financial hardships related to death or disability, the danger of poverty in old age, and the uncertainty of inflation. Privatization undermines these protections and adds one more risk that workers would have to worry about, and that is Wall Street.

Let me just bring a little diversity to this debate this evening. Elderly African Americans and Latinos rely on Social Security benefits more than white elders do. From 1994 to 1998, African American and Latino seniors and their spouses relied on Social Security for about 44 percent of their total income, while white elders and their spouses relied on the program for only 37 percent of their total income. This is because minorities, unfortunately, have a lower rate of pension coverage. Only 29 percent of elderly African Americans and 22 percent of elderly Hispanic Americans get a pension income. By comparison, 45 percent of white seniors do. Unfortunately, people of color are disproportionately represented among low-wage workers; therefore, it is much harder for them to set aside savings for retirement. Privatization of Social Security will jeopardize their retirement income.

Now, people with disabilities are also hurt significantly by privatizing their benefits. As of January 2001, over 13 million Americans, or about 30 percent of all Social Security beneficiaries, rely on Social Security disability. For the average wage earner with a family, Social Security offers the equivalent of a $200,000 disability insurance policy. The vast majority of workers would not be able to get similar coverage from the private sector. The GAO concluded in a January 2001 examination of Social Security privatization plans that the income from workers' individual accounts was not sufficient to compensate for the decline in the insurance benefits that disabled beneficiaries would receive.

The uncertainty of privatization also hits women extra hard. Poverty among American women over 65 is already twice as severe as among men in the same age group. Women are more likely to earn less than men and are more likely to live longer. Women also lose an average of 14 years of earnings due to the time out of the workforce to raise children or care for ailing parents or spouses. And since women generally have a higher incidence of part-time employment, they have less of an opportunity to save for retirement. Most privatization proposals make no provision for these differences and would thus make poverty among women even worse.

Currently, Social Security provides guaranteed lifelong benefits. No matter what the stock market does the day one retires, or in the months leading up to retirement, an individual's benefits will be unaffected.

The American people deserve the truth. Now that the Bush administration has passed a $1.6 trillion tax cut that primarily benefits the wealthy, they are trying to find another method of paying for Social Security due to the lost revenue. But the proposal to privatize Social Security does absolutely nothing to extend the life of the program or save it. It diverts money from the Social Security Trust Fund.

We must put money in to protect the trust fund, not deplete the fund. We have an obligation to strengthen Social Security, not privatize it.

Mr. ISTOOK. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) has 7½ minutes remaining and the time has expired for the gentleman from California (Mr. FILNER).

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Chairman, I rise in strong opposition to this amendment tonight, and I am deeply troubled by some of the rhetoric that I have heard from some of my colleagues criticizing the commission report for highlighting the fiscal challenges facing the system and suggesting that reform is not necessary. If we listen carefully, we will find many of my colleagues have suggested reform, but they have a preconceived notion of what is going to be voted on ultimately on this House floor.

Now, I began to get very involved in Social Security reform about 6 years ago when the first of our two grandsons, Cindy's and mine, were born. Cole will be celebrating his sixth birthday this month; Chase will be celebrating his fourth birthday. And I resolved at that time that I did not want them, my two grandsons, to look back 67 years from their birth and say if only my granddad would have done what in his heart he knew he should have done when he was in the Congress, we would not be in the trouble we are in today.

Take a look at the commission report, the interim commission report. I want my colleagues to see if they really disagree with the numbers the gentleman from Florida did an excellent job of outlining. Everyone knows in this body that beginning in 2016 we are going to have a difficult time funding the benefits. It can be done, but it is going to take some reform.

Listen carefully to the discussion tonight. Most of the responsible rhetoric tonight has suggested that there needs to be a correction, there needs to be some corrective measures taken, but they just do not like what they believe is going to be forthcoming. Well, be careful about that, because there are some other ideas that will be circulating.

Please be careful when talking about a stacked deck. Do my colleagues really believe that Senator Pat Moynihan is going to be part of a stacked deck that is going to do something that is going to be harmful to the elderly of this country? Do my colleagues really believe that? If my colleagues really believe that, then they are perfectly willing to come to this floor and say so, but I am not. I am not.

Take a look at the numbers. Look at the numbers and, for Heaven's sake, do not be as critical of something that has not yet happened as some are being tonight and recognize that we do need to move forward in a responsible way and in a bipartisan way.

Mr. ISTOOK. Mr. Chairman, I yield 15 seconds to the gentleman from California (Mr. FILNER), and just advise the Chair that I will have no further debate on this. However, I do have, on an unrelated matter, some time to yield for the purpose of a brief colloquy.

Mr. FILNER. Mr. Chairman, I wanted to thank the gentleman from Oklahoma, the gentleman from Florida, the gentleman from Arizona, and the gentleman from Michigan.

I thought this was a good debate. I think it is a debate that is most important to the American people and we will continue it on.

I agree with the gentleman from Arizona (Mr. KOLBE) that those of us who have a problem have responsibility for solutions, and that will come in the later debates. So I thank all for the high level of this debate.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I did not bring this amendment before us tonight, but as long as it is here, I am going to vote for it, because I do believe that the Social Security commission staff report issued last week is a cynical effort to trash Social Security and undercut its public support in order to pave the way for cutting Social Security's guaranteed benefits and turn much of the program over to Wall Street. And I do most certainly believe that that commission is a stacked deck. Every single Democrat appointed to that commission was appointed by the President. And the last time I looked, their views do not represent very many Democrats when it comes to the issue of Social Security.

In my view, Social Security is the single best domestic program ever passed by this Congress, perhaps with the exception of the Civil Rights Act, and certainly Medicare is the next best after that. Obviously, we will need changes in the future, just as it has needed changes in the past in order to keep up with the times and remain solvent. But this report, in my view, is simply a scheme to frighten Americans into believing that we have to trash Social Security in order to save it. It is put forth by a commission that has already made up its mind to cut long-term benefits, and it ought to be recognized for what it is. And there is nothing wrong with being frank about that on the House floor. I have minimum high regard at best for that commission's makeup as well as its intended recommendations.

I would also say I do not know why we should be surprised that the Social Security System, beginning in a few years, will pay out more than it takes in for a number of years. It was designed to do that. Mr. Greenspan and the bipartisan group that made up the original commission in 1973 specifically designed it so that we would accumulate notes over a period of years and beginning in that year we would begin to pay down the assets that had been built up. That is the way it is supposed to work. And for the commission staff or its membership, be they Democrat or Republican, to suggest that that means the system is in mortal trouble is goomwah. And I think people know what goomwah is, if they come from a rural community.

So I would simply say, yes, we are going to have to take actions to strengthen Social Security, and that is why it is so tragic that the majority of this House and the White House cooperated in putting together a tax package that was so large that it took away virtually every dollar left in the surpluses that could have been used to strengthen Social Security long term, so that the tweaking that is going to be required in Social Security would have to be less than it now will have to be if we follow the misguided and misbegotten tax policies that this Congress recently imposed.

So I make no apology for voting for this amendment, and I make no apology for saying I have no confidence in the membership of that commission as presently constituted. It is a stacked deck, and it is a stacked deck full of jokers.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I wish to engage in a very brief colloquy with the gentleman from Oklahoma (Mr. ISTOOK) related to the fifth proviso under the heading ''Office of Management and Budget.''

It is my understanding that this proviso would prohibit the use of funds for the purpose of OMB calculating, preparing or approving tabular or other material that proposes the suballocation of a budget authority or outlays by the Committee on Appropriations. Is this the correct understanding of this provision?

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. TANCREDO. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I am pleased to enter into a dialogue with the gentleman regarding this and would advise him that his understanding of the provision is correct.

Mr. TANCREDO. Reclaiming my time, Mr. Chairman, would the gentleman be amenable to reviewing the need for revision during the conference deliberations on this bill?

Mr. ISTOOK. If the gentleman will continue to yield, I would certainly agree to review this provision during the conference deliberations, and I appreciate the interest of the gentleman from Colorado and his patience and understanding that some things, of course, cannot be resolved until we come to conference with the Senate.

Mr. Chairman, I yield myself such time as I may consume in closing, and I want to echo the comments of the gentleman from California (Mr. FILNER) regarding his appreciation for the constructive comments that were made during the course of this debate.

□ 2000

Social Security is an extremely important issue to all of us.

Mr. Chairman, in opposing the amendment that was offered, I think it is necessary that everyone understand that when we are trying to find a solution to a very challenging circumstance, we do not find that solution by saying before we look for a solution, we have got to put on the blindfolds, put on the handcuffs, and put in the ear plugs. If my colleagues do that, they are going to be restricted from the start in what they can do. If my colleagues do that, they are not likely to find something that will resolve the problem; and the problem is very real.

As the gentleman from Florida (Mr. SHAW) pointed out, it was officials during the former administration, the Secretary of Treasury and HHS and so forth, who made a very compelling case for the major significance of the problem and the need to address it.

We cannot address it in a satisfactory way if we say solutions are going to be taken off the table before we even consider them, including solutions put forth by one of the leading Democrats, Senator Moynihan, formerly the Senator from New York.

I think we have to understand many people want very different solutions. Sometimes that differs a great deal with age. When talking to somebody who has already retired or who is about to retire, they want to make sure that they have everything that has been promised to them and it is not in jeopardy. I do not think that any Member of this body would want to place the benefits of anyone in jeopardy. I think we all want to make sure that everybody receives what has been promised to them.

But at the same time, there are a significant number of Americans who say, I want to control more of my own destiny. For so many years, I put so much into Social Security and I am not satisfied, either with the rate of return or what they deem to be the level of security. And they want to control more of their destiny, just as those who participate as Federal employees in the Thrift Savings Plan and the 401(k) plan have different options from which to choose. It is perfectly possible that we may establish an opportunity for people to choose whether they want to continue in exactly the same thing they have now, or they want to have some choices, but without enabling either one to impose their choice on the other.

If we adopt this amendment, we are foreclosing opportunities to be flexible. We are foreclosing opportunities for Americans to have a greater level of choice in this crucially important decision in influencing their retirement. I believe this amendment should be defeated, but I believe the debate has been very healthy.

Mr. Chairman, this is the final matter of debate. We will be voting on the amendments held back, and then move on to final passage. I urge my colleagues to vote against this amendment; but certainly to vote in favor of the bill as we move towards its final passage.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FILNER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. FILNER) will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) and the amendment offered by the gentleman from California (Mr. FILNER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. TRAFICANT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 24, noes 401, not voting 8, as follows:

[Roll No. 272]

AYES—24

Baker
Bilirakis
Chambliss
Coble
Collins
Duncan
Gibbons
Hall (TX)
Hansen
Hilleary
Hinchey
Jones (NC)
LaTourette
Ney
Norwood
Otter
Paul
Royce
Schaffer
Sessions
Tancredo
Traficant
Watson (CA)
Young (AK)

NOES—401

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)

Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—8

Bachus
Blumenauer
Lipinski
McGovern
Scarborough
Snyder
Spence
Watkins (OK)

□ 2031

Messrs. BROWN of Ohio, ROEMER, LANGEVIN, HEFLEY, WAMP, BRADY of Texas, LEWIS of Kentucky, HAYWORTH, SHIMKUS, PALLONE, WEINER, FOSSELLA, SKEEN and GREEN of Texas, Ms. KILPATRICK, Ms. McCOLLUM and Ms. RIVERS changed their vote from ''aye'' to ''no.''

Mr. CHAMBLISS and Mr. HILLEARY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY FILNER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FILNER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 238, not voting 7, as follows:

[Roll No. 273]

AYES—188

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Slaughter
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—238

Aderholt
Akin
Allen
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Bachus
Blumenauer
Knollenberg
Lipinski
Scarborough
Snyder
Spence

□ 2039

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Treasury and General Government Appropriations Act, 2002''.

The CHAIRMAN. There being no other amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. DREIER, 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. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 206, he reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 334, nays 94, not voting 5, as follows:

[Roll No. 274]

YEAS—334

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baldacci
Ballenger
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Cooksey
Coyne
Cramer
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (PA)
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schrock
Scott
Serrano
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (TX)
Solis
Souder
Spratt
Stark
Stenholm
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Traficant
Velazquez
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—94

Andrews
Baker
Baldwin
Barcia
Barr
Barrett
Bartlett
Berkley
Berry
Boswell
Brown (OH)
Carson (OK)
Chabot
Coble
Conyers
Costello
Cox
Crane
Crenshaw
Davis (CA)
DeFazio
Deutsch
Diaz-Balart
Duncan
Etheridge
Evans
Goode
Goodlatte
Green (WI)
Hall (TX)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Hostettler
Inslee
Israel
Johnson (IL)
Jones (NC)
Kerns
Kildee
Kind (WI)
Kucinich
Langevin
Larsen (WA)
Lucas (KY)
Luther
Maloney (NY)
Matheson
McInnis
Menendez
Moran (KS)
Paul
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Putnam
Ramstad
Rohrabacher
Ross
Royce
Ryun (KS)
Sandlin
Schaffer
Schiff
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shows
Smith (MI)
Smith (NJ)
Smith (WA)
Stearns
Strickland
Tancredo
Taylor (MS)
Thune
Thurman
Toomey
Turner
Udall (CO)
Udall (NM)
Upton
Walden
Weldon (FL)
Wexler
Wu

NOT VOTING—5

Blumenauer
Lipinski
Scarborough
Snyder
Spence

□ 2057

Mr. TURNER changed his vote from ''yea'' to ''nay.''

Mr. HOLT changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO COMMITTEE ON ARMED SERVICES

Mr. FROST. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 207) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 207

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Armed Services: Mr. Larsen of Washington.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would announce that further proceedings on the motion to suspend the rules and pass H.R. 1954, as amended, originally postponed on Tuesday, July 24, 2001, will resume tomorrow.

PERSONAL EXPLANATION

Ms. DELAURO. Mr. Speaker, I regret to report that on July 19 I inadvertently voted the wrong way during rollcall number 255 on House Joint Resolution 50, Disapproval of Normal Trade Relations for China.

I mistakenly recorded my vote as no. My vote should have been an aye for disapproval.

CHINA NORMAL TRADE RELATIONS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I want to build a strong relationship between the United States and China, but the normal trade relations China enjoys with the United States have done little to build a strong and mutually beneficial relationship between our two nations. It promotes few of our values or of our economic interests. China has engaged in unfair trade practices, pirated intellectual property, spread weapons and dangerous technology to rogue nations, suppressed democracy, denied its citizens religious freedom, and engaged in human rights abuses.

In so doing, China has gladly profited. Our trade deficit with China has mushroomed from $17.8 billion in 1999 to over $100 billion in 2000.

The United States should use our trade laws with China to pressure for greater access for American companies and goods. I oppose NTR for China because we need to let China know that more of the same is not acceptable. It is vital that we insist on fair and equal standards in compliance with all aspects of our trade laws. Until this happens, I cannot support NTR.

MAKING IN ORDER ON JULY 25, 2001, OR ANY DAY THEREAFTER, CONSIDERATION OF H.J. RES. 55, DISAPPROVING EXTENSION OF WAIVER AUTHORITY CONTAINED IN SECTION 402(c) OF TRADE ACT OF 1974 WITH RESPECT TO VIETNAM

Mr. GOSS. Mr. Speaker, I ask unanimous consent that it be in order at any time on July 25, 2001, or any day thereafter to consider in the House the joint resolution, House Joint Resolution 55,