

the extent that the Federal budget is in surplus without counting the Social Security Trust Fund.

"2. For purposes of this rule, the term—

"(1) 'Social Security Trust Fund' means the Old Age and Survivors Insurance Trust Fund and the Disability Insurance Trust Fund, combined, established by title II of the Social Security Act;

"(2) 'Social Security solvency certification' means a written statement by the Board of Trustees of the Social Security Trust Fund that the Fund is in actuarial balance for the 75-year period used in the most recent annual report of that Board pursuant to rule 201(c)(2) of the Social Security Act;

"(3) 'direct spending legislation' means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, except any provision that funds or continues in effect the deposit insurance guarantee commitment in effect on the date of agreement to this rule;

"(4) 'to be fully paid for' means that net reduction in revenues do not exceed net reduction in direct spending, or net increases in outlays do not exceed net increases in revenues, when those increases and reductions are calculated relative to an estimate of current law;

"(5) 'current year' means the fiscal year starting on October 1 of the prior calendar year; and

"(6) 'budget year' means the fiscal year starting on October 1 of the current calendar year.

"3. (a) It shall not be in order to consider any direct spending or revenue legislation unless in the form proposed for consideration and during each of the applicable time periods specified in paragraph (b)—

"(1) that legislation fully pays for itself, or

"(2) that legislation is fully paid for when counting any credits available under paragraph (c).

"(b) For purposes of this clause, the applicable time periods are—

"(1) the current year and the budget year,

"(2) the five fiscal years following the current year, and

"(3) the five fiscal years following the time period specified in subparagraph (2).

"(c)(1) For purposes of paragraph (a) and with respect to direct spending or revenue legislation previously enacted during the current calendar year, the net extent (if any) by which all such legislation is more than fully paid for in one of the applicable time period shall count as a credit for that time period.

"(2) Once enacted, legislation considered pursuant to a reconciliation directive shall not be counted as previously enacted legislation for purposes of subparagraph (1), but such legislation itself shall be subject to the requirements of this rule.

"(3) When a Social Security solvency certification is issued, the chairman of the Committee on the Budget shall insert it in the Congressional Record. At the beginning of the first calendar year thereafter, projected budget surpluses (if any) shall be included as a separate entry on the Pay-As-You-Go scorecard and count as credits for purposes of paragraph (a). At the beginning of each subsequent calendar year, the previous entry of surpluses shall be replaced by an updated entry. For the purpose of the prior two sentences, surpluses shall—

"(A) be calculated excluding all the receipts and outlays of the Social Security Trust Fund (and any other off-budget Federal entity), and

"(B) be calculated separately for each of the applicable time period.

"4. For purposes of this rule, the levels of outlays, revenues, surpluses, and deficits under current law or resulting from proposed legislation for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget."

By unanimous consent, the previous question was ordered on the motion to commit with instructions.

The question being put, viva voce,

Will the House commit said resolution with instructions?

The SPEAKER pro tempore, Mr. LAHOOD, announced the nays had it.

Mr. MOAKLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 201 negative } Nays 218

1.20 [Roll No. 4] YEAS—201

- Abercrombie, Ackerman, Allen, Andrews, Baird, Baldacci, Baldwin, Barcia, Barrett (WI), Becerra, Bentsen, Berkley, Berman, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brown (CA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson, Carson, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Cramer, Crowley, Cummings, Danner, Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Edwards, Engel, Eshoo, Etheridge, Evans, Fattah, Filner, Ford, Frank (MA), Frost, Gejdenson, Gephardt, Gonzalez, Goode, Gordon, Green (TX), Gutierrez, Hall (OH), Hall (TX), Hastings (FL), Hill (IN), Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Hooley, Inslee, Jackson (IL), Jackson-Lee (TX), Jefferson, John, Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kennedy, Kildee, Kilpatrick, Kind (WI), Kleczka, Klink, Kucinich, LaFalce, Lampson, Lantos, Larson, Lee, Levin, Lewis (GA), Lipinski, Lofgren, Lowey, Lucas (KY), Luther, Maloney (CT), Maloney (NY), Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McIntyre, McKinney, McNulty, Meehan, Menendez, Millender-McDonald, Minge, Mink, Moakley, Moore, Moran (VA), Murtha, Nadler, Napolitano, Neal, Oberstar, Olver, Ortiz, Owens, Pascarell, Pastor, Payne, Pelosi, Peterson (MN), Phelps, Pickett, Pomeroy, Price (NC), Rahall, Rangel, Reyes, Rivers, Rodriguez, Roemer, Rothman, Roybal-Allard, Rush, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schakowsky, Scott, Serrano, Sherman, Shows, Sisisky, Skelton, Slaughter, Smith (WA), Snyder, Spratt, Stabenow, Stenholm, Strickland, Stupak, Tanner, Tauscher, Taylor (MS), Thompson (CA), Thompson (MS), Thurman, Tierney, Towns, Traficant, Turner, Udall (CO), Udall (NM), Velazquez, Vento, Visclosky, Waters, Watt (NC), Waxman, Weiner, Wexler, Weygand, Wise, Woolsey, Wu, Wynn

NAYS—218

- Aderholt, Archer, Arme, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Biggert, Bilbray, Bilirakis, Biiley, Boehlert, Boehner, Bonilla, Bono, Brady (TX), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Nadler, Castle, Chabot, Chambliss, Chenoweth, Coble, Coburn, Collins, Combust, Cook, Cooksey, Cox, Crane, Cubin, Cunningham, Davis (VA), Deal, DeLay, DeMint, Diaz-Balart, Dickey, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Everett, Ewing, Fletcher, Foley, Forbes, Fossella, Fowler, Franks (NJ), Frelinghuysen, Ganske, Gekas, Gibbons, Gilchrist, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Granger, Green (WI), Greenwood, Gutknecht, Hansen, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (MT), Hilleary, Hobbins, Hoekstra, Horn, Hostettler, Houghton, Hulshof, Hunter, Hutchinson, Hyde, Istook, Johnson (CT), Johnson, Sam, Jones (NC), Kasich, Kelly, King (NY), Kingston, Knollenberg, Kolbe, Kuykendall, LaHood, Largent, Latham, LaTourette, Lazio, Leach, Lewis (CA), Lewis (KY), Linder, Livingston, LoBiondo, Lucas (OK), Manzullo, McCollum, McCrery, McHugh, McInnis, McIntosh, McKeon, Metcalf, Mica, Miller (FL), Miller, Gary, Moran (KS), Morella, Myrick, Nethercutt, Ney, Northup, Norwood, Nussle, Oxley, Packard, Paul, Pease, Peterson (PA), Petri, Pickering, Pitts, Pombo, Porter, Portman, Pryce (OH), Quinn, Radanovich, Ramstad, Regula, Reynolds, Riley, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan (WI), Ryun (KS), Salmon, Sanford, Saxton, Scarborough, Schaffer, Sensenbrenner, Sessions, Shadegg, Shaw, Shaub, Sherwood, Shimkus, Shuster, Simpson, Skee, Smith (MI), Smith (NJ), Smith (TX), Souder, Spence, Stearns, Stump, Sununu, Sweeney, Talent, Tancredo, Tauzin, Taylor (NC), Terry, Thomas, Thornberry, Thune, Tiahrt, Toomey, Upton, Walden, Walsh, Wamp, Watkins, Watts (OK), Weldon (FL), Weldon (PA), Weller, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL)

NOT VOTING—8

- Blunt, Davis (FL), Holt, Jenkins, Meek (FL), Meeks (NY), Obey, Pallone

So the motion to commit with instructions was not agreed to.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced the yeas had it.

Mr. MOAKLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 217
Nays 204

¶1.21 [Roll No. 5]
YEAS—217

Aderholt	Gillmor	Peterson (PA)
Archer	Gilman	Petri
Armey	Goodlatte	Pickering
Bachus	Goodling	Pitts
Baker	Goss	Pombo
Ballenger	Graham	Porter
Barr	Granger	Portman
Barrett (NE)	Green (WI)	Pryce (OH)
Bartlett	Greenwood	Quinn
Barton	Gutknecht	Radanovich
Bass	Hansen	Ramstad
Bateman	Hastings (WA)	Regula
Bereuter	Hayes	Reynolds
Biggert	Hayworth	Riley
Bilbray	Henger	Rogan
Bilirakis	Hill (MT)	Rogers
Biley	Hilleary	Rohrabacher
Boehlert	Hobson	Ros-Lehtinen
Boehner	Hoekstra	Roukema
Bonilla	Horn	Royce
Bono	Hostettler	Ryan (WI)
Brady (TX)	Houghton	Ryun (KS)
Bryant	Hulshof	Salmon
Burr	Hunter	Sanford
Burton	Hutchinson	Saxton
Buyer	Hyde	Scarborough
Callahan	Istook	Schaffer
Calvert	Johnson (CT)	Sensenbrenner
Camp	Johnson, Sam	Sessions
Campbell	Jones (NC)	Shadegg
Canady	Kasich	Shaw
Cannon	Kelly	Shays
Castle	King (NY)	Sherwood
Chabot	Kingston	Shimkus
Chambliss	Knollenberg	Shuster
Chenoweth	Kolbe	Simpson
Coble	Kuykendall	Skeen
Coburn	LaHood	Smith (MI)
Collins	Largent	Smith (NJ)
Combest	Latham	Smith (TX)
Cook	LaTourette	Souder
Cooksey	Lazio	Spence
Cox	Leach	Stearns
Crane	Lewis (CA)	Stump
Cubin	Lewis (KY)	Sununu
Cunningham	Linder	Sweeney
Davis (VA)	Livingston	Talent
Deal	LoBiondo	Tancredo
DeLay	Lucas (OK)	Tauzin
DeMint	Manzullo	Taylor (NC)
Diaz-Balart	McCollum	Terry
Dickey	McCrery	Thomas
Doolittle	McHugh	Thornberry
Dreier	McInnis	Thune
Duncan	McIntosh	Tiahrt
Dunn	McKeon	Toomey
Ehlers	Metcalf	Upton
Ehrlich	Mica	Walden
Emerson	Miller (FL)	Walsh
English	Miller, Gary	Wamp
Everett	Moran (KS)	Watkins
Ewing	Morella	Watts (OK)
Fletcher	Myrick	Weldon (FL)
Foley	Nethercutt	Weldon (PA)
Forbes	Ney	Weller
Fossella	Northup	Whitfield
Fowler	Norwood	Wicker
Franks (NJ)	Nussle	Wilson
Frelinghuysen	Ose	Wolf
Ganske	Oxley	Young (AK)
Gekas	Packard	Young (FL)
Gibbons	Paul	
Gilchrest	Pease	

NAYS—204

Abercrombie	Boucher	Cummings
Ackerman	Boyd	Danner
Allen	Brady (PA)	Davis (FL)
Andrews	Brown (CA)	Davis (IL)
Baird	Brown (FL)	DeFazio
Baldacci	Brown (OH)	DeGette
Baldwin	Capps	Delahunt
Barcia	Capuano	DeLauro
Barrett (WI)	Carson	Deutsch
Becerra	Clay	Dicks
Bentsen	Clayton	Dingell
Berkley	Clement	Dixon
Berman	Clyburn	Doggett
Berry	Condit	Dooley
Bishop	Conyers	Doyle
Blagojevich	Costello	Edwards
Blumenauer	Coyne	Engel
Borski	Cramer	Eshoo
Boswell	Crowley	Etheridge

Evans	Lucas (KY)	Roemer
Fattah	Luther	Rothman
Finler	Maloney (CT)	Roybal-Allard
Ford	Maloney (NY)	Rush
Frank (MA)	Markey	Sabo
Frost	Martinez	Sanchez
Gedjenson	Mascara	Sanders
Gephardt	Matsui	Sandlin
Gonzalez	McCarthy (MO)	Sawyer
Goode	McCarthy (NY)	Schakowsky
Gordon	McDermott	Scott
Green (TX)	McGovern	Serrano
Gutierrez	McIntyre	Sherman
Hall (OH)	McKinney	Shoews
Hall (TX)	McNulty	Sisisky
Hastings (FL)	Meehan	Skelton
Hill (IN)	Meeke (FL)	Slaughter
Hilliard	Meeks (NY)	Smith (WA)
Hincheey	Menendez	Snyder
Hinojosa	Millender-Hoeffel	Spratt
Holden	Minge	Stabenow
Holt	Mink	Stenholm
Hooley	Moakley	Strickland
Inslee	Moore	Stupak
Jackson (IL)	Moran (VA)	Tanner
Jackson-Lee (TX)	Murtha	Tauscher
Jefferson	Nadler	Taylor (MS)
John	Napolitano	Thompson (CA)
Johnson, E. B.	Neal	Thompson (MS)
Jones (OH)	Oberstar	Thurman
Kanjorski	Obey	Tierney
Kaptur	Oliver	Towns
Kennedy	Ortiz	Traficant
Kildee	Owens	Turner
Kilpatrick	Pallone	Udall (CO)
Kind (WI)	Pascrell	Udall (NM)
Kleczka	Pastor	Velazquez
Klink	Payne	Vento
Kucinich	Pelosi	Visclosky
LaFalce	Peterson (MN)	Waters
Lampson	Phelps	Watt (NC)
Lantos	Pickett	Waxman
Larson	Pomeroy	Weiner
Lee	Price (NC)	Wexler
Levin	Rahall	Weygand
Lewis (GA)	Rangel	Wise
Lofgren	Reyes	Woolsey
Lowey	Rivers	Wu
	Rodriguez	Wynn

NOT VOTING—6

Blunt	Cardin	Jenkins
Bonior	Hefley	Lipinski

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶1.22 MEMBERS-ELECT SWORN IN

Mr. Ed Bryant of the Seventh District of Tennessee, Mr. Peter A. DeFazio of the Fourth District of Oregon, Ms. Louise McIntosh Slaughter of the Twenty-eighth District of New York, and Mr. Virgil H. Goode, Jr. of the Fifth District of Virginia, presented themselves at the bar of the House and took the oath of office prescribed by law.

¶1.23 COMMITTEE ELECTIONS—MAJORITY

Mr. WATTS of Oklahoma, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 6):

Resolved, That the following named Members be, and are hereby elected to serve on standing committees as follows:

Committee on Agriculture: Mr. Combest, Chairman; Mr. Barrett of Nebraska; Mr. Boehner; Mr. Ewing; Mr. Goodlatte; Mr. Pombo; Mr. Canady; Mr. Smith of Michigan; Mr. Everett; Mr. Lucas of Oklahoma; Mrs. Chenoweth; Mr. Hostettler; Mr. Chambliss; Mr. LaHood; Mr. Moran of Kansas; Mr. Schaffer; Mr. Thune; Mr. Jenkins; Mr. Cooksey; Mr. Calvert; Mr. Gutknecht; Mr. Riley; Mr. Walden; Mr. Simpson; Mr. Ose; Mr. Hayes; and Mr. Fletcher.

Committee on Appropriations: Mr. Young of Florida, Chairman; Mr. Regula; Mr. Lewis of California; Mr. Porter; Mr. Rogers; Mr. Skeen; Mr. Wolf; Mr. DeLay; Mr. Kolbe; Mr. Packard; Mr. Callahan; Mr. Walsh; Mr. Taylor of North Carolina; Mr. Hobson; Mr. Istook; Mr. Bonilla; Mr. Knollenberg; Mr. Miller of Florida; Mr. Dickey; Mr. Kingston; Mr. Frelinghuysen; Mr. Wicker; Mr. Forbes; Mr. Nethercutt; Mr. Cunningham; Mr. Tiahrt; Mr. Wamp; Mr. Latham; Mrs. Northup; Mr. Aderholt; Mrs. Emerson; Mr. Sununu; Ms. Granger; and Mr. Peterson of Pennsylvania.

Committee on Armed Services: Mr. Spence, Chairman; Mr. Stump; Mr. Hunter; Mr. Kasich; Mr. Bateman; Mr. Hansen; Mr. Weldon of Pennsylvania; Mr. Hefley; Mr. Saxton; Mr. Buyer; Mrs. Fowler; Mr. McHugh; Mr. Talent; Mr. Everett; Mr. Bartlett of Maryland; Mr. McKeon; Mr. Watts of Oklahoma; Mr. Thornberry; Mr. Hostettler; Mr. Chambliss; Mr. Hilleary; Mr. Scarborough; Mr. Jones; Mr. Graham; Mr. Ryun of Kansas; Mr. Riley; Mr. Gibbons; Mrs. Bono; Mr. Pitts; Mr. Hayes; Mr. Kuykendall; and Mr. Sherwood.

Committee on Banking and Financial Services: Mr. Leach, Chairman; Mr. McCollum; Mrs. Roukema; Mr. Bereuter; Mr. Baker; Mr. Lazio; Mr. Bachus; Mr. Castle; Mr. King; Mr. Campbell; Mr. Royce; Mr. Lucas of Oklahoma; Mr. Metcalf; Mr. Ney; Mr. Barr of Georgia; Mrs. Kelly; Mr. Paul; Mr. Weldon of Florida; Mr. Ryun of Kansas; Mr. Cook; Mr. Riley; Mr. Hill of Montana; Mr. LaTourette; Mr. Manzullo; Mr. Jones of North Carolina; Mr. Ryan of Wisconsin; Mr. Ose; Mr. Sweeney; Mrs. Biggert; Mr. Terry; Mr. Green of Wisconsin; and Mr. Toomey.

Committee on the Budget: Mr. Kasich, Chairman; Mr. Chambliss; Mr. Shays; Mr. Herger; Mr. Miller of Florida; Mr. Franks of New Jersey; Mr. Smith of Michigan; Mr. Nussle; Mr. Hoekstra; Mr. Radanovich; Mr. Bass; Mr. Gutknecht; Mr. Hilleary; Mr. Sununu; Mr. Pitts; Mr. Knollenberg; Mr. Thornberry; Mr. Ryun of Kansas; Mr. Green of Wisconsin; Mr. Fletcher; Mr. Gary Miller of California; Mr. Ryan of Wisconsin; and Mr. Toomey.

Committee on Commerce: Mr. Biley, Chairman; Mr. Tauzin; Mr. Oxley; Mr. Bilirakis; Mr. Barton of Texas; Mr. Upton; Mr. Stearns; Mr. Gillmor; Mr. Greenwood; Mr. Cox; Mr. Deal of Georgia; Mr. Largent; Mr. Burr of North Carolina; Mr. Bilbray; Mr. Whitefield; Mr. Ganske; Mr. Norwood; Mr. Coburn; Mr. Lazio; Mrs. Cubin; Mr. Rogan; Mr. Shimkus; Ms. Wilson; Mr. Shadegg; Mr. Pickering; Mr. Fossella; Mr. Blunt; Mr. Bryant; and Mr. Ehrlich.

Committee on Education and the Workforce: Mr. Goodling, Chairman; Mr. Petri; Mrs. Roukema; Mr. Ballenger; Mr. Barrett of Nebraska; Mr. Boehner; Mr. Hoekstra; Mr. McKeon; Mr. Castle; Mr. Sam Johnson of Texas; Mr. Talent; Mr. Greenwood; Mr. Graham; Mr. Souder; Mr. McIntosh; Mr. Norwood; Mr. Paul; Mr. Schaffer; Mr. Upton; Mr. Deal of Georgia; Mr. Hilleary; Mr. Ehlers; Mr. Salmon; Mr. Tancredo; Mr. Fletcher; and Mr. DeMint.

Committee on Government Reform: Mr. Burton of Indiana, Chairman; Mr. Gilman; Mrs. Morella; Mr. Shays; Mr. Cox; Ms. Ros-Lehtinen; Mr. McHugh; Mr. Horn; Mr. Mica; Mr. Davis of Virginia; Mr. McIntosh; Mr. Souder; Mr. Scarborough; Mr. LaTourette; Mr. Sandord; Mr. Barr of Georgia; Mr. Miller of Florida; Mr. Hutchinson; Mr. Terry; Mrs. Biggert; Mr. Walden; Mr. Ose; and Mr. Ryan of Wisconsin.

Committee on House Administration: Mr. Thomas, Chairman; Mr. Boehner; Mr. Ehlers; Mr. Ney; Mr. Mica; and Mr. Ewing.

Committee on International Relations: Mr. Gilman, Chairman; Mr. Goodling; Mr. Leach; Mr. Hyde; Mr. Bereuter; Mr. Smith of New Jersey; Mr. Burton of Indiana; Mr. Gallegly