

years than is needed to run the government. This surplus is the direct result of the diligence and hard work of the American people. The choice for this Congress is simple: keep the money for more Washington bureaucracy or return a portion of the surplus to working men and women. Mr. Speaker, I choose the people. Under the tax cut proposal, every American that pays income taxes will receive significant tax relief.

Mr. Speaker, this bill puts money back in the hands of Americans. Make no mistake, this is real tax relief for real people. Mr. Speaker, now more than ever Americans need to keep more of their hard-earned money in their pockets. The American people are over-taxed, and I look forward to voting today to return a portion of their money back to them. Taxpayers have earned it, and our slowing economy deserves it.

□ 1015

WHITHER THE TAX CUT

(Mr. SANDLIN asked and was given permission to address the House for 1 minute.)

Mr. SANDLIN. Mr. Speaker, the American public is not fooled by the charade before us today. Many in this Chamber claim that we have a \$5 trillion surplus. The fact is this: We have a \$5 trillion debt. Only in Washington, D.C., only here in the Nation's capital can a \$5 trillion debt somehow magically transform itself into a \$5 trillion surplus. That is new math at its finest. I do not know about you, but where I went to school in Texas, that just does not add up.

According to my figures, in order to have a \$5 trillion surplus, we would need to have \$10 trillion in the bank. But as our friend Chris Farley might have said, "We don't have Jack Squat." We need tax cuts in America. I support tax cuts in America. The Blue Dogs support tax cuts in America. But let us be responsible. We need a budget before we have tax cuts. We need to do what every family farmer does and every family business. Every family in America has a budget first. Mr. Speaker, let us formulate a budget first. Then we will give America the tax break that it deserves.

THE JOURNAL

The SPEAKER pro tempore (Mr. THORNBERRY). Pursuant to clause 8, rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. TURNER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the

point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 230, nays 180, answered "present" 1, not voting 21, as follows:

[Roll No. 34]

YEAS—230

Abercrombie	Gordon	Otter
Akin	Goss	Oxley
Armey	Graham	Pastor
Bachus	Granger	Paul
Baker	Graves	Payne
Ballenger	Green (WI)	Pence
Barr	Greenwood	Peterson (PA)
Bartlett	Grucci	Petri
Bass	Gutknecht	Pickering
Bereuter	Hall (TX)	Pitts
Berman	Hansen	Pombo
Biggett	Hart	Portman
Bilirakis	Hastings (FL)	Pryce (OH)
Blunt	Hastings (WA)	Putnam
Boehlert	Hayes	Quinn
Boehner	Hayworth	Radanovich
Bonilla	Hefley	Regula
Bono	Henger	Rehberg
Boyd	Hilleary	Reynolds
Brady (TX)	Hobson	Riley
Brown (SC)	Hoekstra	Rogers (KY)
Bryant	Horn	Rogers (MI)
Burton	Hostettler	Rohrabacher
Buyer	Houghton	Ros-Lehtinen
Callahan	Hunter	Roukema
Calvert	Hutchinson	Royce
Camp	Hyde	Ryan (WI)
Cannon	Isakson	Ryun (KS)
Cantor	Issa	Saxton
Capito	Istook	Scarborough
Castle	Jenkins	Schrock
Chabot	Johnson (CT)	Sensenbrenner
Chambliss	Johnson (IL)	Sessions
Clyburn	Johnson, Sam	Shadegg
Coble	Keller	Shaw
Collins	Kelly	Sherwood
Combest	Kennedy (MN)	Shimkus
Conyers	Kerns	Simmons
Cooksey	Kildee	Simpson
Cox	King (NY)	Skeen
Crane	Kingston	Smith (MI)
Crenshaw	Kirk	Smith (NJ)
Cubin	Kleczka	Smith (TX)
Culberson	Knollenberg	Souder
Cunningham	Kolbe	Spence
Davis, Jo Ann	LaHood	Stearns
Davis, Tom	Largent	Stump
Deal	Latham	Sununu
DeLay	Leach	Sweeney
DeMint	Lewis (KY)	Tauzin
Diaz-Balart	Linder	Taylor (NC)
Dingell	Lipinski	Terry
Doolittle	LoBiondo	Thomas
Dreier	Lucas (OK)	Thornberry
Duncan	Maloney (CT)	Thune
Dunn	Maloney (NY)	Tiahrt
Edwards	Manzullo	Tiberi
Ehlers	McCrery	Toomey
Ehrlich	McHugh	Traficant
Emerson	McInnis	Upton
English	McKeon	Vitter
Everett	Mica	Walden
Ferguson	Miller (FL)	Walsh
Flake	Miller, Gary	Wamp
Fletcher	Moakley	Watkins
Foley	Mollohan	Watts (OK)
Fossella	Moran (KS)	Waxman
Frelinghuysen	Morella	Weldon (FL)
Galleghy	Myrick	Weldon (PA)
Ganske	Nethercutt	Weller
Gekas	Ney	Whitfield
Gibbons	Northup	Wicker
Gilchrest	Norwood	Wilson
Gillmor	Nussle	Wolf
Gilman	Ortiz	Wu
Goode	Osborne	Young (FL)
Goodlatte	Ose	

NAYS—180

Aderholt	Baird	Barrett
Allen	Baldacci	Becerra
Andrews	Baldwin	Bentsen
Baca	Barcia	Berkley

Berry	Inslee	Pallone
Bishop	Israel	Pascarell
Blagojevich	Jackson (IL)	Pelosi
Blumenauer	Jackson-Lee	Peterson (MN)
Borski	(TX)	Phelps
Boswell	Jefferson	Pomeroy
Boucher	John	Price (NC)
Brady (PA)	Johnson, E. B.	Rahall
Brown (FL)	Jones (OH)	Ramstad
Brown (OH)	Kanjorski	Rangel
Capps	Kaptur	Reyes
Capuano	Kennedy (RI)	Rivers
Cardin	Kilpatrick	Rodriguez
Carson (IN)	Kind (WI)	Roemer
Carson (OK)	Kucinich	Ross
Clay	LaFalce	Rothman
Clayton	Lampson	Roybal-Allard
Clement	Langevin	Rush
Condit	Lantos	Sabo
Costello	Larsen (WA)	Sanchez
Cramer	Larson (CT)	Sanders
Crowley	Lee	Sandlin
Davis (CA)	Levin	Sawyer
Davis (IL)	Lewis (GA)	Schaffer
DeFazio	Lofgren	Schakowsky
DeGette	Lowey	Schiff
Delahunt	Lucas (KY)	Scott
Deutsch	Luther	Serrano
Dicks	Markey	Sherman
Doggett	Mascara	Sisisky
Dooley	Matheson	Slaughter
Doyle	Matsui	Smith (WA)
Engel	McCarthy (MO)	Snyder
Eshoo	McCarthy (NY)	Solis
Etheridge	McCollum	Spratt
Evans	McDermott	Stark
Farr	McGovern	Stenholm
Filner	McIntyre	Strickland
Ford	McKinney	Tanner
Frank	McNulty	Tauscher
Frost	Meehan	Taylor (MS)
Gephardt	Meek (FL)	Thompson (CA)
Gonzalez	Meeks (NY)	Thompson (MS)
Green (TX)	Menendez	Thurman
Hall (OH)	Millender	Towns
Harman	McDonald	Turner
Hill	Miller, George	Udall (CO)
Hilliard	Mink	Udall (NM)
Hinches	Moore	Velazquez
Hinojosa	Moran (VA)	Visclosky
Hoeffel	Murtha	Waters
Holden	Nadler	Watt (NC)
Holt	Napolitano	Weiner
Honda	Neal	Wexler
Hooley	Oberstar	Woolsey
Hoyer	Obey	Wynn
Hulshof	Oliver	

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—21

Ackerman	DeLauro	Platts
Barton	Fattah	Shays
Bonior	Gutierrez	Shows
Burr	Jones (NC)	Skelton
Coyne	LaTourette	Stupak
Cummings	Lewis (CA)	Tierney
Davis (FL)	Owens	Young (AK)

□ 1041

Mrs. MINK of Hawaii, Ms. HARMAN, Mrs. MCCARTHY of New York, Messrs. ROTHMAN, ISRAEL, HOLDEN, KIND, RAHALL, DOOLEY of California, SPRATT, BARCIA, DAVIS of Illinois and WATT of North Carolina changed their vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

MOTION TO ADJOURN

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

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

[Roll No. 35]

AYES—174

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

NOES—241

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

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

NOT VOTING—17

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

□ 1059

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

The result of the vote was announced as above recorded.

Stated against:

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

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

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

The Clerk read the resolution, as follows:

H. RES. 83

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

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

□ 1100

PARLIAMENTARY INQUIRY

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

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

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

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

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

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

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

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

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