

## AMENDMENT NO. 3 OFFERED BY MR. PITTS

The CHAIRMAN. The pending business is the demand for a recorded vote on Part B Amendment No. 3 offered by the gentleman from Pennsylvania (Mr. PITTS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 9, as follows:

[Roll No. 353]

AYES—187

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

NOES—237

Abercrombie	Baird	Bass
Ackerman	Baldacci	Bateman
Allen	Baldwin	Becerra
Andrews	Barrett (WI)	Bentsen

Bereuter	Granger	Obey
Berkley	Green (TX)	Olver
Berman	Greenwood	Ose
Berry	Hastings (FL)	Owens
Biggert	Hill (IN)	Pallone
Bilbray	Hilliard	Pascarell
Bishop	Hinchey	Pastor
Blagojevich	Hinojosa	Payne
Blumenauer	Hobson	Pelosi
Boehlert	Hoeffel	Pickett
Bonior	Holt	Pomeroy
Borski	Hooley	Porter
Boswell	Horn	Price (NC)
Boucher	Houghton	Pryce (OH)
Boyd	Hoyer	Ramstad
Brady (PA)	Inslee	Rangel
Brown (FL)	Isakson	Regula
Brown (OH)	Jackson (IL)	Reyes
Campbell	Jackson-Lee	Rivers
Capps	(TX)	Rodriguez
Capuano	Jefferson	Roemer
Cardin	Johnson (CT)	Ros-Lehtinen
Carson	Johnson, E.B.	Rothman
Castle	Jones (OH)	Roukema
Clay	Kanjorski	Roybal-Allard
Clayton	Kaptur	Sabo
Clement	Kelly	Sanchez
Clyburn	Kennedy	Sanders
Condit	Kilpatrick	Sandlin
Conyers	Kind (WI)	Sawyer
Cooksey	Kleczka	Schakowsky
Coyne	Klink	Scott
Cramer	Kolbe	Serrano
Crowley	Kucinich	Shaw
Cummings	Kuykendall	Shays
Danner	Lampson	Sherman
Davis (FL)	Lantos	Simpson
Davis (IL)	Larson	Sisisky
Davis (VA)	LaTourrette	Skeen
DeFazio	Lazio	Slaughter
DeGette	Leach	Smith (MI)
Delahunt	Lee	Smith (WA)
DeLauro	Levin	Snyder
Deutsch	Lewis (CA)	Spratt
Diaz-Balart	Lewis (GA)	Stabenow
Dicks	Lofgren	Stark
Dingell	Lowey	Strickland
Dixon	Luther	Sweeney
Doggett	Maloney (CT)	Tanner
Dooley	Maloney (NY)	Tauscher
Doyle	Markey	Thomas
Dunn	Martinez	Thompson (CA)
Edwards	Matsui	Thompson (MS)
Ehrlich	McCarthy (MO)	Thurman
Engel	McCarthy (NY)	Tierney
Engel	McGovern	Towns
Eshoo	McInnis	Turner
Etheridge	McKinney	Udall (CO)
Evans	McNulty	Udall (NM)
Farr	Meehan	Upton
Fattah	Meek (FL)	Velazquez
Filner	Meeks (NY)	Vento
Foley	Menendez	Visclosky
Fowler	Millender-	Walden
Frank (MA)	McDonald	Walters
Frelinghuysen	Miller, George	Watt (NC)
Frost	Minge	Waxman
Gallely	Mink	Weiner
Ganske	Moakley	Wexler
Gejdenson	Moore	Weygand
Gephardt	Moran (VA)	Wilson
Gibbons	Morella	Wise
Gilchrest	Nadler	Woolsey
Gillmor	Napolitano	Wu
Gilman	Neal	Wynn
Gonzalez	Oberstar	
Gordon		

NOT VOTING—9

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

□ 0011

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. THORNBERRY, Chairman of the Com-

mittee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

### AN HONEST DEMOCRAT IN THE SENATE

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

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

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

This coming from a Democrat.

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

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

[From The Washington Post, July 27, 1999]

WHY I CROSSED PARTY LINES ON THE TAX CUT  
(By Bob Kerrey)

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

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

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

Deficits have continued to shrink since 1994—and we were able to celebrate our first

unified budget surplus (counting Social Security surpluses) of \$70 billion last year. The Congressional Budget Office (CBO) is now protecting surpluses of \$2.9 trillion over the next 10 years.

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

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

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

In 1970 entitlement spending accounted for only 35 percent of federal spending. By 2010, it will account for nearly 70 percent of federal spending. During the same period, discretionary spending will have fallen from 58 percent of spending to 27 percent. Absent structural reforms or massive tax increases, Social Security and Medicare will continue to eat up ever larger percentages of our budget—at the expense of important investments in our children and our future.

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

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

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

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

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

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

The CHAIRMAN. If there is no further debate on the Visclosky motion to strike, it will remain in abeyance pending disposition of the Boehlert perfecting amendment, on which proceedings have been postponed.

The Clerk will read.

The Clerk read as follows:

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

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

#### POINT OF ORDER

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

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

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

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

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

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

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

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SKELTON (at the request of Mr. GEPHARDT) for today and July 30 on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes, July 30.

Mrs. MORELLA, for 5 minutes, today.

Mr. ISAKSON, for 5 minutes, today.

Mr. SCHAFFER, for 5 minutes, today.

Mr. PAUL, for 5 minutes, August 2.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 305. An act to reform unfair and anti-competitive practices in the professional boxing industry; to the Committee on Commerce; in addition to the Committee on Education and the Workforce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.