

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROVIDING FOR RECOMMITTAL OF CONFERENCE REPORT ON HOUSE CONCURRENT RESOLUTION 83, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 134 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 134

Resolved, That upon adoption of this resolution the conference report to accompany the concurrent resolution (H. Con. Res. 83) establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 is hereby recommitted to the committee of conference.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my friend and colleague from the Committee on Rules; pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only on this matter.

□ 1830

Mr. Speaker, the legislation before us grants us a rule that provides that upon adoption of the rule the conference report to accompany H. Con. Res. 83 shall be recommitted to the conference committee.

Simply put, and in plain English for Members, what we are doing is we are taking care of the necessary procedure to get the budget debate on the floor tomorrow. What is going to happen is we are going to pass this rule, then the matter is going to go to the other body. The Committee on Rules is going to meet a little later in the evening, put out a rule to get the new conference report on the floor tomorrow with an appropriate rule, and the House will go about the business of deliberating and voting on the budget, which we are all anxious to get to after the long opportunity we have had to review it in the past several days.

Therefore, this is somewhat of a technical matter; but it is important that in order to continue our progress towards getting the budget on the floor that we adopt this rule. I do not think there is anything unusual about it or controversial about it, and I urge all Members' support.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the rule to recommit this flawed document. I urge the leadership to use this opportunity to craft a real budget with input from both Republicans and Democrats.

The infamous two missing pages are hardly the only flaws in this so-called agreement. Other pages are missing as well. For instance, waiting in the wings of this Congress are a number of popular tax cuts, including between \$85 billion and \$115 billion in business tax breaks. Billions more in tax cuts, with the elimination of the estate tax for the Nation's wealthiest citizens, and the elimination of the so-called marriage penalty tax this Congress, are moving through the legislative process. An honest budget would have included these provisions. The House leadership knows full well that at the end of this tax cut frenzy we will surpass the administration's initial proposal of \$1.8 trillion.

Also missing are the President's big-ticket items. For starters, we seem to be missing the page that factors in the likely cost of a missile defense system. Nobody knows if it will work, and nobody knows how much it will cost; but estimates run up to \$300 billion.

We also seem to be missing the page that explains how we pay for the conventional defense buildup being planned by the administration at a cost of \$250 billion over the next decade. How is this consistent with a budget that makes no room for increases in defense spending beyond those already proposed by the Clinton administration?

Also, I have yet to find the page that explains how we will maintain government services in the face of a growing population while increasing spending no faster than inflation. Perhaps the leadership can explain what unspecified drastic cuts to the tune of \$400 billion they have planned and how will these cuts not impact Social Security and Medicare.

I urge the leadership to turn over all missing pages and expose these numbers; and, moreover, I would caution my colleagues on the conference committee against signing their name to a document that is patently and shamelessly dishonest in its current form.

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

Mr. GOSS. Mr. Speaker, I intend to reserve the balance of my time until further notice.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, over the last 5 years we have increased the edu-

cation budget, on average, 13 percent a year. This year, President Bush has cut that rate of increase in his budget in half to 5.8 percent. The House Republican budget resolution did the same thing that the President did. The Senate then said, that is woefully inadequate for education; and they added \$240 billion for education over 10 years by taking it out of the jumbo-size tax cuts. This resolution not only eliminates the entire \$240 billion add-on over 10 years for education, it also takes funding for education \$25 billion below the President's own budget over the next 10 years, and for this coming year alone takes the education funding \$1 billion below President Bush's budget. That is no compromise. That is returning to yesteryear.

If this is the Republican idea of how we put education first, I would hate to see their idea of how we do not. Everything, including education, is being sacrificed to jumbo-size tax cuts for people making over \$200,000 a year. That does not represent the priority judgments of the American people. This bill should not only be voted down, it should be laughed down.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I rise in opposition to this rule, and I do so with a great deal of disappointment; disappointment in the procedure that is being followed. But I understand why, and I appreciate very much that the chairman of the Committee on the Budget has been the lone exception of trying to seek some kind of bipartisanship on this budget. Obviously, he has been overruled by the leadership, the same leadership that brings this rule today that has to have martial law to pass the budget. Martial law to pass the budget, after we spent 16½ hours on this floor last Thursday waiting on the majority to come up with their idea of what the budget should look like.

Now, I can give my colleagues 10 solid reasons why they ought to vote against the budget, but that is not what we are talking about today. What we are talking about today is the rule. I do not know how much longer the majority is going to be in lockstep with breaking every rule and precedent of the House that they used to criticize us on this side of the aisle for doing, only I do not believe we ever did as good a job at it as they are doing tonight and as they did last week. This is ridiculous.

As one who would like to see some semblance of bipartisanship on the budget, I came to the conclusion that was impossible, and I understand why. And as a member of the minority, I understand why we are not going to win any. But at some point in time, I would hope there would be just a tinge of conscience as to the procedures of the House and as to how we might get a little better comity in working on things

like defense and education and health care and agriculture, other than the manner in which this particular budget that this rule makes in order will do.

I will guarantee my colleagues there will be bipartisanship when we start dealing with the specifics. So many of my colleagues on the majority have chosen under their leadership to ignore that to bring this rule to the floor. I urge a vote "no," and let us go back and do it right.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

A quarter of a century ago, when the budget process was established, it was established so that we could look at all of the numbers in a measured, considered way, the income and the outgo, and make sure the numbers added up. It was not intended to be done in the dark of night in a hurried manner with some numbers there and some numbers not there and who knows what is there. Well, that is what we have ended up with today and this is a flagrant violation of the whole spirit of the budget process.

And in this hurry to get this tax cut through in an ill-considered way, we end up with a terrible shortchanging of the American people. Take education, for example. Inadequate consideration for our national need to recruit teachers, to find ways to get the 2.2 million teachers that we need in the next 10 years to keep up with the retirement and attrition in the ranks of teaching. Insufficient attention to the need for new facilities and modern classrooms, where classes of a reasonable size can meet in good conditions.

And with insufficient attention to the other concerns. Take special education, for example: under IDEA, if we are going to meet our national obligation, the Federal Government's obligation for special education, that would come to something on the order of \$100 billion over 10 years. Do we find that in this budget resolution? No, we do not.

Education is shortchanged at every turn. And what we have got, coming from the House-Senate conference committee, appears to be a zeroing of the education budget, holding it at a level that does not even keep up with inflation. This is totally inadequate; and it is the result of this hurried, inadequate process.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, it is outrageous that this week Congress will vote on a budget that threatens the future of our Nation's most valuable asset: our children.

No wonder the Republican leadership tried to rush the budget to the floor last week without allowing adequate

consideration. But then I believe they thought they could pull the wool over our eyes by misplacing two of the pages of that budget. Mr. Speaker, it is ironic that the two missing pages contained the details of the \$1.35 trillion tax cut.

It appears that those two pages are the essence of how the Republican leadership will pay for their massive tax break; by cutting funding for vital services for American women and their families, including temporary assistance for needy families, workforce training and employment programs, community anti-violence and anti-drug programs, and overall education for the funding of our children.

Moreover, by prioritizing tax breaks for the wealthiest Americans, Mr. Speaker, the Republican leadership is signing away the future of Social Security and the Medicare Trust Fund. In addition to harming children, it appears they want to undermine the future of grandparents, too.

This is unacceptable. I urge my colleagues to vote for the rule to recommit; vote against this budget.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Speaker, in the words of President Reagan, there they go again. Fresh from the missing page debacle, we are back with more of the same. It seems that pieces of paper are not the only things missing as we appear here today.

The administration and the leadership talk a very good game. They tell us they want to increase education spending, they tell us they want a prescription drug plan for seniors, they tell us they want funding for disaster relief. But the numbers say something entirely different, because they just do not compute; they just do not add up. The American public will not be fooled. Because, in fact, it seems there is a lot more missing than two pieces of paper.

Missing: there was \$21 billion in education funding missing from this budget. This budget, as filed last week, provides even less money than the President requested in his budget; \$21 billion less than requested. The leadership talks a good game about a bipartisan education bill; and that is all well and good, but having a bipartisan bill and talking about it does not do much when a good-faith effort is not made to fund education for our children.

□ 1845

Missing: The explanation. The explanation of how to adequately fund a Medicare prescription plan is missing from the budget. President Bush has suggested that we spend about \$115 billion on a program to help seniors. Everyone else in the country seems to acknowledge that it will take at least a minimum of \$300 billion to provide anything close to a fair and adequate ben-

efit for senior citizens, but this budget fails to pay for such a benefit.

Missing: Another \$5 billion is missing to cover natural disasters. In the years that I have represented my district, we have been hit by tornadoes, floods, droughts, ice storms. My citizens depend on FEMA, and FEMA has provided relief for the citizens of my district. However, this budget completely X's that out. This \$5 billion is important and should not be dropped due to a procedural dispute.

Mr. Speaker, much more is missing than two pieces of paper. Much more is missing than two pages in this budget. The priorities of America are missing. The greatness of America is missing. I urge my colleagues to vote for the motion to recommit.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, I rise in opposition to the resolution. This conference report which we are going to debate tonight has some fundamental flaws in it which should lead us to go back to the drawing board. I want to highlight what I think is the most egregious problem.

We have actually shortchanged education below what the President has proposed. Many of us applauded the President during his campaign for talking about leaving no child behind and doing more to help our schools reduce class size, attract qualified teachers and build safe and clean, modern schools. He proposed an increase in education spending which many of us thought was simply a beginning, simply a start.

Now, here in the House of Representatives tonight, we are going to adopt a conference report that is \$21 billion less than what the President has proposed. Nobody has had the courage to stand on the floor of the House tonight and say why we should do less than the President of the United States has proposed for what we all agree should be our Nation's highest priority. In Tampa, Florida, my district, this is our highest priority, and people I represent want us to pay down the debt and see a fair tax cut that benefits all Americans, but they want us to do something about education.

We ought to have the courage to stand up to where the President has started the debate in terms of leaving no child behind. Instead, this House is breaking from the President, is repudiating this position, is funding education at \$21 billion less than what the President has proposed. How can we go forward debating the Elementary and Secondary Authorization Act we were supposed to take up last week, and we are putting all of the money into a tax cut instead.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, we have been waiting all year to get details of a proposed budget, and we have been forced to vote on crucial issues such as a tax cut without seeing the budget. Now we are being forced to vote on a budget on which we have had no input and only have gotten access to because of human error. This type of process is unfair and extremely heavy-handed.

President Bush promised the American people he would be the education President. He campaigned on a slogan of, "Leave no child behind." When he gave his State of the Union address, he stated, "Education is my top priority, and by supporting this budget you will make it yours as well."

Yet this budget has no substantial new funding for education. The President's ostensible commitment to education, like his ostensible commitment to bipartisanship, is a hoax. He took \$288 billion over the next 10 years out of the budget for education. This amount had bipartisan support in the Senate, yet the conference agreement eliminates 98 percent of that increased funding. This measly 2 percent increase amounts to a mere \$13 per student per year. The balanced budget the Democrats offered and that Republicans unanimously rejected called for a \$112 billion increase in education funding over 10 years. This funding would have provided for class size reductions, school renovation, teacher recruitment, increased funds for special education, expansion of Pell grants and additional funds for Head Start.

Announcing support for education without providing funding to back it up is no more than another empty promise from a President whose legacy will more likely be his consistent flip-flop on crucial issues rather than any proposed commitment to education.

Mr. Speaker, my colleagues are going to hear a lot about education this evening. He promised, he promised. He has broken that promise in the way that he has put this budget together. I ask for a "yes" vote on the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, yesterday the gentleman from New York (Mr. REYNOLDS) was quoted in Roll Call as saying, "The Democrats are whining about the process rather than getting into debate on the substance."

I am going to talk about substance tomorrow, but let me talk about process today. I ask my colleagues on the majority side of the aisle, what do they think about 212 Americans who represent approximately 235 million Americans, not Democrats, 235 million Americans, who had no opportunity to see the substance of your proposal on Thursday night?

Cannot we cry foul over a Republican budget process that completely shuts out the representatives of the people,

not us as individuals, but of the people that we represent, Republicans, Democrats, Independents, and, yes, those who are not aligned.

Our ranking member on the Committee on the Budget, the gentleman from South Carolina (Mr. SPRATT) was not allowed into the conference on this resolution; yet we adopt a rule that today will not debate substance but, by process alone, will recommit this bill to the Committee on the Budget.

Mr. Speaker, I am pretty sure I detected a few Republican tears in the wee hours of the morning that they could not get this through. As a matter of fact, I heard the distinguished gentleman from Florida talking about that and lamenting. After all, that is when the majority learned the painful truth: It would have to wait 4 days. Look who is crying now.

Mr. Speaker, the other side of the aisle has had a weekend of bad press on these frankly heavy-handed budget tactics, and people are starting to reexamine the substance in this budget, a budget that provides huge tax cuts for the wealthiest Americans, and let the budget ax fall on education, contrary to the bipartisan agreement in the other body, and seniors who need prescription drugs, and our environment.

Mr. Speaker, let us vote down this rule. Let us return this matter to the American people and have a full and fair debate.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, just 4 days ago the lights went out in the House of Representatives, although many of us were here seeking the opportunity to have a full debate on a budget that all of America could support; but unfortunately, it did not happen. We waited and we waited, and all of a sudden pages were missing.

I believe the real key is whether the American people will have their voices heard and whether or not they will know for sure that this is a budget that actually invades the Social Security Trust Fund and the Medicare Trust Fund because of the \$1.3 trillion tax cut over a 10-year period, and 2011 will show us an invasion in Social Security and Medicare.

Mr. Speaker, today in my district there was an Older American Seminar, and some of the major questions being raised was what is happening to Medicare and what is happening to Social Security? What is happening to the real drug prescription benefit that the President promised us almost 2 and 3 years ago? I can say there is no room at the inn, and there is no money in the House.

When we speak about educating our children, \$294 billion for education is all of a sudden missing. The President, who indicates that education is his chief responsibility, has money for

reading and Pell grants, and I agree with that, but where is the money for the other programs that we so sorely need. Whether it is issues like Title I, whether it is issues for special education, whether it is school construction, where is the commitment for the Federal Government collaboration with local government dealing with health?

The National Institutes of Health should be supported, but if you exclude the National Institutes of Health funding from health funding in the budget, you will find that that money is insufficient to take care of the needs, like uninsured children in America, 1 million in the State of Texas. We only enroll 300,000 to 400,000, so children are uninsured and we need the dollars to be able to assist.

If we talk about civil rights and election reform, budgets in the Department of Justice have been cut and so we are not serious about election reform or civil rights in this country.

Mr. Speaker, let us turn the lights on and do this in a bipartisan way and get a real budget and oppose the resolution that is on the floor.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I support sending this bill back to the Committee on the Budget. There is so much work the conference committee still has to do. I say with respect to the gentlewoman who talked about missing pages, there are more than just pages missing from this document. There are whole chapters that are missing. Just look at the President's priorities that are not funded or included.

How are we going to pay for national missile defense? The President is talking about that. That is hundreds of billions of dollars not recognized in this budget document.

How are we going to pay for his military build up that he is going to ask for in 2 weeks, probably \$25 billion a year? How are we going to pay for that? It is not mentioned in this budget.

How are we going to pay for his proposal to privatize Social Security? If that is implemented, there are probably \$1 trillion in transition costs; yet this budget document is completely silent on those Presidential priorities.

There is an awful lot missing in this document, Mr. Speaker. The problem is it cuts taxes too deeply, and it has far too little for debt reduction. The American people want us to pay down the debt. The American people I represent want debt reduction. That is a higher priority for them than large tax cuts, and they do not want us to take our budget process back to unbalanced budgets, deficit spending, and years and years of debt.

Mr. Speaker, we need to return this for the missing pages, the missing chapters to be added. I support a "yes" vote on recommittal.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, the hottest play on Broadway is a play about a washed-up producer and his erstwhile accountant who try to sell a flop to widows, and instead of selling 100 percent they sell 1,000 percent, and when it goes under, they will take the rest.

Mr. Speaker, the hottest play in Washington apparently is the budget resolution that is before us today, and is going back to the Committee on the Budget, and will come back tomorrow, where we claim that we are going to have a tax cut that is contained and we are going to contain spending at a certain amount, as if all around the Capitol and even on the floor today and even over at the White House today when funding issues come up, they say, Do not worry, we will put more education money in later. Do not worry, we will put more money in for FEMA later. Do not worry, we will fund the NSF, the National Science Foundation, later. Do not worry, if my colleagues do not think the tax cut is big enough, we will take care of that later.

What we have produced here is a flop where we are selling the American people 1,000 percent of the shares. It is a total fraud that is being committed through this budget. It is unrealistic, and at the end of the day what is going to happen is they are going to go to the appropriators and they are going to say, Let us waive the Budget Act and let us go ahead. It is not going to be 4 or 5 percent, it is going to be 6 percent, and what we are not going to do is have a strong fiscal policy for the good of the general economy, and we will purport a fraud on the American people in the process by eliminating and finally eviscerating once and for all the Budget Act.

Mr. Speaker, I think it is a great shame that this House and the Senate have decided to follow in the footsteps of Broadway as opposed to doing the American people's business.

□ 1900

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I thank my friend from New York for yielding me this time.

This budget should be sent back to the conference, and it should be fixed. The way it ought to be fixed is that the budget plan put forth by the gentleman from South Carolina (Mr. SPRATT) last month ought to be substituted for what will be before us tomorrow.

In the years from the inception of the Republic to 1980, we ran up a public debt of about \$1 trillion to fight and

win World War I, World War II, dig our way out of the Great Depression, build the interstate highway system, do all the things America did in those years. In the years between 1980 and 1992, we more than quadrupled that debt. By the time 1993 rolled around, we were in excess of \$5 trillion in debt.

The major difference between the plan that will be before us tomorrow and the plan that should be before us tomorrow is this: at the end of the 10-year period, giving the most charitable interpretation to the majority's plan, when we compare it to the 10-year period under the gentleman from South Carolina's plan, our children will be approximately one-half trillion dollars greater in debt under the majority's plan than if we adopted the gentleman from South Carolina's plan. That is one-half trillion dollars, I think it is really closer to a trillion if we use honest accounting, that we are choosing to saddle our children with.

When I came here in 1990, fiscal conservatives wanted to eliminate the deficit and pay down the debt. Well, the worm has turned and it appears to me that those who call themselves fiscal conservatives now stand up for fiscal irresponsibility.

Send this budget back to the conference and fix it and relieve our children of the debt that we are imposing upon them.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, there are many reasons this budget ought to be sent back to conference. It needs a total overhaul, a complete rewrite. I would like to ask the gentleman from the Committee on Rules if there is a possibility if we send it back if you might reconsider concurrent receipt for veterans disability pay which was passed in the Senate but struck in conference. Is there any chance we can redeem that?

Mr. GOSS. Mr. Speaker, will the gentleman yield?

Mr. SPRATT. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, I think that one of the interesting things that is going on here is that I am representing the Committee on Rules and am proud to do so and we are dealing with a rule. Other speakers have gotten a little off the track of the rule and are talking about the budget, which is the property and province of the Committee on the Budget and the conference committee that is discussing it. It is the Committee on Rules' desire to get this legislation back to that conference committee where the gentleman could properly address that question.

Mr. SPRATT. I want to suggest there are many things you ought to do and one of my biggest concerns is the way defense has been treated in this budget. When it left the House, we provided \$70

billion more than the rate of inflation and gave the chairman of the committee the authority, I did not agree with this, but the authority willy-nilly to come back and plus that up by even more. You got to conference and took \$30 billion of that away in order to get the discretionary spending number down.

Let me tell you what my big concern is. Looking at this fairly complicated chart here, if you come to the bottom line, it is the line, the amount of money that remains after all the puts and takes in the conference agreement have been made. There is \$12 billion in 2002, 19 in 2003, 24 in 2004; but we have read in recent weeks about the likely defense request that Mr. Rumsfeld is going to send once he figures out how to transform our military. And the numbers run 2, \$300 billion, \$25 billion a year. We have factored that into this budget. That is this line right here, defense increase. You know it is coming. I know it is coming. This budget explicitly anticipates it by giving the Committee on the Budget chairman the authority to adjust this number, however it takes.

But what you have got is a thin bottom line here that will not sustain the kind of increase that Mr. Rumsfeld is talking about. I would suggest if you are going to take it back to the conference committee, you might see if you can get these numbers to mesh.

Look, for example, at the year 2003. The Rumsfeld request in that year, if it is \$25 billion, plus let us add the previous year, would be about \$33 billion. But what is left in the contingency reserve? Just \$24 billion. Every year for the next 6 years, there is too little money left over to provide for what the likely defense increase is going to be. So I think this budget needs a huge rework.

Let me mention one other thing. Buried in this budget without any debate in the Committee on the Budget is a provision that prohibits the use of advance appropriations. It so happens that there are entities around here that can make good use of advance appropriations. The United States Navy would like to have that authority so they can move from full funding to incremental funding. This will prohibit them from doing that. It was put in the budget resolution because you shut the doors, you shut us out, there was no constructive discussion of this. And certainly not of the education increase. The Senate provided a nearly \$300 billion plus-up in education over and above inflation, a huge increase, as a result of three amendments on the Senate floor. A majority of the Senate passed the budget resolution with that increase included; and, bam, it went to conference, it disappeared. Not only did it disappear, the President requested \$21.4 billion more than the rate of inflation for education. It is gone, too.

This was supposed to be an education budget. The President told us from that podium right there a couple of months ago that education would be the account in his budget increased the most. You are bringing this budget back to vote on in the House with

nothing more than inflation. Zero inflation. You have maintained real purchasing power.

Recommit to the conference, you bet. But take it back to the conference and put it through a real conference. Put it through an adversarial process and

bring us a budget that is worth consideration. This has too many missing numbers, too many unreal numbers, too many plugs and placeholders.

Mr. Speaker, I include a chart pertaining to the budget conference for the RECORD.

BUDGET CONFERENCE AGREEMENT THREATENS MEDICARE AND SOCIAL SECURITY

[Billions of dollars; CBO January assumptions]

	2001	2002	2003	2004	2005	2006	2007	2008	2008	2010	2011	2002-11
Conference Agreement:												
Baseline Unified Surplus	281	313	359	397	433	505	573	635	710	796	889	5,610
Social Security	156	171	188	201	221	238	257	276	294	312	331	2,488
Medicare Part A	29	36	39	41	40	44	41	41	39	37	34	393
Available Surplus	96	106	132	155	172	223	275	318	377	447	524	2,729
Permanent Tax Cut	0	50	76	84	97	138	141	153	166	171	191	1,269
Stimulus Tax Cut	85	15	0	0	0	0	0	0	0	0	0	15
Medicare Rx and Home Health	0	0	1	11	22	29	41	46	49	54	61	314
Other Health	0	7	12	11	2	2	2	2	2	2	2	44
Agriculture	6	7	8	8	8	8	8	7	6	6	6	70
Veterans	0	0	1	1	1	1	1	1	0	0	0	6
All Other	2	7	4	-3	-0	-3	1	1	1	1	1	10
Resulting New Interest	2	7	12	19	26	36	48	62	78	95	114	498
"Contingency Reserve"	1	12	19	24	16	13	33	46	75	118	149	504
Likely Further Action:												
Average Historical Emergencies		2	4	5	6	6	6	6	6	7	7	55
Defense Increase	0	13	21	27	32	37	45	48	49	49	49	370
AMT Fix	0	1	4	7	13	21	37	43	49	55	63	293
Tax "Extenders"	0	1	2	3	3	4	4	5	5	6	7	41
Business Tax Cuts	0	3	4	4	4	4	3	3	3	4	4	36
Health Tax Cuts	0	0	2	4	6	6	7	7	7	7	7	53
Retirement Tax Cuts	0	1	3	3	4	5	6	6	7	8	8	52
Resulting Net Interest	0	1	2	5	8	13	19	26	34	43	53	203
Resulting Surplus/Deficit	1	-11	-22	-33	-60	-82	-94	-98	-86	-61	-50	-597
Spending of Medicare Surplus	0	-11	-22	-33	-40	-44	-41	-41	-39	-37	-34	-342
Spending of Social Security Surplus	0	0	0	0	-20	-38	-52	-58	-47	-24	-16	-255

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

I would like to call on all of my colleagues to vote yes on this rule because the effect will be to deliver last week's budget to the ignominious defeat and death that it so richly deserves.

I urge a yes vote on this resolution.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

I am, of course, very pleased that the gentlewoman is approaching this in a bipartisan way and there is full agreement. This is a bipartisan rule. We are both encouraging support for this rule. If you do not like the budget, send it back to the conference committee. If you do like the budget, send it back to the conference committee. This is actually one of the easiest rules I have ever had to handle.

I do say the gentleman from South Carolina was very instructive. I am going to get myself one of those charts for Rules so that I can get people to understand what it is we are talking about better.

I am looking forward to the budget debate tomorrow when members from the Committee on the Budget will actually be at the microphones and at the leadership and committee tables on this side explaining the budget that we are proposing. Tonight we are proposing a rule because we are the Committee on Rules. The rule is designed to get the budget on the floor because that is much more interesting and more important. That is what we hope to accomplish. I want to thank all of

those for their forbearance as we have gone through this procedure which is not something that we had anticipated when we started; but I appreciate the comity, good humor, and pleasant commentary and the bipartisanship.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the resolution.

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

Ms. SLAUGHTER. 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 409, nays 1, not voting 21, as follows:

[Roll No. 101]

YEAS—409

Abercrombie
Aderholt
Akin
Andrews
Armedy
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton

Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggart
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehert
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
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combust
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo

Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchee
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley

Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Klecza
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski

LoBiondo	Payne	Skeen
Lofgren	Pelosi	Skelton
Lowe	Pence	Slaughter
Lucas (KY)	Peterson (MN)	Smith (MI)
Lucas (OK)	Peterson (PA)	Smith (NJ)
Luther	Petri	Smith (TX)
Maloney (CT)	Phelps	Smith (WA)
Maloney (NY)	Pickering	Snyder
Manzullo	Pitts	Solis
Markey	Platts	Souder
Mascara	Pombo	Spence
Matheson	Pomeroy	Spratt
Matsui	Portman	Stark
McCarthy (MO)	Price (NC)	Stearns
McCarthy (NY)	Pryce (OH)	Stenholm
McCollum	Putnam	Strickland
McCrery	Quinn	Stupak
McGovern	Radanovich	Sununu
McHugh	Rahall	Tancredo
McInnis	Ramstad	Tanner
McIntyre	Rangel	Tauscher
McKeon	Regula	Tauzin
McKinney	Rehberg	Taylor (MS)
McNulty	Reyes	Terry
Meehan	Reynolds	Thomas
Meek (FL)	Riley	Thompson (CA)
Meeks (NY)	Rodriguez	Thompson (MS)
Menendez	Roemer	Thornberry
Mica	Rogers (KY)	Thune
Millender-	Rogers (MI)	Thurman
McDonald	Rohrabacher	Tiahrt
Miller (FL)	Ros-Lehtinen	Tiberi
Miller, Gary	Ross	Tierney
Miller, George	Rothman	Toomey
Mink	Roukema	Towns
Moakley	Roybal-Allard	Traficant
Mollohan	Royce	Turner
Moore	Rush	Udall (CO)
Moran (KS)	Ryan (WI)	Udall (NM)
Moran (VA)	Ryun (KS)	Upton
Morella	Sabo	Velázquez
Murtha	Sanchez	Vislosky
Myrick	Sanders	Vitter
Nadler	Sandlin	Walden
Napolitano	Sawyer	Walsh
Neal	Saxton	Wamp
Nethercutt	Scarborough	Waters
Ney	Schaffer	Watkins
Northup	Schakowsky	Watt (NC)
Norwood	Schiff	Watts (OK)
Nussle	Schrock	Waxman
Oberstar	Scott	Weiner
Obey	Sensenbrenner	Weldon (FL)
Olver	Serrano	Weller
Ortiz	Sessions	Wexler
Osborne	Shadegg	Whitfield
Ose	Shaw	Wicker
Otter	Shays	Wilson
Owens	Sherman	Wolf
Oxley	Sherwood	Woolsey
Pallone	Shimkus	Wu
Pascrell	Shows	Wynn
Pastor	Simmons	Young (AK)
Paul	Simpson	Young (FL)

NAYS—1

Capuano
NOT VOTING—21

Ackerman	Fattah	LaHood
Allen	Frost	McDermott
Clement	Gutierrez	Rivers
Costello	Hall (OH)	Stump
Cubin	Inslee	Sweeney
DeGette	Issa	Taylor (NC)
Dooley	Jones (OH)	Weldon (PA)

□ 1932

Messrs. TANCREDO, WAMP, ENGEL, MANZULLO, LARGENT, UDALL of Colorado and GREEN of Texas and Ms. HOOLEY of Oregon changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. McDERMOTT. Mr. Speaker, on rollcall No. 10 H. Res. 134 I was absent because of mechanical problems with the aircraft I was

on. Had I been present, I would have voted “yea.”

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. THORNBERRY). Under the Speaker’s announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

QUESTIONABLE DECISIONS
COMING FROM SUPREME COURT

The SPEAKER pro tempore (Mr. FLAKE). Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Mr. Speaker, I wanted to address myself this evening to a decision by the Supreme Court of the United States which came down around the end of last month, about 2½ weeks ago. It is a decision by the Supreme Court, a five to four decision, another one of those narrow decisions that is decided by one of the nine justices, which I think has very deep and compelling implications for every American.

Let me tell you what that decision entailed. It involved a case in the State of Texas. The situation was this: A woman, a young mother, was bringing two of her children home from soccer practice. She was driving a pickup truck. The two children were in the cab with her. She was driving through a community at 15 miles per hour.

She was stopped by a police officer of that community, and she was stopped because the police officer observed that she was not wearing a seat belt. There was no other infraction. She was driving below the speed limit, she had not violated any other of the vehicle and traffic laws or anything else. She was simply stopped by the police officer because he observed that she was not wearing a seat belt.

He stopped her, with her two children; and he placed her under arrest. He put her in handcuffs, arrested her, took her into custody, and was about to take the two children into custody when, fortunately, a neighbor came by and took custody of the two children and took them home. But the woman was arrested and taken off to jail in handcuffs. She was later forced to place bond, \$310 bond, for a violation, the fine for which would have been no more than \$50 if the maximum fine had been imposed.

The woman sued the city in Texas. It went through the court system and finally worked its way to the Supreme Court. The Supreme Court in a five to four decision declared that the officer was right in arresting her; he was right in putting her in handcuffs; he was right taking her into custody, taking her to jail; and it was right to force her to post a bail of more than \$300.

By the way, in the meantime they searched the vehicle. They searched the pickup truck, and they found some very dangerous equipment in the truck: A bicycle, two tricycles, a cooler for keeping beverages cool, some barbecue equipment, and a pair of children’s shoes. That is what they found in the back of the truck. The Supreme Court said that that was right.

Now, I am here this evening talking about this because I am increasingly disturbed by these right-wing decisions that are being made by a court which places in jeopardy the civil liberties and the civil rights of every single American, because after that Supreme Court decision, the court in effect has made law. It is now the law of the land that any police officer in any community at any time can stop anybody for not wearing a seat belt and take them into custody and take their children into custody too, for that matter, apparently, and search their vehicle, simply because they were not wearing a seat belt.

It is interesting to note as I mentioned earlier it was a five to four decision. We are seeing a lot of these five to four decisions recently. The five justices included Justice Kennedy, who was appointed by President Reagan; Justice Rehnquist, appointed by President Nixon and elevated to be the Chief Justice of the Supreme Court by President Reagan; also joining in the majority was Justice Thomas, who was appointed by President Bush, the first President Bush; and also Justice Scalia, who was appointed by President Reagan. Also, oddly enough, Justice Souter, who usually has better sense than to join these other four in these decisions, but on this particular occasion it seems perhaps his experience as a prosecutor before becoming a judge may have overcome him and he displayed the kind of bad judgment which is exemplified in this five to four Supreme Court decision.

I am worried about this also because we have seen recently that the President of the United States, Mr. Bush, the second Mr. Bush, has made it clear that he is no longer going to take recommendations from the American Bar Association with regard to justices on any of the Federal courts, that is the Federal Appeals Court, the circuit courts or the United States Supreme Court; and instead he is going to take recommendations from the Federalist Society.

I think we all ought to be deeply concerned about what is going on in our courts and about the way that this particular decision typifies or exemplifies at least the kind of bad decisions that are being made on a five to four basis in the Supreme Court of the United States.