

bring this bill to the floor at this time. The bill would provide relief to Federal employees who through no fault of their own were placed in the wrong Federal retirement plan. Some Federal agencies mistakenly placed thousands of Federal employees into the Civil Service Retirement System, or CSRS, when the employees should have been placed in the Federal Employees Retirement System, FERS. Often this error has not been discovered until an employee is on the verge of retirement. Once discovered, the employee faces a severe erosion of his retirement security.

I am going to come back to the two employees that the gentleman from Florida mentioned who work at the Portsmouth Naval Shipyard in Kittery, Maine. They were very surprised to discover this error, and they face a serious deterioration of their retirement reserves unless Congress passes this bill. These two employees were placed in CSRS 14 years ago but only recently did they discover that they should have been placed in FERS. Once they learned that, they were then required involuntarily to switch from FERS to CSRS, and, since they had not been making their Social Security payments, all their CSRS resources were transferred to Social Security to make up for what they would otherwise have been paying in FICA taxes. For one of the men, his \$30,000 CSRS investment was all used to pay so-called back FICA taxes. Furthermore, these employees will likely have to pay FICA tax not withheld for overtime, awards and other compensation for which they had legitimately not paid FICA tax because they were in CSRS which did not require it. This may total another \$10,000 to \$15,000.

Finally, the FERS plan consists of three components, Social Security, a small defined benefit plan, and a Thrift Savings Plan contribution plan. Consequently, these employees will need to make substantial catch-up contributions to the Thrift Savings Plan if they want any sort of nest egg for retirement. These heavy TSP contributions and FICA tax payments quickly consume the paychecks of these employees. As a result, one employee will delay his retirement by 3 years and the other may have trouble financing his child's college education.

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Mr. Speaker, H.R. 416 will offer vital relief to these employees by making the agency responsible for their mistakes. The agency made the mistakes; the agency should be responsible. The bill requires the agency to make up both the agency's and the employee's lost contributions to the TSP.

These hard-working employees do not deserve to have their retirement plans wiped out by an employer's mistake. H.R. 416 offers relief for a problem they did not cause.

I want to thank both the gentleman from Florida (Mr. SCARBOROUGH) and

the gentleman from Maryland (Mr. CUMMINGS) for their work on this and leadership on this issue, and I urge my colleagues to support the bill.

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

Mr. Speaker, a little earlier I mentioned Mr. Garcia, and Mr. Garcia had been placed, of course, in the wrong retirement system, and like numerous other federal employees, he had been forced to rearrange his life and his financial plans to address this problem.

Many without financial means have had to work beyond their retirement dates to build a full annuity. The Federal Retirement System was created to prevent just that, employees working into what should be their golden years, the years they rest, the years they travel, the years they take time out to spend with their grandchildren. The Federal Retirement Coverage Corrections Act would essentially permit those who have been the victims of an enrollment error to remain in the retirement system they were mistakenly placed in or to be covered by the system they should have been in. It would also hold the government financially responsible for making whole an affected employee's thrift savings account. Together these provisions would end the harm now being done by the existing rules governing the correction of these errors. To address my concern that the unanticipated costs of making an employee whole might cause agencies to rif its employees, I included a provision in the bill requiring that offsetting savings be realized through attrition and limitations on hiring.

There has been much debate over the cost to the government of making affected employees whole. The IRS Code requires that private sector employers bear the cost of correcting retirement errors. The Senate bill leaves it to the victimized employee to come up with the money to make themselves whole. That simply is not right. Our approach mirrors the private sector and is the fairest way to handle these problems. The longer it takes to enact this legislation, the more it is going to cause all affected parties. Federal employees who are in the wrong retirement system should not have to spend another year worrying about a problem that their agency created for them.

Mr. Speaker, I am committed to working with the Senate to reach agreement on the legislation that addresses all parties' concerns. These employees are waiting for us to act. Let us do so today, and again I want to thank the gentleman from Florida (Mr. SCARBOROUGH) and all the members of our subcommittee, our chairman, the gentleman from Indiana (Mr. BURTON), our ranking member of our full committee, the gentleman from California (Mr. WAXMAN).

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

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

Mr. Speaker, thousands of Federal employees, retirees and their families whose lives have been disrupted by bureaucratic errors are going to look again to this Congress to fix this problem. Many of them have suffered emotionally as well as financially, and I think it is time that we enact meaningful and fair relief during this Congress.

Mr. Speaker, H.R. 416 is strongly supported by the following employee organizations:

The American Federation of Government Employees,

The American Foreign Service Association,

The Federal Managers Association,

The Federally Employed Women,

The International Brotherhood of Boilermakers,

The National Association of Government Employees,

The National Federation of Federal Employees,

The Seniors Executives Association, and

The Social Security Managers' Association.

This is a bill that needs to pass in the best interests of every single Federal employee. It is the right thing to do, it is fair, and it is time that this House and, hopefully, this Senate, will step forward and do what is right.

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Florida (Mr. SCARBOROUGH) that the House suspend the rules and pass the bill, H.R. 416, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 434

Mr. SHOWS. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 434.

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

There was no objection.

SENSE OF HOUSE REGARDING FAMILY PLANNING PROGRAMS

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 118) reaffirming the principles of the Programme of Action of the International Conference on Population and Development with respect to the sovereign rights of countries and the right of voluntary and informed consent in family planning programs.

The Clerk read as follows:

H. RES. 118

Whereas the United Nations General Assembly has decided to convene a special session from June 30 to July 2, 1999, in order to review and appraise the implementation of