

first applicable pay period beginning after the close of the 60-day period referred to in clause (i).

(b)(1) Except as otherwise provided in this subsection, the provisions of this subchapter and subchapter VII shall apply with respect to members of the uniformed services making contributions to the Thrift Savings Fund.

(2)(A) The amount contributed by a member of the uniformed services under subsection (a)(1)(A) for any pay period shall not exceed 5 percent of such member's basic pay for such pay period.

(B) Nothing in this section or section 211 of title 37 shall be considered to waive any dollar limitation under the Internal Revenue Code of 1986 which otherwise applies with respect to the Thrift Savings Fund.

(3) No contributions under section 8432(c) shall be made for the benefit of a member of the uniformed services making contributions to the Thrift Savings Fund under subsection (a).

(4) In applying section 8433 to a member of the uniformed services who has an account balance in the Thrift Savings Fund, the reference in subsection (g)(1) or (h)(3) of section 8433 to contributions made under section 8432(a) shall be considered a reference to contributions made under any of sections 8351, 8432(a), 8432(b), or 8440a-8440e.

(c) For purposes of this section— (1) the term 'basic pay' has the meaning given such term by section 204 of title 37;

(2) the term 'active service' means—

(A) active duty for a period of more than 30 days, as defined by section 101(d)(2) of title 10; and

(B) full-time National Guard duty, as defined by section 101(d)(5) of title 10;

(3) the term 'Secretary concerned' has the meaning given such term by section 101 of title 37; and

(4) any reference to 'separation from Government employment' shall be considered a reference to a release from active duty (not followed by a resumption of active duty, or an appointment to a position covered by chapter 83 or 84 of title 5 or an equivalent retirement system, as identified by the Executive Director in regulations) before the end of the 31-day period beginning on the day following the date of separation), a transfer to inactive status, or a transfer to a retired list pursuant to any provision of title 10."

(2) The table of sections at the beginning of chapter 84 of title 5, United States Code, is amended by adding after the item relating to section 8440d the following:

"8440e. Members of the uniformed services."

(b) AMENDMENTS RELATING TO THE EMPLOYEE THRIFT ADVISORY COUNCIL.—Section 8473 of title 5, United States Code, is amended—

(1) in subsections (a) and (b) by striking "14 members" and inserting "15 members"; and

(2) in subsection (b) by striking "and" at the end of paragraph (8), by striking the period at the end of paragraph (9) and inserting "; and", and by adding at the end the following:

"(10) 1 shall be appointed to represent participants who are members of the uniformed services (within the meaning of section 8440e)."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Paragraph (1) of section 8351(b) of title 5, United States Code, is amended by redesignating such paragraph as paragraph (8).

(2) Subparagraph (B) of section 8432(b)(2) of title 5, United States Code, is amended by striking "section 8432(a)" and inserting "sections 8432(a) and 8440e, respectively."

(3)(A) Section 8439(a)(1) of title 5, United States Code, is amended—

(i) by inserting "or 8432b(d)" after "8432(c)(1)"; and

(ii) by striking "8351" and inserting "8351, 8432b(b), or 8440a-8440e".

(B) Section 8439(a)(2)(A)(i) of title 5, United States Code, is amended by striking "8432(a) or 8351" and inserting "8351, 8432(a), 8432b(b), or 8440a-8440e".

(C) Section 8439(a)(2)(A)(ii) of title 5, United States Code, is amended by striking "title;" and inserting "title (including subsection (c) or (d) of section 8432b);".

(D) Section 8439(a)(2)(A) of title 5, United States Code, is amended by striking "and" at the end of clause (ii), by striking ", over" at the end of clause (iii) and inserting "; and", and by adding after clause (iii) the following:

"(iv) any other amounts paid, allocated, or otherwise credited to such individual's account, over".

SEC. 662. CONTRIBUTIONS TO THRIFT SAVINGS FUND.

(a) IN GENERAL.—(1) Chapter 3 of title 37, United States Code, is amended by adding at the end the following:

"§ 211. Contributions to Thrift Savings Fund

"A member of the uniformed services who is performing active service may elect to contribute, in accordance with section 8440e of title 5, a portion of the basic pay of the member for that service (or of any special or incentive pay under chapter 5 of this title which relates to that service) to the Thrift Savings Fund established by section 8437 of title 5."

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

"211. Contributions to Thrift Savings Fund."

SEC. 663. REGULATIONS.

Not later than 180 days after the date of the enactment of this Act, the Executive Director (appointed by the Federal Retirement Thrift Investment Board) shall issue regulations to implement sections 8351 and 8440e of title 5, United States Code (as amended by section 661) and section 211 of title 37, United States Code (as amended by section 662).

SEC. 664. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this section, the amendments made by this subtitle shall take effect one year after the date of the enactment of this Act, or on July 1, 2000, whichever is later.

(b) EXCEPTION.—Nothing in this subtitle (or any amendment made by this subtitle) shall be considered to permit the making of any contributions under section 8440e(a)(1)(B) of title 5, United States Code (as amended by section 661), before December 1, 2000.

(c) EFFECTIVENESS CONTINGENT ON OFFSETTING LEGISLATION.—(1) This subtitle shall be effective only if—

(A) the President, in the budget of the President for fiscal year 2001, proposes legislation which if enacted would be qualifying offsetting legislation; and

(B) there is enacted during the second session of the 106th Congress qualifying offsetting legislation.

(2) If the conditions in paragraph (1) are met, then, this section shall take effect on the date on which qualifying offsetting legislation is enacted or, if later, the effective date determined under subsection (a).

(3) For purposes of this subsection:

(A) The term "qualifying offsetting legislation" means legislation (other than an appropriations Act) that includes provisions that—

(i) offset fully the increased outlays for each of fiscal years 2000 through 2009 to be made by reason of the amendments made by this subtitle;

(ii) expressly state that they are enacted for the purpose of the offset described in clause (i); and

(iii) are included in full on the PayGo scorecard.

(B) The term "PayGo scorecard" means the estimates that are made with respect to fiscal years through fiscal year 2009 by the Director of the Congressional Budget Office and the Director of the Office of Management and Budget under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.

It was decided in the { Yeas 425 affirmative } Nays 0

62.7

[Roll No. 185]

AYES—425

Table with 3 columns of names: Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Arney, Bachus, Baird, Baker, Baldacci, Baldwin, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bateman, Becerra, Bentsen, Bereuter, Berkley, Berman, Berry, Biggart, Bilbray, Bilirakis, Bishop, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Borski, Boswell, Boucher, Boyd, Brady (PA), Brady (TX), Brown (FL), Brown (OH), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Capps, Capuano, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth, Clay, Clayton, Clement, Clyburn, Coble, Coburn, Collins, Combest, Condit, Conyers, Cook, Costello, Cox, Coyne, Cramer, Crane, Crowley, Cubin, Cummings, Cunningham, Danner, Davis (FL), Davis (IL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, DeMint, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Filner, Fletcher, Foley, Forbes, Ford, Fossella, Fowler, Frank (MA), Franks (NJ), Frelinghuysen, Frost, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Gonzalez, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hilliard, Hinchey, Hinojosa, Hobson, Hoeffel, Hoekstra, Holden, Hooley, Horn, Hostettler, Houghton, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Inslee, Isakson, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (NC), Jones (OH), Kanjorski, Kaptur, Kelly, Kennedy, Kildee, Kilpatrick, Kind (WI), King (NY), Kingston, Kleczka, Klink, Knollenberg, Kolbe, Kucinich, Kuykendall, LaFalce, LaHood, Lampson, Lantos, Largent, Larson, Latham, LaTourette, Lazio, Leach, Lee, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder, Lipinski, LoBiondo, Lowey, Lucas (KY), Lucas (OK), Luther, Maloney (CT), Maloney (NY), Manzullo, Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McCollum, McCrery, McDermott, McGovern

McHugh Price (NC) Stabenow
 McInnis Pryce (OH) Stark
 McIntosh Quinn Stearns
 McIntyre Radanovich Stenholm
 McKeon Rahall Strickland
 McKinney Ramstad Stump
 McNulty Rangel Stupak
 Meehan Regula Sununu
 Meek (FL) Reyes Sweeney
 Meeks (NY) Reynolds Talent
 Menendez Riley Tancredo
 Metcalf Rivers Tanner
 Mica Rodriguez Tauscher
 Millender- Roemer Tauzin
 McDonald Rogan Taylor (MS)
 Miller (FL) Rogers Taylor (NC)
 Miller, Gary Rohrabacher Terry
 Miller, George Ros-Lehtinen Thomas
 Minge Rothman Thompson (CA)
 Mink Roukema Thompson (MS)
 Moakley Roybal-Allard Thornberry
 Mollohan Royce Thune
 Moore Rush Thurman
 Moran (KS) Ryan (WI) Tiahrt
 Moran (VA) Ryan (KS) Tierney
 Morella Sabo Toomey
 Murtha Salmon Towns
 Myrick Sanchez Traficant
 Nadler Sanders Turner
 Napolitano Sandlin Udall (CO)
 Neal Sanford Udall (NM)
 Nethercutt Sawyer Upton
 Ney Saxton Velazquez
 Northup Scarborough Vento
 Norwood Schaffer Visclosky
 Nussle Schakowsky Vitter
 Oberstar Scott Walden
 Obey Sensenbrenner Walsh
 Ortiz Serrano Wamp
 Ose Sessions Waters
 Owens Shadegg Watkins
 Oxley Shaw Watt (NC)
 Packard Shays Watts (OK)
 Pallone Sherman Waxman
 Pascarell Sherwood Weiner
 Pastor Shimkus Weldon (FL)
 Paul Shows Weldon (PA)
 Payne Shuster Weller
 Pease Simpson Wexler
 Pelosi Sisisky Weygand
 Peterson (MN) Skeen Whitfield
 Peterson (PA) Skelton Wicker
 Petri Slaughter Wilson
 Phelps Smith (MI) Wise
 Pickering Smith (NJ) Wolf
 Pickett Smith (TX) Woolsey
 Pitts Smith (WA) Wu
 Pombo Snyder Young (AK)
 Pomeroy Souder Young (FL)
 Porter Spence
 Portman Spratt

NOT VOTING—9

Bono Hilleary Lofgren
 Brown (CA) Holt Oliver
 Cooksey Kasich Wynn

So the amendment was agreed to.

¶62.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TRAFICANT:

At the end of subtitle C of title X (page 283, after line 6), insert the following new section:

SEC. 1024. ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

“§ 374a. Assignment of members to assist border patrol and control

“(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

“(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

“(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

“(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

“(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

“(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(c) TRAINING PROGRAM.—If the assignment of members is requested under subsection (b), the Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members to be assigned receive general instruction regarding issues affecting law enforcement in the border areas in which the members will perform duties under the assignment. A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

“(d) CONDITIONS ON USE.—(1) Whenever a member who is assigned under subsection (a) to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

“(2) Nothing in this section shall be construed to—

“(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

“(B) supersede section 1385 of title 18 (popularly known as the ‘Posse Comitatus Act’).

“(e) NOTIFICATION REQUIREMENTS.—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

“(f) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

“(g) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2002.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

“374a. Assignment of members to assist border patrol and control.”

It was decided in the { Yeas 242 affirmative } Nays 181

¶62.9

[Roll No. 186]

AYES—242

Aderholt Bachus Ballenger
 Andrews Baird Barcia
 Archer Baker Barr

Barrett (NE) Hall (OH) Phelps
 Bartlett Hall (TX) Pickering
 Barton Hastings (WA) Pitts
 Bass Hefley Portman
 Bereuter Herger Price (NC)
 Bilbray Hill (MT) Pryce (OH)
 Bilirakis Hobson Quinn
 Blunt Hoekstra Radanovich
 Boehlert Holden Rahall
 Boehner Horn Ramstad
 Boswell Hostettler Regula
 Boyd Hulshof Reynolds
 Brady (TX) Hunter Riley
 Brown (FL) Hutchinson Rivers
 Bryant Inslee Roemer
 Burton Isakson Rogan
 Calvert Istook Rogers
 Camp John Rohrabacher
 Campbell Johnson (CT) Ros-Lehtinen
 Canady Johnson, Sam Roukema
 Cannon Jones (NC) Royce
 Castle Kaptur Ryan (WI)
 Chabot Kelly Ryun (KS)
 Chambliss Kildee Salmon
 Clay Kind (WI) Sandlin
 Coble Kingston Saxton
 Coburn Kucinich Scarborough
 Collins Kuykendall Schaffer
 Combest LaFalce Sensenbrenner
 Cook LaHood Sessions
 Cooksey Lantos Shadegg
 Costello Largent Shaw
 Cramer Latham Shays
 Crane LaTourette Sherman
 Cubin Lazio Sherwood
 Cunningham Levin Shimkus
 Danner Lewis (CA) Shows
 Davis (VA) Lewis (KY) Shuster
 Deal Linder Simpson
 DeLay Lipinski Sisisky
 DeMint LoBiondo Skeen
 Deutsch Lowey Smith (MI)
 Diaz-Balart Lucas (KY) Smith (NJ)
 Dickey Lucas (OK) Smith (TX)
 Dicks Luther Smith (WA)
 Doyle Maloney (CT) Souder
 Duncan Mascara Spence
 Dunn McCarthy (NY) Spratt
 Emerson McColium Stabenow
 Engel McCrery Stearns
 English McHugh Sununu
 Eshoo McInnis Sweeney
 Etheridge McIntosh Talent
 Everett McIntyre Tancredo
 Ewing McKeon Tauscher
 Fletcher McNulty Tauzin
 Foley Metcalf Taylor (MS)
 Forbes Mica Taylor (NC)
 Fossella Miller (FL) Thomas
 Fowler Miller, Gary Thune
 Franks (NJ) Moakley Thurman
 Frelinghuysen Moran (KS) Tiahrt
 Gallegly Murtha Traficant
 Ganske Myrick Upton
 Gekas Nethercutt Vitter
 Gephardt Ney Walden
 Gibbons Northup Wamp
 Gilchrest Norwood Watkins
 Gillmor Norwood Watts (OK)
 Gilman Owens Weldon (FL)
 Goode Oxley Weldon (PA)
 Goodlatte Packard Weller
 Gordon Pallone Wicker
 Goss Pascarell Wilson
 Granger Pease Wise
 Green (WI) Peterson (MN) Wolf
 Greenwood Peterson (PA) Young (FL)
 Gutknecht Petri

NOES—181

Abercrombie Boucher Davis (IL)
 Ackerman Brady (PA) DeFazio
 Allen Brown (OH) DeGette
 Armey Burr Delahunt
 Baldacci Buyer DeLauro
 Baldwin Callahan Dingell
 Barrett (WI) Capps Dixon
 Bateman Capuano Doggett
 Becerra Cardin Dooley
 Bentsen Carson Doolittle
 Berkley Chenoweth Drier
 Berman Clayton Edwards
 Berry Clement Ehlers
 Biggert Clyburn Ehrlich
 Bishop Condit Evans
 Blagojevich Cox Farr
 Blumenauer Coyne Fattah
 Bonilla Crowley Filner
 Bonior Cummings Ford
 Borski Davis (FL) Frank (MA)