No budget, no pay. If we do not finish the job, we do not get paid. It is just that simple.

We were sent to Washington to solve problems, to work together, to do things in a constructive way. Gridlock and train wrecks are politics as usual. If the political leaders in this town fail, the salaries of Congress and the President should be the first on the budget chopping block.

CONGRESS SHOULD LET EMPLOYEES SPEAK FOR THEMSELVES

(Mr. MCKEON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCKEON. Mr. Speaker, today the voices of the majority of American workers go unheard—not because American employers are oppressive, but because American law prohibits it. Under current labor law, employers and employees cannot work together to resolve important workplace issues that might involve terms and conditions of employment unless those employees are represented by a union.

While it is legal for an employer to have a meeting or hold a conference with employees to discuss ideas in the abstract, it is illegal for an employer to follow through on any actual workplace changes developed in consultation with the employees, unless those workers are represented by a union. The 88 percent of the private sector work force that is not unionized is, therefore, not allowed to discuss issues which affect the conditions of their employment.

The TEAM Act permits employee involvement in workplace decisionmaking. Companies want their employees to develop new methods and ideas for improving the workplace. It's about time we let employees speak for themselves.

Vote in favor of H.R. 743, the TEAM Act.

DEMOCRATS ON MEDICARE: POLITICS AS USUAL

(Mr. HOKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOKE. Mr. Speaker, it is true that politics does make strange bedfellows, and we find ourselves once more lying down with the Washington Post, not normally friend to Republicans. But the fact is that they set up an editorial 2 days ago with respect to the ''Medigoguing,'' as they call it, of the Democrat leadership and Democratic Members of Congress.

Mr. Speaker, talking about the letter of minority leader DICK GEPHARDT, they say:

> The letter itself seems to tell us more of the same. It tells you just about everything the Democrats think about Medicare, except how to cut the cost. Medicare and Medicaid together are now a sixth of the budget and a fourth of all spending for other than interest and defense.
>
> If nothing is done, those shares are going to rise, particularly as the baby boomers begin to retire early in the next century. Republicans have nonetheless stepped up to the issue. They have taken a huge political risk just in calling for the cuts that they have.
>
> What the Democrats have done, in turn, is confirm the risk. The Republicans are going to take away your Medicare, they say. That is their only message. They have no plan. The Democrats have fabricated the Medicare tax cut connection because it is useful politically. We think it is wrong.

Mr. Speaker, we agree.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mrs. WALDHOLTZ. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule.

Committee on Agriculture; Committee on Banking and Financial Services; Committee on Commerce; Committee on Economic and Educational Opportunities; Committee on International Relations; Committee on the Judiciary; Committee on Resources; Committee on Science; and Committee on Veterans' Affairs.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. EVERETT). Is there objection to the request of the gentlewoman from Utah?

There was no objection.

THE EXTENSION OF DEADLINE FOR INFORMATION RETRIEVAL SYSTEMS IMPLEMENTATION

Mr. SHAW. Mr. Speaker, I ask unanimous consent the immediate consideration of the bill (H.R. 2288) to amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support.

The Clerk read the title of the bill.

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

Mr. FORD. Mr. Speaker, reserving the right to object, I yield to the gentleman from Florida [Mr. SHAW] for the purposes of briefly explaining the bill.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding under his reservation.

H.R. 2288 simply gives States an additional 2 years to implement data processing requirements that Congress imposed on their child support programs in 1988. H.R. 2288 was approved on September 12, by unanimous voice vote of the Ways and Means Committee. According to CBO, the bill has no budget impact. As far as we have been able to determine, there are no Republicans or Democrats who oppose the bill.

Several factors have prevented States from meeting the October 1, 1995, deadline for meeting Federal data processing requirements. To date—less than a week before the deadline—only one State has actually finished its system.

So beginning October 1, if we don't take action, 49 States will be subject to financial penalties and mandatory correction procedures.

Clearly, if only one State can meet a deadline, something is wrong. That is why I rise to ask unanimous consent to extend this deadline for 2 years.

Mr. FORD. Mr. Speaker, further reserving the right to object, I rise in support of H.R. 2288, a bill to extend the deadline for State child support computer systems.

One of the most important reforms of the Family Support Act of 1988 was the mandated implementation of a statewide child support enforcement computer system by October 1, 1995. Without such a computer network, States cannot hope to effectively track and enforce child support obligations. In fact, back in the mid-1980's we frequently heard anecdotes about States keeping child support records in shoe boxes. It was no wonder that they had such a poor record of collecting child support.

In response, Congress mandated a statewide computer system, authorized extra Federal funding to develop these systems, and set what we thought was a reasonable timetable—October 1, 1995—for implementation of the system. Now, as the deadline approaches we are told that only one State—Montana—has met this requirement and that we cannot expect many more to comply in the next 6 months.

Are the States to blame for this failure? Only partially. The real culprit is the Bush administration—which waited 4 years after the legislation was signed into law to issue the specifications for this system. Until then, States simply did not know what standards the Federal Government would use to judge whether they met the requirements. In dragging its feet, the Bush administration was both irresponsible and wasteful of our scarce resources.

So, here we are. It's a few days before the deadline and the Republican majority has finally brought to the floor a bill to extend it. I have no doubts about the Senate acting quickly enough on this measure for it to be signed into law by October 1. We have a chance to do the right thing. I urge my colleagues to support H.R. 2288.

□ 1245

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. EVERETT). Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2288

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. 2-YEAR EXTENSION OF AUTOMATION DEADLINE.

(a) IN GENERAL.—Section 454(24) of the Social Security Act (42 U.S.C. 654(24)) is amended by striking ''1995'' and inserting ''1997''.

(b) TECHNICAL AMENDMENTS RELATED TO THE REPEAL OF FEDERAL FUNDING.—Section 452 of such Act (42 U.S.C. 652) is amended in each of subsections (d)(1)(B), (d)(2)(A), (d)(2)(B), and (e), by striking ''455(a)(1)(B)'' and inserting ''454(16)''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRUTH IN LENDING ACT AMENDMENTS OF 1995

Mr. LEACH. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services be discharged from further consideration of the bill (H.R. 2399) to amend the Truth in Lending Act to clarify the intent of such Act and to reduce burdensome regulatory requirements on creditors, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2399

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Truth in Lending Act Amendments of 1995''.

SEC. 2. CERTAIN CHARGES.

(a) THIRD PARTY FEES.—Section 106(a) of the Truth in Lending Act (15 U.S.C. 1605(a)) is amended by adding after the 2d sentence the following new sentence: ''The finance charge shall not include fees and amounts imposed by third party closing agents (including settlement agents, attorneys, and escrow and title companies) if the creditor does not require the imposition of the charges or the services provided and does not retain the charges.''.

(b) BORROWER-PAID MORTGAGE BROKER FEES.—

(1) INCLUSION IN FINANCE CHARGE.—Section 106(a) of the Truth in Lending Act (15 U.S.C. 1605(a)) is amended by adding at the end the following new paragraph:

''(6) Borrower-paid mortgage broker fees, including fees paid directly to the broker or the lender (for delivery to the broker) whether such fees are paid in cash or financed.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the earlier of—

(A) 60 days after the date on which the Board of Governors of the Federal Reserve System issues final regulations under paragraph (3); or

(B) the date that is 12 months after the date of the enactment of this Act.

(3) REGULATIONS IMPLEMENTING BORROWER-PAID MORTGAGE BROKER FEES.—The Board of Governors of the Federal Reserve System shall promulgate regulations implementing the amendment made by paragraph (1) by no later than 6 months after the date of the enactment of this Act.

(c) TAXES ON SECURITY INSTRUMENTS OR EVIDENCES OF INDEBTEDNESS.—Section 106(d) of the Truth in Lending Act (15 U.S.C. 1605(d)) is amended by adding at the end the following new paragraph:

''(3) Any tax levied on security instruments or on documents evidencing indebtedness if the payment of such taxes is a precondition for recording the instrument securing the evidence of indebtedness.''.

(d) PREPARATION OF LOAN DOCUMENTS.—Section 106(e)(2) of the Truth in Lending Act (15 U.S.C. 1605(e)(2)) is amended to read as follows:

''(2) Fees for preparation of loan-related documents.''.

(e) FEES RELATING TO PEST INFESTATIONS, INSPECTIONS, AND HAZARDS.—Section 106(e)(5) of the Truth in Lending Act (15 U.S.C. 1605(e)(5)) is amended by inserting '', including fees related to any pest infestation or flood hazard inspections conducted prior to closing'' before the period.

(f) ENSURING FINANCE CHARGES REFLECT COST OF CREDIT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Board of Governors of the Federal Reserve System shall submit to the Congress a report containing recommendations on any regulatory or statutory changes necessary—

(i) to ensure that finance charges imposed in connection with consumer credit transactions more accurately reflect the cost of providing credit; and

(ii) to address abusive refinancing practices engaged in for the purpose of avoiding rescission.

(B) REPORT REQUIREMENTS.—In preparing the report under this paragraph, the Board shall—

(i) consider the extent to which it is feasible to include in finance charges all charges payable directly or indirectly by the consumer to whom credit is extended, and imposed directly or indirectly by the creditor as an incident to the extension of credit (especially those charges excluded from finance charges under section 106 of the Truth in Lending Act as of the date of the enactment of this Act), excepting only those charges which are payable in a comparable cash transaction; and

(ii) consult with and consider the views of affected industries and consumer groups.

(2) REGULATIONS.—The Board of Governors of the Federal Reserve System shall prescribe any appropriate regulation in order to effect any change included in the report under paragraph (1), and shall publish the regulation in the Federal Register before the end of the 1-year period beginning on the date of enactment of this Act.

SEC. 3. TOLERANCES; BASIS OF DISCLOSURES.

(a) TOLERANCES FOR ACCURACY.—Section 106 of the Truth in Lending Act (15 U.S.C. 1605) is amended by adding at the end the following new subsection:

''(f) TOLERANCES FOR ACCURACY.—In connection with credit transactions not under an open end credit plan that are secured by real property or a dwelling, the disclosure of the finance charge and other disclosures affected by any finance charge—

''(1) shall be treated as being accurate for purposes of this title if the amount disclosed as the finance charge—

''(A) does not vary from the actual finance charge by more than $100; or

''(B) is greater than the amount required to be disclosed under this title; and

''(2) shall be treated as being accurate for purposes of section 125 if—

''(A) except as provided in subparagraph (B), the amount disclosed as the finance charge does not vary from the actual finance charge by more than an amount equal to one-half of one percent of the total amount of credit extended; or

''(B) in the case of a transaction, other than a mortgage referred to in section 103(aa), which—

''(i) is a refinancing of the principal balance then due and any accrued and unpaid finance charges of a residential mortgage transaction as defined in section 103(w), or is any subsequent refinancing of such a transaction; and

''(ii) does not provide any new consolidation or new advance;

if the amount disclosed as the finance charge does not vary from the actual finance charge by more than an amount equal to one percent of the total amount of credit extended.''.

(b) BASIS OF DISCLOSURE FOR PER DIEM INTEREST.—Section 121(c) of the Truth in Lending Act (15 U.S.C. 1631(c)) is amended by adding at the end the following new sentence: ''In the case of any consumer credit transaction a portion of the interest on which is determined on a per diem basis and is to be collected upon the consummation of such transaction, any disclosure with respect to such portion of interest shall be deemed to be accurate for purposes of this title if the disclosure is based on information actually known to the creditor at the time that the disclosure documents are being prepared for the consummation of the transaction.''.

SEC. 4. LIMITATION ON LIABILITY.

(a) IN GENERAL.—Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following new section:

''SEC. 139. CERTAIN LIMITATIONS ON LIABILITY.

''(a) LIMITATIONS ON LIABILITY.—For any consumer credit transaction subject to this title that is consummated before the date of the enactment of the Truth in Lending Act Amendments of 1995, a creditor or any assignee of a creditor shall have no civil, administrative, or criminal liability under this title for, and a consumer shall have no extended rescission rights under section 125(f) with respect to—

''(1) the creditor's treatment, for disclosure purposes, of—

''(A) taxes described in section 106(d)(3);

''(B) fees described in section 106(e)(2) and (5);

''(C) fees and amounts referred to in the 3rd sentence of section 106(a); or

''(D) borrower-paid mortgage broker fees referred to in section 106(a)(6);

''(2) the form of written notice used by the creditor to inform the obligor of the rights of the obligor under section 125 if the creditor provided the obligor with a properly dated form of written notice published and adopted by the Board or a comparable written notice, and otherwise complied with all the requirements of this section regarding notice; or

''(3) any disclosure relating to the finance charge imposed with respect to the transaction if the amount or percentage actually disclosed—

''(A) may be treated as accurate for purposes of this title if the amount disclosed as the finance charge does not vary from the actual finance charge by more than $200;

''(B) may, under section 106(f)(2), be treated as accurate for purposes of section 125; or

''(C) is greater than the amount or percentage required to be disclosed under this title.

''(b) EXCEPTIONS.—Subsection (a) shall not apply to—

''(1) any individual action or counterclaim brought under this title which was filed before June 1, 1995;

''(2) any class action brought under this title for which a final order certifying a class was entered before January 1, 1995;