

efforts to help out one group of employees while making victims of another.

Because he was willing to work with me on this matter, we have been able to reach a compromise that achieves what each of us wanted: Simply, accountability and job security. Reductions in force to pay expenses associated with the implementation of this act would be prohibited. Agencies would be required to realize any savings necessary to avoid RIFs through attrition and limitations on hiring.

Mr. Speaker, I thank the chairman of our subcommittee for bringing this important bill before the committee. My thanks to all of my colleagues on the Subcommittee on Civil Service for their steadfast commitment to addressing the problems caused by retirement coverage errors, and for you unanimously supporting the bill at the subcommittee's markup.

Finally, my thanks to our staff and that of the Office of Legislative Counsel for their tireless work in crafting H.R. 3249. All of their efforts were essential to what we have accomplished here today.

H.R. 3249 is a lengthy and complex bill which has evolved a great deal since our drafting began last fall. The subcommittee's work in this regard has benefitted considerably from the input of the Office of Personnel Management, the Social Security Administration, and the staffs of several other congressional committees.

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I very much appreciated all of their comments and suggestions.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 5 minutes to the distinguished gentlewoman from Maryland [Mrs. MORELLA], a leader in our Subcommittee on Civil Service.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in very strong support of H.R. 3249. It is very important legislation to remedy retirement enrollment errors. I want to add my very strong thanks to the chairman, the gentleman from Florida [Mr. MICA] and to his staff for the enormous work that they have done on this legislation.

I also want to thank the gentleman from Maryland [Mr. CUMMINGS], the ranking member. I want to also thank the Committee on Government Reform and Oversight chair and ranking member, and also the Committee on Ways and Means.

So my colleagues can see, this has been a very important bipartisan effort involving a number of committees but emanating from problems that Federal employees had and in the subcommittee markup.

At the Subcommittee on Civil Service hearing last year, we heard some horror stories of those who were placed in the wrong retirement system. We

cannot make up for the pain caused by these errors, but we can indeed prevent more errors from occurring and provide as fair a remedy as possible, which is what this legislation before us does.

We must move forward quickly to remedy the errors of the past and to prevent future suffering, especially as more employees discover they are in the wrong system during the current retirement open season.

Many, possibly thousands, of Federal employees who have been hired since the inception of FERS have been erroneously placed in CSRS. Many of them do not even know that they are in the wrong system, and serious financial consequences that await them if no legislation is enacted are going to be tremendous.

Those who have discovered their retirement errors have been deprived of critically important retirement and tax benefits and they have been subjected to severe strain and they have incurred tremendous legal expenses.

So, Mr. Speaker, the legislation before us truly makes whole those Federal employees who have already been corrected, many harmed really, such as one of my constituents, Barry Schrum. Under this bill, employees may choose to remain in the retirement system in which they were mistakenly placed or to be covered by the system in which they should have been placed. If an employee chooses FERS, this legislation makes them whole by making up lost earnings in their thrift savings plans in those accounts. I am pleased that this legislation will ensure that agencies are not unduly burdened by this legislation in making employees whole again.

So again, I want to congratulate all involved, particularly the leadership that came from the chairman and the ranking member of the subcommittee and the staffs that have made it all possible. Very important legislation. I urge my colleagues to join me in supporting this legislation.

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

Mr. Speaker, I also want to thank the gentlewoman from the District of Columbia [Ms. NORTON] of our subcommittee and the gentleman from Tennessee [Mr. FORWARD] who worked very hard to make sure that this legislation was as good as it is.

I also would like to reiterate the fact that we did work in a bipartisan way and it shows. This effort and the effort of our Subcommittee on Civil Service shows what good things can happen when we join hands and work together to lift up the lives of Americans and all people of the world.

Mr. Speaker, I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, first I want to take a moment to also thank again the gentlewoman from Maryland (Mrs. MORELLA) for her leadership on this issue and several members of our sub-

committee who are not with us this afternoon who also provided leadership, the gentleman from New Jersey (Mr. PAPPAS) and the gentleman from Texas (Mr. SESSIONS), who also supported and help craft this legislation.

Mr. Speaker, as we conclude our debate here this afternoon and presentation, H.R. 3249 will bring long overdue relief to the thousands of victims who have been misclassified because of Federal agency errors. Many of these errors have festered for more than 10 years and the procedures for correction available under current law do more harm than good.

These errors in current procedures have really had devastating effects on individuals in our Federal employ, both financially and emotionally. It is imperative that Congress act now. As time goes by, the cost of making employees' thrift savings accounts whole actually increases and the burden for the Federal Government increases. So does the human toll taken by these agency errors.

H.R. 3249 is a fair bill. It provides each affected employee with a real choice. Employees may elect to change their retirement enrollment or employees may ratify the agency error by choosing to remain in the system in which they are mistakenly enrolled.

The make-whole relief that guarantees freedom of choice, even for those with low incomes, is adapted from an IRS review procedure. Surely, our Federal employees and retirees deserve no less than what the IRS has prescribed as a remedy for employees who are so aggrieved or abused in the private sector.

Mr. Speaker, H.R. 3249 is supported by many organizations. It is supported by the Senior Executive Association, the National Federation of Federal Employees, the American Foreign Service Association, the National Association of Letter Carriers, the National Association of Postmasters of the United States, and the Federal Managers Association.

All Members should join with the hundreds of thousands of employees of these organizations with our Federal employees and retirees and support this long overdue reform. I urge their support this afternoon for H.R. 3249.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 3249, as amended.

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

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will

now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 3874, on which the yeas and nays are ordered; House Concurrent Resolution 208, on which the yeas and nays are ordered; House Resolution 392, on which the yeas and nays are ordered; and House Concurrent Resolution 301, on which the yeas and nays are ordered.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in the series.

#### CHILD NUTRITION AND WIC REAUTHORIZATION AMENDMENTS OF 1998

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3874, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GOODLING] that the House suspend the rules and pass the bill, H.R. 3874, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were— yeas 383, nays 1, not voting 50, as follows:

[Roll No. 297]

YEAS—383

Abercrombie	Campbell	Duncan
Aderholt	Canady	Dunn
Allen	Cannon	Edwards
Andrews	Capps	Ehlers
Archer	Cardin	Emerson
Armey	Carson	Engel
Bachus	Castle	English
Baesler	Chabot	Ensign
Baldacci	Chambliss	Eshoo
Ballenger	Chenoweth	Etheridge
Barcia	Christensen	Evans
Barr	Clay	Everett
Barrett (NE)	Clayton	Ewing
Bartlett	Clement	Farr
Barton	Clyburn	Filner
Bass	Coburn	Foley
Bateman	Collins	Forbes
Becerra	Combest	Fossella
Bentsen	Condit	Fowler
Bereuter	Conyers	Fox
Berman	Cooksey	Frank (MA)
Berry	Costello	Franks (NJ)
Bilbray	Cox	Frelinghuysen
Bishop	Coyne	Furse
Bliley	Cramer	Galleghy
Blumenauer	Crane	Ganske
Blunt	Crapo	Gejdenson
Boehlert	Cubin	Gekas
Boehner	Cummings	Gibbons
Bonilla	Cunningham	Gilchrest
Bonior	Davis (FL)	Gillmor
Bono	Davis (IL)	Gilman
Borski	Davis (VA)	Goode
Boswell	Deal	Goodlatte
Boyd	DeFazio	Goodling
Brady (PA)	DeGette	Gordon
Brady (TX)	Delahunt	Goss
Brown (CA)	DeLauro	Graham
Brown (FL)	DeLay	Granger
Brown (OH)	Deutsch	Green
Bryant	Dickey	Greenwood
Bunning	Dicks	Gutknecht
Burr	Dingell	Hall (OH)
Burton	Doggett	Hall (TX)
Buyer	Dooley	Hamilton
Callahan	Doolittle	Hansen
Calvert	Doyle	Harman
Camp	Dreier	Hastert

Hastings (FL)	McHale	Sawyer
Hastings (WA)	McHugh	Saxton
Hayworth	McInnis	Scarborough
Hefley	McIntosh	Schaefer, Dan
Herger	McIntyre	Schaffer, Bob
Hill	McKeon	Schumer
Hinchey	McKinney	Scott
Hinojosa	McNulty	Sensenbrenner
Hobson	Meehan	Serrano
Hoekstra	Meek (FL)	Sessions
Holden	Meeks (NY)	Shadegg
Hooley	Metcalf	Shaw
Hostettler	Mica	Shays
Houghton	Miller (CA)	Sherman
Hoyer	Miller (FL)	Shimkus
Hulshof	Minge	Shuster
Hunter	Mink	Sisisky
Hutchinson	Moakley	Skaggs
Hyde	Mollohan	Skeen
Inglis	Moran (KS)	Skelton
Istook	Moran (VA)	Slaughter
Jackson (IL)	Morella	Smith (MI)
Jackson-Lee	Murtha	Smith (NJ)
(TX)	Myrick	Smith (OR)
Jenkins	Nadler	Smith (TX)
Johnson (CT)	Neal	Smith, Adam
Johnson (WI)	Nethercutt	Smith, Linda
Johnson, E. B.	Neumann	Snowbarger
Johnson, Sam	Ney	Snyder
Jones	Northup	Solomon
Kanjorski	Nussle	Souder
Kaptur	Oberstar	Spence
Kasich	Obey	Spratt
Kelly	Olver	Stabenow
Kennedy (MA)	Oxley	Stark
Kennedy (RI)	Packard	Stearns
Kennelly	Pallone	Stenholm
Kildee	Pappas	Strickland
Kim	Parker	Stump
Kind (WI)	Pascrell	Stupak
King (NY)	Pastor	Sununu
Kingston	Payne	Talent
Klecza	Pease	Tanner
Klink	Pelosi	Tauscher
Klug	Peterson (MN)	Tauzin
Knollenberg	Peterson (PA)	Taylor (MS)
Kolbe	Petri	Taylor (NC)
Kucinich	Pickering	Thomas
LaFalce	Pickett	Thornberry
LaHood	Pitts	Thune
Lampson	Pombo	Thurman
Lantos	Porter	Tiahrt
Largent	Portman	Tierney
Latham	Price (NC)	Trafficant
LaTourette	Pryce (OH)	Turner
Lazio	Quinn	Upton
Leach	Radanovich	Velazquez
Lee	Rahall	Vento
Levin	Ramstad	Visclosky
Lewis (CA)	Rangel	Wamp
Lewis (KY)	Redmond	Waters
Linder	Regula	Watkins
Livingston	Riley	Watt (NC)
LoBiondo	Rivers	Watts (OK)
Lofgren	Rodriguez	Waxman
Lowe	Roemer	Weldon (FL)
Lucas	Rogan	Weldon (PA)
Luther	Rogers	Weller
Manton	Rohrabacher	Wexler
Manzullo	Rothman	Weygand
Markey	Roukema	White
Martinez	Royce	Wicker
Mascara	Rush	Wilson
Matsui	Ryun	Wise
McCarthy (MO)	Sabo	Wolf
McCarthy (NY)	Salmon	Woolsey
McCollum	Sanchez	Wynn
McCrery	Sanders	Yates
McDermott	Sandlin	Young (AK)
McGovern	Sanford	Young (FL)

NAYS—1

Paul  
NOT VOTING—50

Ackerman	Fazio	Lipinski
Baker	Ford	Maloney (CT)
Barrett (WI)	Frost	Maloney (NY)
Bilirakis	Gephardt	McDade
Blagojevich	Gonzalez	Menendez
Boucher	Gutierrez	Millender
Dickey	Hefner	McDonald
Cook	Hilleary	Norwood
Danner	Hilliard	Ortiz
Diaz-Balart	Horn	Owens
Dixon	Jefferson	Paxon
Ehrlich	John	Pomeroy
Fattah	Kilpatrick	Poshard
Fawell	Lewis (GA)	Reyes

Riggs	Stokes	Towns
Ros-Lehtinen	Thompson	Walsh
Roybal-Allard	Torres	Whitfield

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So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend the National School Lunch Act and the Child Nutrition Act of 1996 to provide children with increased access to food and nutrition assistance, to simplify program operations and improve program management, to extend certain authorities contained in those Acts through fiscal year 2003, and for other purposes."

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. COOK. Mr. Speaker, on rollcall No. 297, on H.R. 3874, The Child Nutrition and WIC Reauthorization Amendments of 1998:

My son's LDS missionary farewell in Salt Lake City was Sunday afternoon July 19 which precluded my return to Washington on Sunday. The first flight Monday, July 20 caused me to be just minutes late for the vote.

Had I been present, I would have voted yes.

#### PERSONAL EXPLANATION

Mr. HORN. Mr. Speaker, on rollcall No. 297, on H.R. 3874, The Child Nutrition and WIC Reauthorization Amendments of 1998, I was unavoidably delayed on official business. Since I strongly support the Women, Infants, and Children and other nutrition programs, if I had been present, I would have voted "Aye".

#### PERSONAL EXPLANATION

Mr. DIAZ-BALART. Mr. Speaker, had I been present for the vote on H.R. 3874, The Child Nutrition and WIC Reauthorization Amendments of 1998, I would have voted "aye".

#### PERSONAL EXPLANATION

Mr. MENENDEZ. Mr. Speaker, during today's rollcall vote number 297, I was unavoidably detained due to a late flight. Had I been present, I would have voted "yes."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

#### SENSE OF CONGRESS REGARDING ACCESS TO AFFORDABLE HOUSING AND EXPANSION OF HOMEOWNERSHIP OPPORTUNITIES

The SPEAKER pro tempore (Mr. HULSHOF). The pending business is the