trained police into our communities to protect us. They are a menace.''

VIOLATION OF CIVIL RIGHTS OF MR. DIALLO

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute.)

Mr. MEEKS of New York. Mr. Speaker, there is an open wound in New York this morning. That wound was caused by a decision that sends a message that the police can fire 41 bullets at an unarmed man of color as he enters his own home.

A healing of this wound could only happen if the Justice Department conducts a thorough investigation of the violation of Mr. Diallo's civil rights.

In addition, they must relentlessly evaluate and find just solutions to the patterns and practices of the New York City Police Department since, clearly, the city's leadership and its mayor and police chief find the police conduct to be okay.

If New York City is to heal, the message must be said that all human life, no matter what race, creed or color, is valuable.

Mr. Speaker, the Justice Department is the only doctor available today that can help us heal the wound in the City of New York. To the City of New York, I say, we are the second chapter to that. We must arm ourselves with the ballot and make sure that we send our message loudly and clearly in November.

PRESCRIPTION DRUG PRICES BEYOND MEANS OF MILLIONS OF AMERICANS

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

Mr. KUCINICH. Mr. Speaker, Americans already pay more for pharmaceuticals; yet prescription drug prices continue to rise that are well beyond the means of millions of Americans.

Seniors are often forced to choose between medication, food, and daily living. Should seniors have to suffer because they cannot afford overly priced drugs?

I have held four prescription drug surveys in my district which compared prices at different stores of the 12 most commonly used drugs by seniors. The surveys revealed that independent mom-and-pop pharmacies, such as Oliger's, offer lower prices than the same medicines that are charged by drugstore chains.

Many changes are needed to bring prices down. One factor should not be discussed. Large retail chains add to the problem of high drug prices because they routinely charge more than the mom-and-pop pharmacies. Meanwhile, it is time for Medicare prescription drug benefits to take the economic pressure off senior citizens.

SENIOR CITIZENS FREEDOM TO WORK ACT

(Mr. EDWARDS asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS. Mr. Speaker, we should reward work, not punish work. We should honor citizens who work, not tax them. That is why I urge the House today to pass a bill to let seniors work without losing any Social Security benefits.

It is unfair under present law that 800,000 of our seniors in America lose $1 in Social Security benefits for every $3 they earn. The Seniors Citizens Freedom to Work Act deserves our support today. Then, in the days ahead, this Congress should move forward to use our surplus to protect Social Security and Medicare and we should fight to bring down the high cost of prescription drugs for our seniors.

Our seniors have made this a better country. They have earned our support. They deserve our respect and our vote.

MISCARRIAGE OF JUSTICE IN NEW YORK CITY

(Mr. OWENS asked and was given permission to address the House for 1 minute.)

Mr. OWENS. Mr. Speaker, the polls are showing in New York State that the overwhelming majority of the citizens of New York think that there was a miscarriage of justice in the verdict on the Amadou Diallo killing trial.

Black and white together are demonstrating in the streets of New York against this outrage. Criminally negligent homicide was obvious. Forty-one bullets were fired; 19 in the body after the body was on the ground. This problem of miscarriage of justice in the criminal justice system, unfortunately, is a nationwide problem. It is not only a New York problem.

In Los Angeles, the police are continuing to confess to 20 years of planting evidence on suspects and convicting people wrongly. In New Jersey, they have admitted to systemic racial profiling. Illinois has just stopped the death penalty from moving forward because 13 of 25 inmates on Death Row were found to be innocent.

Two million people are in prison in this Nation. Most of them are minorities. Justice for minorities is a national issue. Justice for minorities is also an international human rights issue.

We are violating human rights on a massive scale. This situation deserves the attention of the Congress of the United States.

ENDING THE EARNINGS LIMIT

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute.)

Mr. KUYKENDALL. Mr. Speaker, today I rise in support of H.R. 5, which is coming up later, the Senior Citizens Freedom to Work Act. It is important legislation for our seniors.

Seniors between the ages of 65 and 69 currently will lose a dollar's worth of their Social Security benefits for every $3 they earned over $17,000. Senior citizens should not be penalized for working. It is unconscionable for this Government to take away these hard-earned benefits.

During the Great Depression, unemployment exceeded 25 percent and wages were plummeting. In 1935, it made sense to create a disincentive for older workers in order to create jobs for new workers, but this policy is no longer needed.

More than 800,000 working senior citizens lose part or all of their Social Security benefits due to this obsolete provision. Today, we will have an opportunity to remove the earnings limit.

I am glad that the President is on board and that he will be able to sign this legislation after we pass it. Ending the earnings limit is good policy for America. It is good for our seniors; it is the right thing to do.

TIME TO RESTORE LOST FAITH IN LAW ENFORCEMENT OFFICERS

(Mr. RUSH asked and was given permission to address the House for 1 minute.)

Mr. RUSH. Mr. Speaker, 1 year ago Amadou Diallo was shot to death in the vestibule of his Bronx apartment.

Last week, the four New York City police officers who shot and killed unarmed Amadou Diallo were found not guilty of any crime related to his death and walked out of the Albany courthouse as free men.

Sadly, Diallo's death is the final consequence of a city police system where law enforcement officers are allowed to run amuck.

This dismal loss of life just highlights the need to rein in unchecked police officers and curb reckless, aggressive law enforcement activities. We need better police training, training that addresses diversity and sensitivity issues, training that includes conflict management, how to diffuse a situation without using a gun.

Maybe then we can restore some of the lost faith and trust in law enforcement officers and in the criminal justice system. We have to hold law enforcement officers accountable for their actions. There can be no more Amadou Diallo-like deaths in this Nation.

1030

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 5, SENIOR CITIZENS' FREEDOM TO WORK ACT OF 1999

Mr. SHAW. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider in the House without intervention of any point of order the bill (H.R. 5) to amend title II of the Social Security Act to eliminate the

earnings test for individuals who have attained retirement age; the bill be considered as read for amendment; the amendment recommended by the Committee on Ways and Means now printed in the bill be considered as adopted; the bill, as amended, be debatable for 2 hours, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and the previous question be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. STENHOLM. Mr. Speaker, reserving the right to object, I will not object. I strongly support repeal of the Social Security earnings limit and do not intend to unduly delay action on this bill. In fact, repeal of the earnings limit has been part of the comprehensive Social Security reform legislation that the gentleman from Arizona (Mr. KOLBE) and I have introduced in the last two Congresses.

However, I rise in reservation to this unanimous consent request to express my disappointment that we are considering legislation that will increase Social Security benefits without even discussing the long-term financial challenges facing Social Security. We should have spent the last year working on a comprehensive plan to strengthen Social Security that would restore solvency, reduce unfunded liabilities, give workers greater control of their retirement income, improve the safety net, and reward work; but we, both the President and Congress, have ignored our opportunity to deal with the long-term challenges facing Social Security.

If we are going to pass this legislation increasing costs outside of the context of reform, we should at least be talking about ways to bring more attention to the challenges that remain. The gentleman from Arizona and I had hoped to offer an amendment regarding the recent recommendations of the Social Security advisory board which would more directly confront Congress with the true scope of Social Security's financing challenges. Our amendment would have made a modest step in advancing the discussion about the challenges facing Social Security among policymakers and the public.

Last November, the Social Security Advisory Board Technical Panel released a report outlining a variety of recommendations about how we measure the problems facing the Social Security trust fund, how we talk about those problems and criteria for evaluating reform proposals. Our amendment would have taken the good work of the Technical Panel to encourage a more honest and accurate discussion of the challenges facing Social Security.

The Technical Panel report suggested that the challenges facing Social Security may be even greater than reported. While there has been a lot of discussion about the possibility that a stronger economy will reduce the shortfalls facing Social Security, the Technical Panel warned us that the projected shortfall could increase as life expectancy increases faster than expected.

The panel also made a variety of useful recommendations about additional information that should be included in the trustees' report regarding the size of the unfunded liability and other information illustrating the nature of the problem in greater detail. This type of information would improve the quality of the Social Security debate tremendously, because the facts of the debate would be more clearly established and stated.

Finally, the panel made several recommendations for the evaluation of Social Security reform proposals. In particular the panel suggested that we should look beyond simply determining whether or not a plan restores trust fund solvency and consider other criteria that are as important as, if not more important than restoring solvency over the 75-year period such as the effect on the rest of the budget.

Unfortunately, today we do not have time to discuss any of these issues. I would respectfully encourage the chairman of the Committee on Ways and Means and the subcommittee on Social Security to conduct hearings on these recommendations so that they may receive the attention they deserve. I also hope the Social Security trustees seriously consider all of the recommendations of the technical panel.

Mr. Speaker, further reserving the right to object, I yield to my colleague, the gentleman from Arizona (Mr. KOLBE) with whom I have worked closely on strengthening the future of Social Security, a Member who has been a leading advocate of comprehensive Social Security reform legislation that repeals the earnings limit and ensures that Social Security will be strong for our children and grandchildren.

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman from Texas yielding to me under his reservation. I will be very brief. Let me just say I feel very privileged today and am proud to be associated with the remarks that the gentleman from Texas just made. The gentleman from Texas has been and continues to be a leader in the fight to have a responsible Social Security reform. The integrity and the unwavering commitment that he has shown for preserving Social Security for future generations are worthy of the respect of all of us in this body.

I am a longtime advocate of repealing the earnings limit. It is a remnant of depression-era policies that have no place in a 21st century economy. I have supported similar measures in the past and as the gentleman from Texas (Mr. STENHOLM) has said, it is a cornerstone of the Kolbe-Stenholm Social Security reform legislation.

However, I am disappointed that Congress is passing this important reform without at least confronting the impact the change is going to have on the trust fund. Like it or not, election year or not, sooner or later this House, this Congress, this Nation must address the financial crisis that looms over Social Security. The longer we wait, the tougher the choices are going to be.

The legislation we pursue today must become one part of a comprehensive reform package. There are no shortage of reform options. There is the one that I mentioned myself that the gentleman from Texas and I have proposed. The gentleman from Texas (Mr. ARCHER) and the gentleman from Florida (Mr. SHAW) have another one. The gentleman from Michigan (Mr. SMITH), the gentleman from Ohio (Mr. KASICH), those are just a few of the reform proposals that have been offered in this House but have yet to come to the floor, have yet to be really debated. What we lack is will and leadership in this country and we have seen that at both ends of Pennsylvania Avenue.

We should pass this bill today. But I do not think we should be content with this effort. We must recognize that we have an obligation to preserve Social Security for our children and our grandchildren. Mr. Speaker, only real reform will do that.

Mr. STENHOLM. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Florida (Mr. SHAW), the chairman of the subcommittee dealing with Social Security.

Mr. SHAW. I thank the gentleman for yielding to me under his reservation. I would like to compliment the gentleman from Texas as well as the gentleman from Arizona and many more Members of this body for having a genuine desire and actually having stepped forward with regard to some genuine steps to prolong the life of Social Security and even to bring it about as a permanent program that would no longer be concerned about the amount of funding.

The gentleman has taken some bold steps, and he is to be complimented on that. The gentleman from Texas (Mr. ARCHER), the chairman of the full committee, and I have also put a plan on the table that has a great deal in common with the Stenholm-Kolbe plan, and we had hoped to bring this forward.

History tells us, however, that there is no genuine Social Security reform without the inclusion of the President. Every single major change that has been made in Social Security has been made with the encouragement and the joinder of the White House. Also, it would be wrong and extremely difficult for one party to reform Social Security without being joined by the other party. We have sent out many, many feelers to the White House. I know the gentleman from Texas (Mr. ARCHER) has been down and talked personally with the President. He is well aware of your plan, and he is well aware of our plan.

We have also spoken with members of the leadership on the Democrat side and we have also spoken to organized labor and various senior groups. We find now that everything seems to be getting down into presidential politics and to actually quote the President from an interview he had, I think it was a Wall Street Journal some weeks ago, he said that this reform would be left to the next President.

I regret that. But I think that that is a fact of life and it is something that we are going to be faced with. I look to next year, perhaps we could still do it this year. I would like to reach out to the gentleman from California (Mr. MATSUI) and to the gentleman from Texas (Mr. STENHOLM) and to the gentleman from Arizona (Mr. KOLBE) and all those who want to reform Social Security.

We are going to have more hearings. We are not going to waste the rest of the year. However, I will say this, and I think this is tremendously important. Part of Social Security reform has been to lock away the Social Security surplus so it cannot be spent. The House has done that. Also, an important part is a bill that we have today, and that is to get rid of this shameful earnings penalty that should have been done away with many, many years ago and was not.

This is a great day, and it is a day for us to celebrate that we are coming together, we have a piece of Social Security reform. This is a very important piece for our seniors. I compliment the gentleman from Texas, and I look forward to continuing to work with him for the rest of the year.

We are going to have hearings; we are going to have hearings on this and many issues pertaining to Social Security between now and the end of this term, and we all will come back next term and really put it away. We are not wasting time, we are going ahead with the hearing process.

However, we need a coming together, we need a joinder, we need to get the presidential election behind us. I would hope whoever the President is, the next President is, that that President, that he will be anxious, willing and reach out to the House and the Senate to reform Social Security for all time.

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

Mr. STENHOLM. Further reserving the right to object, I yield to the gentleman from California.

Mr. MATSUI. Mr. Speaker, I will take just a moment, but I would like to commend the gentleman from Texas and the gentleman from Arizona. I looked at their proposal. It has been out there now for a year and a half. I have to say it is a very credible proposal. It is probably one of the most realistic proposals that we have before us.

The fact that you have raised this before this matter is brought to the floor is timely, and I am very pleased that you have done so. I would want to say, however, that both the gentleman from Texas (Mr. ARCHER) and the gentleman from Florida (Mr. SHAW) have a proposal, the President has a proposal, and perhaps there will be a time in the next few months where we can bring a number of them, all three, four or five of them, whatever number there are, together to begin to discuss them. Obviously the solving of the Social Security deficit problem is the number one problem we are all facing. But I appreciate the fact that the two gentlemen have raised this issue.

Mr. STENHOLM. Mr. Speaker, further reserving the right to object, and I will conclude by this observation. I would very muchly associate myself with the remarks of the gentleman from Florida. He has been a true worker in this endeavor. He points out some of the pitfalls and the difficulties that we would have this year. But by the same token, and I will have more to say about this in the 2 hours of general debate, I would hope that everybody would recognize that there are those on this side of the aisle that are prepared to reach out in the hands of friendship and bipartisan work to deal with the tough questions and that how we handle this debate politically on both sides of the aisle can again do the kind of damage to the process of which I know the gentleman from Florida (Mr. SHAW), the gentleman from Texas (Mr. ARCHER), and the gentleman from California (Mr. MATSUI) do not wish to see happen. So I would hope that we could cushion and caution and soften our words as we debate today about this issue since there is unanimous agreement that this issue needs to happen.

1045

It is the context in which we bring this reservation up.

Mr. Speaker, with those comments, I encourage Members to unanimously support this very good piece of legislation today.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

SENIOR CITIZENS' FREEDOM TO WORK ACT OF 1999

Mr. ARCHER. Mr. Speaker, pursuant to the unanimous consent request of earlier today, I call up the bill (H.R. 5) to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the bill is considered read for amendment.

The text of H.R. 5 is as follows:

H.R. 5

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 ''Senior Citizens' Freedom to Work Act of 1999''.

SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c)(1), by striking ''the age of seventy'' and inserting ''retirement age (as defined in section 216(l))'';

(2) in paragraphs (1)(A) and (2) of subsection (d), by striking ''the age of seventy'' each place it appears and inserting ''retirement age (as defined in section 216(l))'';

(3) in subsection (f)(1)(B), by striking ''was age seventy or over'' and inserting ''was at or above retirement age (as defined in section 216(l))'';

(4) in subsection (f)(3)—

(A) by striking ''33⅓ percent'' and all that follows through ''any other individual,'' and inserting ''50 percent of such individual's earnings for such year in excess of the product of the exempt amount as determined under paragraph (8),''; and

(B) by striking ''age 70'' and inserting ''retirement age (as defined in section 216(l))'';

(5) in subsection (h)(1)(A), by striking ''age 70'' each place it appears and inserting ''retirement age (as defined in section 216(l))''; and

(6) in subsection (j)—

(A) in the heading, by striking ''Age Seventy'' and inserting ''Retirement Age''; and

(B) by striking ''seventy years of age'' and inserting ''having attained retirement age (as defined in section 216(l))''.

SEC. 3. CONFORMING AMENDMENTS ELIMINATING THE SPECIAL EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

(a) UNIFORM EXEMPT AMOUNT.—Section 203(f)(8)(A) of the Social Security Act (42 U.S.C. 403(f)(8)(A)) is amended by striking ''the new exempt amounts (separately stated for individuals described in subparagraph (D) and for other individuals) which are to be applicable'' and inserting ''a new exempt amount which shall be applicable''.

(b) CONFORMING AMENDMENTS.—Section 203(f)(8)(B) of the Social Security Act (42 U.S.C. 403(f)(8)(B)) is amended—

(1) in the matter preceding clause (i), by striking ''Except'' and all that follows through ''whichever'' and inserting ''The exempt amount which is applicable for each month of a particular taxable year shall be whichever'';

(2) in clauses (i) and (ii), by striking ''corresponding'' each place it appears; and

(3) in the last sentence, by striking ''an exempt amount'' and inserting ''the exempt amount''.

(c) REPEAL OF BASIS FOR COMPUTATION OF SPECIAL EXEMPT AMOUNT.—Section 203(f)(8)(D) of the Social Security Act (42 U.S.C. 403(f)(8)(D)) is repealed.

SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—

(1) in subsection (c), in the last sentence, by striking ''nor shall any deduction'' and all that follows and inserting ''nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60.''; and

(2) in subsection (f)(1), by striking clause (D) and inserting the following: ''(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60,''.