growth in the number of applicants and bene-
ficiaries with the aging and eventual retirement of the Baby Boomers. So much work remains in the area of simplifying the application proc-
есс, which will benefit applicants, SSA, and ul-
timately taxpayers. For now, though, a good start would be finding a better way to pay claimants and process this workload as quickly and efficiently as possible.

First some background. Some Members may be aware that attorneys can choose to have SSA directly pay the attorney's fee from the payment of the claimant's benefits. This was changed under a proposal originally made by the Clinton Administration that was incorporated in the Ticket to Work and Work Incentives Improvement Law, which was designed to help disabled individuals enter or return to the workforce. This law provides new medical and employment services to help indi-
viduals with disabilities find and keep jobs without fear of losing important benefits once they leave the disability rolls. That's a critical goal, and one that requires additional re-
sources. In determining ways to pay for the added benefits in the "Ticket" law, many peo-
ple on both sides of the aisle thought that hav-
ing lawyers—rather than the Social Security trust fund—pick up the tab for Social Secu-

rity's costs in processing their paychecks was appropriate. Thus a version of the original Ad-
ministration proposal on attorney fees was in-
cluded in the final conference agreement on the Ticket bill approved by the House of Rep-
resentatives, 418–2 on November 18, 1999.

As this legislation progressed, several changes were made that improved the original proposal. For example, the General Accounting Office is required to study whether the as-
essment should be linked to how quickly SSA processes this workload as quickly and efficiently as possible. This provides an opportunity to improve efficiency and reduce costs while maintaining a high level of service to beneficiaries.

Suggested Provision for Attorney Fee Payment Legislation

STREAMLINING OF ATTORNEY FEE PAYMENT SYSTEM

(a) Maximum Limit on Assessments.—Section 200(d)(2)(A) of the Social Security Act (42 U.S.C. 406(d)(2)(A)) is amended—

(1) by striking "equal to" and inserting "equal to the lesser of—"

(2) by striking "the product obtained" and inserting the following: "(i) the product ob-
tained;"

(3) by striking subparagraph (B), and in-
serting "subparagraph (B), or;" and

(4) by adding at the end the following new clause: "(ii) $25.00;"

(b) Issuance of Joint Checks.—

(1) In General.—Section 206 of such Act (42
U.S.C. 406) is amended by adding at the end the following new subsection:

(6) Issuance of Joint Checks.—In any case in which a claimant is determined to be entitled to past-due benefits, and such claim-
ant is represented by an attorney for whom a fee for services is required to be certified under this section in connection with such
benefits, the payment of such past-due bene-
fits shall be in the form of a joint check made payable to both the claimant and the

attorney and in an amount equal to the total amount of such past due benefits, which shall be sent to the commissioner's attorney. Re-
cipt by the claimant's attorney of the proc-
eds of such check in an amount equal to the fee for services certified for payment by the Commissioner pursuant to subsection
(a)(4)(A) or (b)(1)(A) in connection with such past-due benefits shall constitute receipt by the attorney of such fee.

(2) Assessment Contingent Upon Timely Receipt of Payment.—Section 206(d)(3) of such Act (42 U.S.C. 406(d)(3)) is amended—

(1) by striking "The Commissioner" and inserting the following:

(A) In General.—The Commissioner;

and

(2) by adding at the end the following new subparagraph:

(B) Imposition and collection of as-

sessment contingent upon timely receipt of

check.—The Commissioner may impose and collect the assessment under this sub-
section in connection with any past-due ben-

efits only if the check is certified under subsection (e) in connection with such bene-

fits is received by the attorney within 45

days after the date of certification by the Commissioner for payment of such benefits.

EXTENSION OF ATTORNEY FEE PAYMENT SYSTEM TO TITLE XVI CLAIMS

(a) In General.—Section 1631(d)(2)(A) of the Social Security Act (42 U.S.C. 1383(d)(2)(A)) is amended—

(1) by striking "paragraph (2)" and inserting "subsections (a)(2)(A)(i)(1), (a)(2)(D)(1), and (b)(1)(B)";

(2) by striking "as determined", by sub-

section (d)(2)(A) of title 11(a)" and inserting "subsections (a)(2)(A)(i)(1), (a)(2)(D)(1), and (b)(1)(B)"; and by striking the parenthetical phrase contained therein and inserting the phrase "before any applicable reduction under sec-
tion 20(g)" after "for".

EXTENSION OF THE PROMPT PAYMENT ACT TO THE SOCIAL SECURITY ADMINISTRATION'S CLAIMS AND ATTORNEY FEE PAYMENT SYSTEMS

(a) In General.—Section 3001 of title 31, United States Code, is amended by adding at the end the following new subsection:

(6) This chapter applies to the Social Security Administration with regard to delays in the payment of claims under Title II and Title XVI of the Social Security Act and to the certification for the payment of fees to attorneys under sections 206 and 1631(d)(2) of the Social Security Act (treat-

ing, for purposes of this chapter, the required certification by the Commissioner of Social Security for payment of any fees as a re-
quired payment by the Commissioner of such fees).

(7) in applying this chapter to the Social Security Administration pursuant to para-

graph (1)—

(A) the date of issuance of the award cer-

tificate by the Social Security Administra-

tion shall be deemed to start the payment period under 5 CFR 1315.4(f); and

(B) the documentation required by the Social Security Administration to certify a

claim or fee payment under title 42, United States Code shall be deemed to satisfy the documentation requirement of 5 CFR 1315.9;

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

SPEECH OF

HON. RUBEN HINOJOSA
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4577) making appro-

priations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other pur-

poses.

Mr. HINOJOSA. Mr. Chairman, I rise today in strong support of the amendment on 21st century community learning centers.

I have been involved with education issues for almost 30 years. This experience has strongly reinforced for me that all children, re-
gardless of income level or race have the same potential for high achievement and healthy development when provided appro-

priate opportunities.

Thus, our goal must be to support the de-

velopment of quality afterschool programs for all children, but especially those in low-income communities.

Our goal should also be to see the ex-

panded-program days linked to the core school day.
After-school programs are the best structures for the development of such programs, as well as other services needed in low-income communities. They can serve as pathways to developing strong, sustainable community schools.

We definitely are not utilizing them enough. More than 77 percent of the 21st century community learning center funding goes to low-income youth. And with the changing new mix of technologies and competitive markets, our economy is increasing its demand for skilled labor and decreasing demand for unskilled or semi-skilled labor. This means we can use these centers to focus on expectations for the core school day and its relation to the changes.

This is important because for the first time in history, the Nation's economic and social well-being requires that all children be prepared for post-secondary education and career attainment.

Although our public education system was never designed to prepare our students for higher education, after school programs seek to provide vital opportunities for children and youth to learn and to prepare for college and careers in the new economy.

After-school programs achieve these goals by providing access to information technology and related learning services for children. This is especially critical because we have an opportunity to support an initiative that is really about local impact and local opportunity.

We must bring balance to our communities! After-school programs keep students occupied with productive activities during the hours they are most likely to get into trouble, from 2 to 8 pm.

We can support local and state efforts to sustain a much larger national community school movement than has ever been possible before. New research indicates that after-school programs can make a positive difference in student development and academic performance.

This is especially true for our low-income students. This initiative may be the greatest opportunity to help children at a critical point in their young lives.

I'm particularly supportive of this initiative because it means that children who need extra help will be able to receive more attention. For these reasons, Mr. Chairman, I urge members to support this amendment.

**TRIBUTE TO MR. BERT M. CONCKLIN**

**HON. THOMAS M. DAVIS**

**HON. JAMES P. MORAN**

**IN THE HOUSE OF REPRESENTATIVES**

**Friday, June 9, 2000**

Mr. DAVIS of Virginia. Mr. Speaker, I and my colleague rise to bring to your attention the contribution of a distinguished individual who is returning to government service. Bert will soon assume the post of Business Systems Modernization Executive at the Internal Revenue Service.

We both know Bert well and are confident that he will be a tremendous asset to the agency. Bert has been a leader in the government-wide reform efforts over the past decade where he has brought his keen insights, strong determination, and balanced judgment to bear on one of the federal government's most difficult undertakings. It is because of this background, as well as his substantial achievements in the private sector, that we feel secure in our prediction that he will positively impact the agency’s goals.

Aside from his service as a key advisor to federal agencies and Congress on tough issues, such as contracting reform and government-wide business process re-engineering, and in addition to his having held a number of high-level government positions. Bert has an impressive track record with some of our country's best-known corporate names, including PRC, McKinsey and Company, Computer Sciences Corporation, and General Electric. He also served as chairman of the Governor's Council on Information Management of Virginia. He served in the United States Air Force and graduated from the United States Naval Academy.

We are pleased to take this opportunity to recognize the valuable contributions of someone who has clearly demonstrated his passion for reform, government services, and bipartisan cooperation.