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House of Representatives

REPORT ON RESOLUTION IN THE MATTER OF CONTEMPT OF CONGRESS REPORT OF THE COMMITTEE ON RESOURCES

Mr. YOUNG of Alaska, from the Committee on Resources, submitted a privileged report (Rept. No. 106–801) together with dissenting views, on the refusals of Mr. Henry M. Banta, Mr. Robert A. Berman, Mr. Keith Rutter, Ms. Danielle Brian Stockton, and the Project on Government Oversight, a corporation organized in the District of Columbia, to comply with subpoenas issued by the Committee on Resources, which was referred to the House Calendar and ordered to be printed.

SOCIAL SECURITY BENEFITS TAX RELIEF ACT OF 2000

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 564, I call up the bill (H.R. 4865), to amend the Internal Revenue Code of 1986 to repeal the 1993 income tax increase on Social Security benefits, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 564, the bill is considered read for amendment.

The text of H.R. 4865 is as follows:

H.R. 4865

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 ''Social Security Benefits Tax Relief Act of 2000''.

SEC. 2. REPEAL OF 1993 INCOME TAX INCREASE ON SOCIAL SECURITY BENEFITS.

(a) RESTORATION OF PRIOR LAW FORMULA.—Subsection (a) of section 86 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—Gross income for the taxable year of any taxpayer described in subsection (b) (notwithstanding section 207 of the Social Security Act) includes social security benefits in an amount equal to the lesser of—

''(1) one-half of the social security benefits received during the taxable year, or

''(2) one-half of the excess described in subsection (b)(1).''

(b) REPEAL OF ADJUSTED BASE AMOUNT.—Subsection (c) of section 86 of such Code is amended to read as follows:

''(c) BASE AMOUNT.—For purposes of this section, the term 'base amount' means—

''(1) except as otherwise provided in this subsection, $25,000,

''(2) $32,000 in the case of a joint return, and

''(3) zero in the case of a taxpayer who—

''(A) is married as of the close of the taxable year (within the meaning of section 7703) but does not file a joint return for such year, and

''(B) does not live apart from his spouse at all times during the taxable year.''

(c) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 871(a)(3) of such Code is amended by striking ''85 percent'' and inserting ''50 percent''.

(2)(A) Subparagraph (A) of section 121(e)(1) of the Social Security Amendments of 1983 (Public Law 98–21) is amended—

(i) by striking ''(A) There'' and inserting ''There'';

(ii) by striking ''(i)'' immediately following ''amounts equivalent to''; and

(iii) by striking '', less (ii)'' and all that follows and inserting a period.

(B) Paragraph (1) of section 121(e) of such Act is amended by striking subparagraph (B).

(C) Paragraph (3) of section 121(e) of such Act is amended by striking subparagraph (B) and by redesignating subparagraph (C) as subparagraph (B).

(D) Paragraph (2) of section 121(e) of such Act is amended in the first sentence by striking ''paragraph (1)(A)'' and inserting ''paragraph (1)''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years beginning after December 31, 2000.

(2) SUBSECTION (c)(1).—The amendment made by subsection (c)(1) shall apply to benefits paid after December 31, 2000.

(3) SUBSECTION (c)(2).—The amendments made by subsection (c)(2) shall apply to tax liabilities for taxable years beginning after December 31, 2000.

SEC. 3. MAINTENANCE OF TRANSFERS TO HOSPITAL INSURANCE TRUST FUND.

There are hereby appropriated to the Hospital Insurance Trust Fund established under section 1817 of the Social Security Act amounts equal to the reduction in revenues to the Treasury by reason of the enactment of this Act. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had this Act not been enacted.

The SPEAKER pro tempore. The amendment printed in the bill is adopted.

The text of H.R. 4865, as amended, is as follows:

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''(B) does not live apart from his spouse at all times during the taxable year.''

(c) CONFORMING AMENDMENTS.—

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.

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(b) REPORTS.—The Secretary of the Treasury or the Secretary's delegate shall annually report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate the amounts and timing of the transfers under this section.

The SPEAKER pro tempore. After one hour of debate on the bill, as amended, it shall be in order to consider a further amendment printed in House Report 106–795 if offered by the gentleman from North Dakota (Mr. POMEROY) or his designee, which shall be considered read, and shall be debatable for one hour, equally divided and controlled by the proponent and an opponent.

The gentleman from Texas (Mr. ARCHER) and the gentleman from California (Mr. STARK) each will control 30 minutes of debate on the bill.

□ 1445

The Chair recognizes the gentleman from Texas (Mr. ARCHER).

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the bill H.R. 4865.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 4865. This is a bipartisan bill to repeal the 1993 tax on Social Security benefits. Several Democrats have cosponsored similar legislation and four Democrats in the Senate voted to repeal the tax just 2 weeks ago. So like other common sense tax relief bills that this House has approved this year, there is once again bipartisan support.

Seniors should not be taxed on their Social Security benefits, period. Social Security checks should not arrive in the mailbox with a bill from the IRS attached.

President Clinton and Vice President GORE created this tax on Social Security benefits to reduce the deficit. In 1993, the deficit was $255 billion a year. This year the surplus is $233 billion. We have no deficit and it is time to repeal the tax.

Seniors work their whole lives to earn these benefits. They should not have to pay taxes on them when they retire.

In effect, this tax changes the rules of the game in the middle of the lifestream of a worker in this country. They believe they will get benefits of a certain economic value. This takes away the value of those benefits.

There are many reasons to repeal this tax. It is a ticking time bomb that will explode on millions of seniors over the next generation because the income thresholds are not indexed for inflation. Almost 10 million seniors pay the tax today and more than 20 million retirees will be hit soon. This tax is a clear and present danger to their retirement security.

Second, taxing Social Security benefits is not good tax policy. Last week, this House voted overwhelmingly to give Americans tax incentives to save for retirement. What are we telling Americans by taxing these Social Security benefits? We are telling them not to save, because only if they save during their lifetime and have any other income are they faced with this tax. That does not make sense, particularly at a time when we need private savings in this country more than ever before.

Third, this tax serves to undermine Social Security. In a 1995 letter, AARP says the following, and I quote, ''The 1993 tax may serve to undermine the program. Dramatic changes that substantially erode net benefits will further undermine public confidence that the Social Security system will provide a fair return on contributions.''

At this point, I would include that letter in the RECORD.

AARP,
January 20, 1995.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN ARCHER: In the interest of time, I did not respond to Representative Cardin's question at the January 19th hearing regarding a rationale for taxing Social Security income differently from private pension income. I would appreciate your inserting my written response in the appropriate place in the hearing record.

Some maintain that Social Security is like a private pension, and therefore should be taxed more like a pension. While both programs provide income in retirement, the simple fact is that Social Security is not a private pension. Social Security is a mandatory, government-sponsored, portable program with almost universal coverage. The private pension system is a voluntary, employer-established program that is rarely portable and covers less than fifty percent of the workforce. Social Security is based on a progressive benefit formula that provides a greater rate of return for low-wage earners. The private pension system is based on myriad plan designs that more often favor the relatively higher income earner. Social Security is partially pre-funded with generally no access to contributions before retirement (or disability). Private pensions are generally advance-funded, and access to money pre-retirement is common. Social Security is social insurance and is the base of retirement security. Private pensions represent a privately sponsored, tax-subsidized income supplement.

Those who argue that Social Security should be taxed as a pension fail to fully recognize these substantial policy differences. In fact, policy goals often have led to different tax treatment where fundamental differences exist. For example, the tax code treats mortgage interest payments different than rental payments (even though both are for housing), and employer provided health benefits different than wages (even though both are forms of compensation). Similarly, Social Security is appropriately taxed differently than a pension.

The 1993 tax may serve to undermine the program. By adding additional taxes to an already progressive Social Security benefit formula, these changes risk undermining the widespread public support the system enjoys. Dramatic changes that substantially erode net benefits will further undermine public confidence that the Social Security system will provide a fair return on contributions.

Once again, thank you for letting the American Association of Retired Persons testify at the January 19th hearing.

Sincerely,

ROBERT SHREVE,
Chairman, AARP Board of Directors.

Finally, let me underscore that this bill protects Medicare because it requires that the annual general revenue transfer to Medicare be increased by an amount equal to revenues generated by this tax.

Every Member of the House knows that Congress routinely transfers general revenues to Medicare. Perhaps in the beginning this was not considered to be appropriate. I myself wish that we had never inserted general Treasury money into the Medicare Trust Fund, but it has happened. All we do is continue the very same process. So this bill would not set any precedent whatsoever.

On the contrary, the bill maintains Medicare's current financing; and Medicare's Office of the Actuary confirms that.

If Medicare were threatened in any way, shape or form by this bill, AARP would certainly be opposed, and they are not. So it is time to repeal this tax on millions of seniors. It is unfair. It is

unnecessary, and it harms the retirement security of millions of Americans now and in the years to come.

Now, some may make the argument that this is not fiscally responsible, but I would turn that right back to them and say if they believed that we needed money to pay down the deficit, would they choose to tax senior citizens on their retirement benefits? And the answer would be a resounding no.

If we want to follow that route then perhaps those who believe in it would propose that we tax 100 percent of the senior citizens' Social Security benefits because of their concern about fiscal responsibility.

I think not. This is fiscally responsible, and it is fair and it is right. I urge a strong bipartisan vote for this bill.

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

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

Mr. Speaker, I rise in opposition to this bill, not in support of taxes but in support of fairness and in support of the Medicare system which this bill gravely endangers for the seniors in our country.

This bill confirms what we Democrats in Congress and the American people have long suspected, that Republicans do not govern with a budget but with a tax-cut-a-day plan. If it is a tax cut, it is in the Republican budget, no questions. But there is a danger in this bill. There is unfairness in this bill, and it is important that the public and my colleagues realize that.

This bill, first of all, takes $10 billion a year or thereabouts out of the Medicare Trust Fund. It removes dedicated revenues. The Republicans say, oh, we are not taking the money out of Medicare; trust us.

It is clear there will no longer be a dedicated tax revenue, but we can trust the Republicans to make sure that they protect Medicare, just as they asked us to trust them to make sure that HMOs did not pull out of Medicare and leave seniors without important coverage.

These may be the same requests to trust the Republicans to lock away Medicare in a lockbox. Aha. Then with this very bill, we broke open the lockbox and we are spilling the contents of that lockbox into the pockets of a very few Social Security beneficiaries, the very richest ones. These are the same Republicans asking us to trust them with Medicare that have asked us to trust them to keep a budget and then invented gimmicks to get around their own budget.

Many Republicans have never liked Medicare from the beginning. Former Leader Robert Dole admitted, I was there fighting the fight, 1 of 12 voting against Medicare in 1965 because we knew it would not work. Our former Speaker, Newt Gingrich, once pledged he would let Medicare wither on the vine, and our own majority leader once called Medicare a program I would have no part of in a free world.

Those are not the leaders to which we should trust the medical care of our seniors.

As a matter of fact, if indeed we do want to give $10 billion back to Social Security recipients, and we might very well like to do that, $10 billion would cut all of the seniors' part B premiums in half. $10 billion would give every senior in the country $250 a year in a refundable tax credit which they could use to perhaps pay for a prescription drug benefit, which the Republicans will not bring to the floor. It could be used for a whole host of things, instead of giving just 6 or 7 million seniors all of this generosity. What happens to the other 35 million Social Security beneficiaries? They get nothing, and they risk losing their immediate care benefits if the Republicans continue down the path of draining the Medicare Trust Fund in the name of tax cuts to the very wealthy.

So, Mr. Speaker, I urge that my colleagues look carefully at this bill. It is not what it purports to be. It is a gift, an enticement to the very rich, who may very well be Republicans, but it cuts out 80 percent of the Social Security beneficiaries from any benefits and it puts at risk the viability of the Medicare system just one more way.

We have watched the Republicans try and privatize Social Security. We have watched them try and privatize Medicare. We have seen them vote in our committee. The gentleman from Florida (Mr. SHAW) voted twice in our committee to deny his senior constituents a discount on pharmaceutical drugs at no cost to the Federal Government. How can we trust leaders like that to protect our Medicare system when they are on the record time and time again of trying to deny seniors access to pharmaceutical drugs?

So this is a ploy. This is a ploy to ignore the President's outreach to say I would take some tax cuts if a pharmaceutical benefit would be agreed to; if a package is put together we can work together and we can talk about something that is reasonable in the light of the spending that will be necessary. But, no, it is all or nothing. It is another huge tax cut to a very few wealthy people and another attempt to destroy Medicare as we know it.

I urge my colleagues to oppose the bill.

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

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

Mr. Speaker, I am sure that my friend, the gentleman from California (Mr. STARK) did not mean to mislead, but the words that he spoke were not accurate. The monies that are currently going into the Medicare Trust Fund are from general Treasury, from income tax revenues.

Now, there was no argument against that by the gentleman in 1993 when it happened. We are simply replacing one stream of income tax revenues with a stream from other sources so that the same number of dollars go into the Medicare Trust Fund. In no way is Medicare harmed. The gentleman knows that. It is not subject to appropriations every year. It is an entitlement under our bill, which will hold fast just as much as any other entitlement program under current law. Because, yes, any Congress can take any benefits away. They can do anything, unless it is written into the Constitution, but this will have the same degree of validity, stability and support as any other entitlement program. I think the gentleman knows that.

Of course, this tax that was unfairly put on senior citizens in 1993 was a product of one vote, done totally by the Democrat majority, and they cannot stand to give up what they put on the books.

☐ 1500

They have to defend it. Many of them know it is wrong. Some of them cosponsored our legislation, because they know it is wrong. It is one thing to say we should tax Social Security benefits the same as we tax private pensions; this goes far beyond that and taxes much more adversely than we tax private pensions. It is basically wrong, and it is time to repeal it.

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

Mr. STARK. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. BONIOR), our minority whip.

Mr. BONIOR. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, not very long ago I read about a man who won $5,000 in the State lottery, and when he was asked what he planned to do with the money, he said, I am going to go to Vegas.

Well, it is not uncommon, I think, for some lottery winners to do that, to go and gamble the money away; that happens for those who have a propensity to gamble. But it is unconscionably wrong when lawmakers try to do the same thing with public dollars, and that is what I believe the Republican program is all about.

If we add up all of the costs of the Republican programs and tax expenditures, we are coming close to $1 trillion, and then we add in all of the budget issues that revolve around this issue, as the gentleman from South Carolina (Mr. SPRATT) has so eloquently demonstrated. That shows that we are talking about another $1 trillion, we are talking $2 trillion, and what that does is eat up virtually all, in fact, it does eat up all, of the proposed surplus over the next decade. Gone. We do not even know if that surplus is going to be there in the first place anyway, because we do not know what is going to happen in year 4, 5, 6, 7, 8 or 9.

Mr. Speaker, make no mistake about it. The Republicans have gone on a gambling junket with America's surplus, and they are telling American families to pick up the tab. The dollars

they need for better schools? Spent. The dollars to clean up the environment? Spent. To strengthen Social Security? Spent. To pay down the national debt? Gone, spent.

The fact is, Mr. Speaker, the Republican plan will leave the next generation with little else but empty promises and an enormous, an enormous Federal deficit.

Also, something else. It would saddle them with something else: their parents' prescription medicine bills. Because if the Republicans have their way, America will not have the money it takes to provide the prescription drug benefits that people need, real benefits that are guaranteed, that are part of the Medicare system, and that have decent catastrophic coverage.

Now, why would our friends on the other side of the aisle raid Medicare? Well, Willie Sutton once said when asked why he robs banks, he says, well, that is where the money is; and our Republican colleagues believe that is where the money is, in the Medicare account. But if they look closer, they will realize that Medicare is no cash cow. Since 1997, in my own State, Michigan hospitals have absorbed $2 billion in Medicare cuts. We have closed 29 nursing facilities. We have had 10,000 Michigan health care workers lose their jobs since 1997, 10,000 good jobs.

Now the Republicans are telling us, Medicare ought to be able to make due with less.

Mr. Speaker, there is an old proverb that says, ''The best throw of the dice is to throw the dice away.'' Today is a time to stop the Republican gambling junket once and for all. It is time to invest in Medicare, to strengthen Social Security, to pay down this debt, this national debt, this national disgrace that we have, and to provide for targeted tax relief for seniors and middle-income Americans.

It is time to decide that we have a responsibility never to lead this country adrift in the red ink that we have recently seen over the previous decades and that we have gotten ourselves out of due to courageous action on the part of this party that I proudly associate myself with.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the gentleman from Florida (Mr. SHAW) will control the time previously allocated to the gentleman from Texas (Mr. ARCHER).

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the Committee on Ways and Means.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Florida, the chairman of the Subcommittee on Social Security.

Mr. Speaker, I found it interesting to hear my good friend, the minority whip from Michigan, talk about Las Vegas, because perhaps there are those in this Chamber who contemplate a future career opening for Jerry Vale along the lines of an insult comedian. Because, Mr. Speaker, I am sure, quite unintentionally, the previous words in this Chamber served to insult the intelligence of the American people, and particularly the very seniors, Mr. Speaker, that our friends on the left claim to care so much about.

For the record, what this House will do today, in bipartisan fashion, is to strike a blow for tax fairness and remove the ultimate theft of money from the people who most need it. The gentleman from California (Mr. STARK) a few moments ago talked about how this would only help the wealthy few. Well, I guess there are different definitions for words in this grand land of ours, and people are free to use Orwellian definitions, when, in fact, what we want to do is make sure that the seniors who are single and earning $34,000 a year and married couples who are earning $44,000 a year have their Social Security taxes reduced. These are the wealthy few?

Mr. Speaker, how sad, the shameful catechism of the left, always embracing emotion and interesting definitions that fly in the face of fact.

The other fact is, there seems to also be confusion not only on the status of the wealthy, since we apparently find that those earning $30,000 are ''wealthy'' by the definition of our friends on the left, but there is also confusion in terms of the date on the calendar. Apparently our friends believe this is the final day of October, it is the day to scare folks, it is Halloween. So they hope to scare seniors by saying there is a raid on Medicare.

Mr. Speaker, we should not dare believe it. Our friends on the left continue to take revenue streams from the general accounting fund, the general revenue. We do not raid Medicare, we strengthen it, and we strengthen seniors by lowering their taxes.

I stand in support.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MATSUI), the ranking member of the Subcommittee on Social Security.

Mr. MATSUI. Mr. Speaker, I would like to thank the gentleman from California (Mr. STARK) for yielding me this time.

So far, in the last 6 months, my Republican colleagues, in all of their tax bills that they have gotten through the House of Representatives, basically have spent $739 billion, almost $1 trillion if we count the debt service that goes with this. The breakdown of these tax cuts is if one makes $350,000 a year, one will be getting about $15,000 annually on these tax cuts. If one makes $40,000 a year, which most Americans do, that average tax cut will be about $350 per year. So everybody gets a little, but we know the wealthy are going to get tremendous tax breaks out of this.

Now, what this bill does, basically, is reduces the amount of taxation on Social Security benefits. The problem with this, the problem with this bill is that all of the revenues from this goes into the Medicare trust fund.

Now, the Republicans are saying, well, they are going to make this up with the budget surplus, and all of us have heard that we are going to have over the next 10 years about $2.2 trillion in budget surpluses outside of the Social Security system.

The problem is that my colleagues, our Republican friends, have spent that money already.

If we look at this graph here, we have $2.2 trillion in budget surpluses, we have $361 billion that has to be set aside for the Medicare trust fund. They spent $739 billion on tax cuts, plus another $183 billion for extension of the alternative, changing the alternative tax and changing the expiring tax provisions. Then, if we just talk very moderately and conservatively, since the Republicans have been in control how much they have spent on appropriations bills, we have to add another $284 billion; and we have $54 billion for additional exceptions that we already had, and then we have the prescription drug benefit program my colleagues on the other side of the aisle have proposed, $159 billion, then farm support programs; and then we have additional spending for health care benefits, a reimbursement that everybody is going to agree to by the end of this year. That brings us to a total of $2.2 trillion.

They have already spent the surplus. In fact, we have a deficit over the next 10 years of $88 billion.

Mr. Speaker, we cannot do anything for Medicare, we cannot do anything for Social Security, we cannot even pay down the debt. This means that the false promise that they made, that they are going to reimburse the Medicare trust fund with general fund monies will not happen, and that means our senior citizens are going to have to pay more in premiums. That means our senior citizens are going to have to either pay more in premiums or they are going to end up having lower benefits at a time when they are going to need health care the most. This means that probably prescription drugs will be limited to $159 billion over the next decade, and that means seniors will not get prescription drug promises, which all of them anticipate.

Mr. Speaker, this is a false promise. This will not happen. This will do major damage to the Medicare system of America and damage our senior citizens.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume to point out to my friend from California (Mr. MATSUI) that the Matsui Telephone Tax Repeal, I did not see it on the chart, but I certainly support it and congratulate him for his effort.

Mr. MATSUI. Mr. Speaker, if the gentleman will yield, I will vote

against it, though, if it is in a package like this, because that is obviously overspending the surplus; and we will create a real problem for future generations.

Mr. SHAW. Mr. Speaker, reclaiming my time, I do not believe I yielded. I do not think that any of the Republican tax reductions that were on this chart are part of this package either.

Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), an esteemed member of the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for his advocacy of the Social Security system.

Mr. Speaker, it is a fundamental principle that Social Security benefits should be tax free and today, with this legislation, we make essential progress toward restoring that principle. Seniors should not have to shoulder a disproportionate share of the burden for the fiscal problems that have existed here in America. Yet under current law, a retired senior with an annual income of $39,600 that includes their savings, a part-time job, and their Social Security benefits, loses $580 that year because of this tax. It is just not fair.

With a non-Social Security surplus that is expected to top $2.17 trillion in hard numbers, our seniors should not have to continue to pay a tax that was established in 1993 when we were operating with record deficits. As a Republican, since the other side has made this such a partisan debate, I should point out that I am pleased to vote to roll back the Social Security tax that was imposed with Democratic votes only.

Mr. Speaker, this legislation rolls back the tax on Social Security benefits from 85 percent to 50 percent. If we do not repeal this tax, more than 8 million seniors will have to pay an average of $1,180 in taxes on their benefits in 2001. We must also remember that if we do not pass this bill, more and more seniors each year will be forced to pay. The income thresholds built into the current law are not indexed to inflation, meaning that additional people will pay the tax each year and people of more and more limited means. By 2010, at least 13 million seniors would expect to pay an average of $1,359.

Now, some on the tax-hungry left, looking to justify their vote against this vital legislation, may claim that we will be bankrupting Medicare by repealing this tax.

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This legislation requires the money from the general revenue already earmarked for Medicare be increased to max the amount that would be lost by rolling back this tax. With a surplus of the size that we have, this is no time to argue against repealing this reactionary tax.

I challenge everyone who purports to be an advocate of Social Security to vote today to remove this anvil from the shoulders of seniors and celebrate the fact that Congress has finally balanced the budget and run a surplus. Vote in favor of this legislation.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the gentleman from California (Mr. MATSUI) will control the time previously allocated to the gentleman from California (Mr. STARK).

There was no objection.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. LEVIN) from the Committee on Ways and Means, the ranking member on the Subcommittee on Trade.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, the gentleman from Pennsylvania (Mr. ENGLISH), the preceding speaker on the Republican side, has joined others at throwing darts at President Clinton and Vice President GORE. About 1993, they are the last ones to do that, the last ones who should be doing it.

Here is what the gentleman from Texas (Mr. ARMEY) said about the 1993 act: ''It is a recipe for disaster. The economy will sputter along.'' The Speaker then, Mr. Gingrich, talked about that package leading ''to a job killing recession.''

The gentleman from Ohio (Mr. KASICH), the Republican chairman of the Committee on Budget, said about the 1993 act: ''We will come back here next year and try to help you when this puts the economy in the gutter.''

They were wrong then, and they are wrong now. They are on another deficit splurge, turning gold into lead. The gentleman from South Carolina (Mr. SPRATT) made clear how they have already exhausted the surplus. Their taxes are over $1 trillion. That is neither conservative nor is it compassionate. It is reckless, and it is cold politics.

I finish with this point. They take Medicare monies, and they say they are going to put them back. The Chair of the Committee on Ways and Means said it is just like any other entitlement, and I quote him. Well, title 20 is an entitlement along the lines that they would do with this. They have cut title 20 by 36 percent since 1995. The last people in the world to be trusted with Medicare is the Republican majority in the House of Representatives.

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

Mr. Speaker, we have heard a lot of rhetoric regarding Medicare. I would like to read a paragraph from a memorandum from the Department of Health and Human Services, from the chief actuary, Richard Foster, that is from the Department of Health and Human Services, in which he says that the proposal would have no financial impact on the HI Trust Fund, no financial impact. That is from Health and Human Services. That is not a question of a Republican administration adding this issue. So I think that it is a bogus argument.

The argument before the House is very, very clear. Do we want to give people or continue to tax Social Security benefits at 85 percent of amount received for people of incomes of $34,000 and more? To talk about this is some kind of a deal for our rich friends is absolutely ludicrous, unless my colleagues think people making $34,000 a year are rich.

Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS), a member of the House Committee on Ways and Means.

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Talk about historical revisionism, the former speaker talking about 1993. Well, I remember 1993. The Democrats had had Congress for 40 years. We had $5 trillion in debt, $200 billion deficits every year. The taxes kept going up. The deficits kept going up. So I do not think they were handling it very well.

It seems to me, over the last 6 years since we have taken the majority in this House, the deficits have been eliminated. The surpluses are going up. The taxes are going down. We have not voted for any new taxes in 6 years.

But let me just say this. The other day, when we were debating the Marriage Penalty Relief Act, many on that side kept saying, oh, gosh, yes, this will destroy the Social Security, it will take money away from that, Medicare, prescription drugs. All this is a disaster. We cannot give any money to married people and their families. Today they are saying we cannot give any tax relief to senior citizens because it will destroy Social Security and Medicare and all this.

But the reality of it is, right after we had that debate on the Marriage Penalty Relief Act, we had foreign aid come up. Every speaker, one right after another, could not give enough money in foreign aid. They did not worry about prescription drugs. They did not worry about Social Security. They did not worry about Medicare. They wanted to pile on more money. Nothing, nothing harmed them there.

When we talk about bigger and more government programs, there is just, you know, it is fine. We can just spend all the money we want. But that is what got us into trouble to begin with. As we are having these trillions upon trillions of dollars in surplus rolling in over the next many years, we need to allow the American people that are living under a debt burden of 40 percent of their income of local, State, and Federal taxes some tax relief.

It is about fairness. It is about letting our senior citizens keep more of their money and our married families, also.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, we meet once again to debate the tax cut de jour. Some of the proposals the Republicans have insisted on are strictly for the very wealthy, like the estate tax repeal. Some are spread out more evenly, like the telephone excise tax repeal. Some manage to do a certain amount of harm and a certain amount of good, like the pension bill.

But the bill that is in front of us today does real harm to the Medicare trust fund. But all of this legislation is aimed at the November elections.

Let us acknowledge one thing clearly today. The Republicans never liked Medicare to begin with. They certainly did not like Social Security. That is what they attempt to do with this line of reasoning of legislation today. It is to weaken the Medicare trust fund.

Under current law, the revenue generated from this tax that is being repealed goes into the Medicare trust fund. So, in effect, all citizens benefit from current law. Eighty percent of the senior citizens will not get anything from this legislation, and 20 percent of the well-off senior citizens will.

Mr. Speaker, I ask my colleagues to ask themselves one question: Is this a good trade-off? If it was such a good trade-off, why did they not do it 6 years ago when they took control of this institution? Why was it not proposed 3 years ago when we had the first major tax bill passed into law?

The reason is that this proposal does not look good when massive deficits are staring one in the face. One cannot sell this proposal when it seems clear that there is a need for strong discipline in the general budget to resolve our deficit crisis, as the Democrats did in this House in 1993.

But for the moment, while the projections are rosy, let us remind ourselves, there is no guarantee that those projections are ever going to come through as they relate to budget surpluses. There is an opportunity for all of us to be very prudent today and, even on the Democratic side, being conservative.

Reject this chicanery.

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

Mr. Speaker, the gentleman from Massachusetts (Mr. NEAL) must not have been on the floor when I read from the text of a July 18 memorandum from the Department of Health and Human Services stating that this proposal would have no financial impact on the HI trust fund. That is Medicare. It will have no effect on it.

I think that is something that we should always, always be very concerned about. We are concerned about it. That is why we are making up the revenue from general revenue, as it comes today, as it comes today.

But the point is, and the only difference is, as to the funding of the Medicare program, the only difference is that the existing law, the 1993 tax pinpoints a source, but it still comes out of general revenue. It comes out of the general fund.

We simply eliminate part of that source, which is taxing people of $34,000 and more per year, determined evidently by my friends in the Democrat Party as our wealthy friends. But I can tell my colleagues, to be a senior citizen living on $34,000 a year, go out and find me one that says that he is wealthy; and I will show my colleagues somebody that must have a trust fund that we do not know about.

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

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. RANGEL), the ranking member on the House Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, I would like to congratulate my Republican friends because they never seem to run out of creative ideas in how to hoodwink the American people. When they had the last tax bill, and it was $792 billion, oh what a big mistake.

But then they learned fast. They did not go to the Committee on Ways and Means and try to work out something in a bipartisan way. They went to someone that could probably send out a message how to pass a bill that never will become law, make certain that the President is going to veto it before you do it.

So knowing how sensitive senior citizens are to anything that would adversely affect their income, I was excited when the Republicans came up with the idea that they were going to reduce the taxes on some people in Social Security. Whether they were wealthy or not, as a Social Security beneficiary, they wanted to get some type of relief.

But I ask the gentleman from Florida (Mr. SHAW), where does the money come from? If one asks any Social Security beneficiary do they want relief, the answer has to be, yes, and I want it fast. But if one asks them, do you want it fast enough to come out of the Medicare trust fund, then they would say let us take another look.

Now, I know that my colleagues have some way to say that the money in the trust fund is the same as general revenues, but no one believes that. No one believes that the Social Security trust fund and the Medicare trust fund should be treated the same way one would general revenues.

If my colleagues wanted to give them a tax break, why did they not go directly into the general revenues and give them a tax break? The reason they did it is because they want to break the whole idea of entitlement. Once they get entitlements out of the way, then they would know that this precious trust fund that they are turning slowly on the tree, maybe, one day would disappear.

Well, it is not going to work with the seniors, and it is not going to work here in this House of Representatives.

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

Mr. Speaker, I say to the gentleman from New York (Mr. RANGEL), and he is my friend, that the Republicans would like to take complete credit for this bill, but we do have allies on his side: the gentleman from New York (Mr. NADLER), the gentlewoman from New York (Mrs. LOWEY), the gentleman from Pennsylvania (Mr. DOYLE), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. BARCIA), and the gentleman from New York (Mr. FORBES). They have all cosponsored similar legislation.

Let us go over to the Senate for a minute: Senator FEINSTEIN, Senator CONRAD, Senator DORGAN, Senator JOHNSON.

POINT OF ORDER

Mr. MCDERMOTT. Mr. Speaker, the gentleman from Florida (Mr. SHAW) is out of order.

The SPEAKER pro tempore. The gentleman from Florida (Mr. SHAW) controls the time.

PARLIAMENTARY INQUIRY

Mr. MCDERMOTT. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. If the gentleman will yield, the gentleman from Washington will state his parliamentary inquiry.

Mr. MCDERMOTT. Mr. Speaker, is it proper to refer to a Member of the other body by name?

The SPEAKER pro tempore. It is in order to refer to individual Members of the other body as sponsors of measures.

The gentleman from Florida (Mr. SHAW) controls the time.

Mr. SHAW. Mr. Speaker, these people have all voted to repeal this tax, this Republican tax, this Republican tax relief bill. I think it is extraordinarily important to look at what we are doing. This is not a question of doing this for any other reason except to get rid of this tax because this tax is wrong.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, I rise in strong support of the Social Security Benefits Tax Relief Act. In 1993, the Clinton-Gore administration increased the taxes on Social Security, arguably because we had a deficit. But I noticed it, I served notice at the time, that it seemed to be helping to pay for new Federal spending programs. I think that is why every Republican in the House and every Republican in the Senate opposed this increase on Social Security benefits. This tax was created when the Federal Government had a $255 billion deficit.

Today, the deficit is gone. We have increasing surpluses. Yet this tax remains. As a result, seniors' benefits are taxed at rates between 50 and 85 percent. Single retirees whose income exceeds as little as $34,000 are punished by this tax. This taxation in terms of fairness is grossly unfair. The income from which these benefits are derived has already been taxed. That is the point.

□ 1530

Taxing once more these benefits amounts to double taxation for these seniors on Social Security.

This tax results in lower benefits and translates into less income for many of America's seniors. The time has come to end this double taxation and restore some fairness for America's seniors.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from the State of Washington (Mr. MCDERMOTT), a member of the House Committee on Ways and Means.

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, let me begin by stating there is no Member of this body who wants to tax seniors. We are all against that. We would all like to give all the taxes back that we could. But having said that, we also want to give them benefits, Social Security and Medicare.

Now, whatever comes out of this debate, the main point is that this money is coming out of a trust fund for Medicare. The Republicans are operating under a theory that a tax cut a day keeps election defeat away, and we have seen one after another after another. The fact is that they are willing to sacrifice what we did in 1993 to bolster the Medicare trust fund. Now that things are going pretty well, they say, well, we do not need to; we can just take the money out of the trust fund and we will put some general fund in. We will kind of write an IOU on the general fund.

The gentleman from Florida, who is leading this debate on the other side, said, ''If you write yourself an IOU, it is not real.'' Now, here we have written an IOU to the general fund; we owe this over here to the Medicare trust fund, and my colleague says it is not real. That is what we are talking about here.

When my colleagues get in this election, they will be screaming all over the place when people get ads that say, ''You have taken $100 billion out of the Medicare Trust Fund,'' they will be squealing and hollering and saying, ''Yeah, but.'' Nobody believes the majority and they do not even believe it themselves or they would not have made this statement about the fact that an IOU that we write, we owe it to the people, is not worth anything in the next session if this money does not come in.

My colleague from California (Mr. MATSUI) says these issues are not for sure; we are projecting 10 years out into the future. There is not a soul on this floor who believes that those are absolutely real. But if we give away the trust fund, we have given it away. Vote ''no.''

Mr. MATSUI. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida (Mrs. THURMAN), a member of the House Committee on Ways and Means.

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

Mr. Speaker, let us start this debate with the words of Federal Reserve Chairman, Alan Greenspan, who said just last week, and I quote, ''Anything, whether it's tax cuts or expenditure increases, which significantly slows the rise in surpluses or eventually eliminates them would put the economy at greater risk than I would like to see it exposed to.''

Well, today, instead of following his advice, we are being asked to take up one more bill that not only eats away at the projected surplus but also removes an earmark source of funding for Medicare and replaces it with IOUs. Let us go back to June 20, when this House debated lockbox legislation for Medicare. I do not want to embarrass proponents of this bill with their comments, but let me remind them of what was being said in that debate. ''Simply adding IOUs to the trust fund in effect mandates that taxes will be increased on our kids and our grandkids.''

We are no longer dealing with a lockbox, we are opening Pandora's box. And this is a box I will not open.

Sunday, the majority whip said, and I quote, ''Everybody knows that the House of Representatives has already passed a prescription drug bill, but President Clinton wants universal coverage and government-run Medicare and we want seniors to have choice in the kind of health care they think is important for them.'' Tell that to the people in Hernando County in my district who just lost their HMO and have no prescription drug coverage. They have no choice. Nine hundred signatures here today saying we want a strong Medicare program with a prescription drug benefit.

But, before we can ever get to that and start looking at the major funding shortfalls in the Medicare program to hospitals and nursing homes and HMOs, we are here debating taking $100 billion out of Medicare. We are going to have to put $50 billion back in from the surplus already. I cannot say to the families in my district that we are going to be destabilizing Medicare. Should this measure become law, I am certain in years to come we will be paying the price.

Yesterday, the General Accounting Office estimated that with the stacking of tax bills, the unified budget deficits will reemerge in the year 2019. The GAO projection also showed, after 2019, the budget deficit and the debt explode, exactly the numbers that have been put out on this floor. We cannot leave this legacy for our children.

In closing, let me remind my colleagues of one more statement made. ''If you write yourself an IOU, it's not an economic asset. These notes are going to be paid out of the hides of future taxpayers.''

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume, and I must advise my colleague from Florida that any monies going into the Medicare Trust Fund is replaced with Treasury bills.

Let me finish. It is replaced with Treasury bills. This is what the gentlewoman is referring to as IOUs. That is what it is under existing law; that is what it would do under this particular bill. If the money is not spent, it is invested in Treasury bills, just as it is today.

So I must correct the gentlewoman. We do not have a bucket of cash that sits in there. That money that is coming out of the senior citizen's Social Security check every month and paying the income tax on it, that we are going to give them some relief from, that money goes into the Medicare Trust Fund and is replaced with Treasury bills and comes back into the general fund. Under the Republican plan here, or I should say bipartisan plan because I have already made it known that there are many Democrats who are supporting this type of legislation, it does exactly the same thing.

Mrs. THURMAN. Mr. Speaker, will the gentleman yield?

Mr. SHAW. I yield to the gentlewoman from Florida very quickly, because I must retain my time.

Mrs. THURMAN. I will be very brief.

In the gentleman's debate he said, ''If you write yourself an IOU, it is not a real economic asset. Treasury bills are not real economic assets. Those notes are going to be paid off out of the hides of future taxpayers.'' This was said by the gentleman in the lockbox legislation.

Mr. SHAW. Reclaiming my time, Mr. Speaker, the gentlewoman hears me but she is obviously not listening. If she would listen, what I am saying is that the same Treasury bills that are put into the Medicare Trust Fund today will be put into the Medicare Trust Fund with this legislation. It is exactly the same. It is exactly the same.

The gentlewoman can stand here and say this is not a real economic asset, but if it is not a real economic asset under the Republican bipartisan plan that we are arguing today, it is not a real economic asset today because it is the same Treasury bills. That is exactly the point that I am trying to make. So let us not get this confused.

I do not blame the people who are opposing this bill for not wanting to talk about giving seniors some tax relief, the taxpayers who just make a little over $34,000 a year, I am not blaming my colleagues for wanting to talk about something else, but let us keep this record straight and let us be very clear on what we are speaking to.

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

Mr. MATSUI. Mr. Speaker, may I inquire of the amount of time each side has?

The SPEAKER pro tempore. The gentleman from California (Mr. MATSUI) has 6½ minutes remaining, and the gentleman from Florida (Mr. SHAW) has 8½ minutes remaining.

Mr. MATSUI. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, this is a bad proposal. It is not entitled ''supply side economics,'' it is not entitled ''voodoo economics,'' however, this tax bill we are debating today and its reckless siblings threaten to pull the plug on our unprecedented prosperity and plunge us right back into the dark days of budget deficits.

Even worse, this bill today is a direct threat to the Medicare Trust Fund. To the extent we take funds out of the general fund, they are funds we cannot use to pay down the debt. And to the extent that our extrinsic debt does not go down, our intrinsic debt is tougher. Over the next 10 years, it will drain $117 billion from Medicare. Hear me now: This bill would drain over the next 10 years $117 billion from Medicare.

Whatever shell game my colleagues may argue, those are the facts. Every Member of this House knows the real danger of this bill becomes clear when it is added to the tax cuts we have already passed: $900 billion plus. My colleagues, be fiscally responsible, protect Medicare, and vote against this bill.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a member of the House Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time.

In a letter dated July 24, 2000, the National Council of Senior Citizens described this bill that we are debating today as an irresponsible political gesture to upper-income persons which will have severe consequences for the Social Security System and the solvency of the Medicare part A trust fund.

Today, my colleagues, 12 million Medicare benefits lack prescription drug coverage. Twelve million seniors who, on a daily basis, have to decide, ''Do I buy my prescription drugs or do I buy my food? Do I pay my rent or do I pay for my medicine?'' Twelve million. And today we are talking about a bill that will take $117 billion out of a system which right now cannot even provide prescription drug coverage to 12 million of those senior citizens.

Mr. Speaker, we are here today debating a bill that does absolutely nothing for four out of five of those seniors when we talk about tax cuts. Let me say that again because it gets lost in the shuffle of all these words. This is a tax cut bill that will cost $117 billion over the next 10 years; $117 billion that will go to people out in America in a tax cut, who are seniors, but only to one out of every five of those seniors. Four of those five seniors will get nothing because this bill benefits only 20 percent of the most affluent of our seniors who are retired.

On top of that, we do nothing in the future about prescription drug coverage. We do not talk about doing something on education for our kids, we cannot talk about retiring the debt this Nation has, but what we are talking about is pulling out one of these things we see so often. My colleagues probably know about this. When we go to the store to buy some things and our kids say, ''Oh, can you get me that, daddy? Can you get me that?'' My daughters say that to me all the time. They think I have all sorts of money. So what a lot of people do is say, well, I will charge it. Put it on my card. I will charge it again. And before we know it, we have put so much on this card, that somebody has to pay for it. And if it cannot be us, it will be the future.

Let us not do this to the future or to our seniors. Let us not get caught up in politics.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume, and say to the gentleman who just spoke, the gentleman from California, when he talks about prescription drugs, I support making prescription drugs part of Medicare. And I hope this Congress can finally come together in a bipartisan way and approve a plan where we can give our seniors some relief.

The gentleman is absolutely right. There are people out there that are having to make the tough choice between whether to buy groceries or to buy prescription drugs. The problem is a lot of people out there just making a little over $34,000 a year, they do not have a choice as to whether to pay taxes on their Social Security benefits or to buy prescription drugs.

This tax is morally wrong, and that is why we are trying to pass this bill and will pass this bill, and we will get a lot of help from our Democratic friends in doing so.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS), a member of the Committee on Ways and Means.

Mr. COLLINS. Mr. Speaker, I thank the gentleman for yielding me this time.

The theme here from the other side is that we are harming Medicare insurance for our seniors. Well, as a Member of Congress and as an individual, that is the farthest thing from my mind. Good Lord willing, one of these days I will be covered under this Medicare insurance myself. Do my colleagues think I want to do something that will destroy it? Heavens, no.

A lot has been said about the fact that this is going to take $117 billion over the next 10 years from the Medicare Trust Fund. It will not. The additional tax or additional income that was subjected to tax in the 1993 tax bill was an income tax. Income tax goes into the treasury, into the general fund.

□ 1545

There was a provision in that bill at that time that required a like amount to be transferred to the Medicare trust fund account or credited to it.

This does the same thing. The only thing this does, it repeals the provision of law that was implemented in 1993. But it still requires a like amount to go into the Medicare or credited to the Medicare account, not one red cent less. We are not taking anything from the Medicare trust fund.

If I think back correctly about 3 or 4 years ago, the trustees of the Medicare trust fund stated that the trust fund would have problems in the year 2001, it would have deficit spending, begin to put out more money or pay more in insurance for seniors and money was coming in through the payroll tax and even through this additional fund here and then it is transferred in like amount to the trust fund.

But thank goodness that the majority of this Congress saw that coming and made changes to the Medicare program and Medicare insurance that extended this solvency, the life of Medicare insurance for our seniors.

Now those same trustees say 2015 before we begin to have a deficit in cash flow. No one on this side of the aisle, no one in this Congress from either side of the aisle, Mr. Speaker, wants to do anything that would jeopardize health care insurance for our seniors and the disabled.

To stand here with all of this rhetoric is wrong, just trying to make political points. The fact is we believe in the Medicare insurance program for our seniors. We support. One of these days we will all be facing it, God willing.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. DOGGETT), a member of the Committee on Ways and Means.

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

Mr. Speaker, at a time when the demands for seniors for real relief on prescription drugs are thwarted in this House, at a time when this House does absolutely nothing about the pharmaceutical companies that engage in price discrimination against our seniors that literally treat them worse than dogs, at a time when seniors find one health care provider after another who will not take Medicare patients because the reimbursements are so low, at this time, of all times, for the Republicans to come forward and engage in this cynical ploy is truly wrong.

Having opposed Medicare from its outset back in the days when Lyndon Johnson was working so hard to get it, these Republicans are determined to fulfill the pledge of their so recently departed leader to let Medicare wither on the vine.

That is why the National Council of Senior Citizens has condemned this measure as an irresponsible political gesture with ''severe consequences for Social Security and the solvency of the Medicare Trust Fund.''

The millions of seniors who rely on Social Security for most or all of their

income will not get anything from this proposal. The gentleman referred to the person who has to choose between groceries and prescriptions. That person is not going to get any relief out of this bill.

Indeed, four out of five seniors will not get a nickel from this proposal that is up before us today. But I guarantee my colleagues that five out of five seniors, every one of them, will be less secure with regard to Medicare if this measure is approved.

The bipartisan Concord Coalition, cochaired by a Republican, has urged the House to reject this proposal on the grounds of fiscal responsibility and tax fairness. And this is one of those times that making the tough choice for fiscal responsibility goes hand in hand with meeting the needs of our seniors.

They do not want an IOU, I would tell the gentleman from Florida (Mr. SHAW). Do not be the undertaker for Social Security. Stand up for our seniors. It is a trust fund. We do not want to fill it with IOUs.

We say to all of the do-not-wither-on-the-vine crowd to keep their hands off the Medicare trust fund.

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

Mr. Speaker, I would remind the former speaker, the gentleman from Texas (Mr. DOGGETT), that what he is referring to, the Treasury bill, as IOUs is all that is in there right now. So this makes absolutely no difference.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise in support of our senior citizens. We are here today fighting on their behalf.

Mr. Speaker, let me tell my colleagues, a few months ago when I was elected, I went to all parts of my city, my district, and talked to senior citizen groups. And in the low and moderate area of south Omaha, a group of seniors, I asked them, ''What can we do for you?'' Repeatedly they told me of their frustration of being taxed on their Social Security benefits.

I heard that they listened to Roosevelt and that they worked hard, they did what they were asked to do, they paid into the Social Security system, but they had their pension from the meat packing plants and the other factories they worked at in Nebraska and they worked hard to save. But yet, today they are penalized for that.

They were promised that they would have their Social Security benefits. But what this does by taxing it at 50 percent or even the 85 percent level that we are here to repeal today is we are confiscating their benefits. That is wrong. That is simply wrong.

What that confiscation of their benefits does, that is a back-door way of means testing. It just astounds me that my friends from the other side of the aisle stand up and say they are against means testing, but they will certainly have an 85 percent tax bracket on half of those benefits based on the amount of income that they have from their pensions and their savings. That is wrong.

So I ask our colleagues from the other side of the aisle, unlike in 1993 when it was nearly unanimous to pass this tax on our senior citizens, join us today to do the right thing, join us for fighting for our senior citizens, letting them keep the benefits that they were promised when they were young workers. Vote for this act.

Mr. SHAW. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means.

(Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, let me remind some of my good friends on the other side of the aisle in listening to the rhetoric that one of their own appointees over at the Department of Health and Human Services, the official actuary that is respected by both, says, ''The proposal would have no financial impact on the HI trust fund. Program income would not be affected, and the estimated year of exhaustion for the HI trust fund would continue to be 2025, as under present law.'' So that is all rhetoric and not fact.

My colleagues, we are talking about lowering taxes on senior citizens. When my friends on the other side of the aisle, and I point out that every Republican voted no on placing this tax on senior citizens in 1993, when they voted to impose this new tax of 85 percent on Social Security benefits, it only affected 5 million seniors. They figured it was not a big deal. But today it now punishes or soon will punish almost 17.5 million Social Security beneficiaries.

When the tax took effect in 1994, one in 10 seniors was punished by this tax. Today one in five is punished. And by the year 2010, one in three will be punished by this tax.

It is all about fairness.

When Congress and the President so long ago created this, they said that if they pay in, they are going to get their benefits as part of the deal. Let us make sure they get their part of the deal.

The SPEAKER pro tempore (Mr. PEASE). The gentleman from California (Mr. MATSUI) has 1½ minutes remaining, and the gentleman from Florida (Mr. SHAW) has 1½ minutes remaining and the right to close.

Mr. MATSUI. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from New York (Mr. RANGEL), the ranking Democrat on the House Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, there is some talk on the other side that there will be no financial impact on the Medicare trust fund. And this would be so if they could be trusted to put the money back in.

The question has to be, did they take out the money in the first place?

I do not think in their closing statement that anyone on that side of the aisle can deny that if we remove the tax that the Medicare trust fund will be short $10 billion a year. But they say not to worry; trust us.

Have they not played three-card Molly? Do they not know that once we show them what is under the shell, if it is not there, we will go to the general revenues and put it back? And that is what makes it having no financial impact.

I would ask the question, what happens if the Congress decides that it has a priority? Maybe we want to take care of prescription drugs. Maybe we want to take care of the Patients' Bill of Rights. Maybe we want to protect the small businessperson or the farmer.

Suppose the speculated surplus does not show up. One thing we know that my colleagues cannot deny is that there is an irreplaceable source and stream of income coming into the Medicare trust fund now.

What they are saying is, let me just take it out and give relief to one-fifth of them at the expense of the other things we may want to do.

Mr. SHAW. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, we have this afternoon talked about from the other side of the aisle just about everything except the taxpayer, just about everything except what is really going on here.

What we are trying to do is to give some relief to our senior citizens, who, incidentally, the monies that they put into the Social Security trust fund they were taxed on. These were not pretax dollars. The employee's portion is taxed. So why should we have to say it is taxed when they put it in, and it is taxed when they take it out? That is wrong.

The whole idea of having this thing taxed on only 50 percent is because that was the monies that were put in by the employer that were not ever taxed to the employee. We need to go back to that.

A lot has been said about what are we going to do if we are running the Government at a deficit. Well, I have to remind my colleagues from the other side of the aisle, when this tax was put in place, this was in 1993, the Democrats were in charge of the House of Representatives, and there was a deficit. There was a deficit every year. The money was found. It came out of the general revenue stream.

That is exactly where it is going to come from now. We are just not pinpointing that it is going to come out of a tax that is morally wrong. It is wrong to tax people on getting their own money back.

Mr. Speaker, I urge a ''no'' vote on the Democratic substitute, and I would ask for a ''yes'' vote on the bipartisan tax relief bill.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in opposition to H.R. 4865, the Social Security Benefits Tax Relief Act. Although I do not support this bill, I fully support providing much needed tax relief to recipients of Social Security benefits. For this reason, I will be voting for the Democratic substitute proposal.

Mr. Speaker, it is imperative to our national strength and prosperity that tough and prudent fiscal strategies be pursued. These strategies have brought this country the largest surpluses and longest economic expansion in history. Unfortunately, on the basis of inherently uncertain projections about the future surplus, members on the other side of the aisle have chosen to spend the entire surplus on one tax break at a time.

Mr. Speaker, this bill is another in a long series of fiscally imprudent tax cuts passed in this session of Congress which drain our hard-earned budget surplus and put at risk any chance of extending the life of Social Security or Medicare. Specifically, this bill threatens to raise interest rates, slow investment and productivity growth, increase dependence on foreign capital, and compromise our flexibility to deal with potential future budgetary problems. Moreover, this Republican proposal provides relatively few benefits for the vast majority of our working families.

H.R. 4865 will provide about as much relief to the top 1 percent of taxpayers as to the millions of working people who make up the bottom 80 percent of taxpayers. Although we are currently in an era of surpluses, we should not forget that Medicare's fiscal future is troubled. Part A will begin running cash deficits again by 2010, according to the most recent trustees report. Beyond 2010, its cash deficits will grow ever larger, totaling nearly $7 trillion by 2040. Despite these looming deficits, the Republican bill would weaken, rather than strengthen, Medicare financing by depriving the program of roughly $100 billion in dedicated revenues over the next ten years and $464 billion through 2024. Without this income, Medicare Part A will go into the red again on a cash basis 5 years earlier than under current law. This bill will only threaten the viability of the Medicare Program for future generations, but it will force an even greater squeeze on hospitals and other health care providers dependent upon Medicare payments.

Mr. Speaker, this bill will cost more than $100 billion over 10 years. Instead of devoting these resources toward a Medicare prescription drug benefit that would benefit all seniors and eligible people with disabilities, this proposal would leave more than four out of five Social Security beneficiaries with no more than they have today. While a budget surplus exists, we must utilize the surplus wisely to balance targeted tax cuts with paying down our national debt.

Mr. Speaker, I urge my colleagues to vote for the Democratic substitute and reject the underlying bill.

Mr. COYNE. Mr. Speaker, I rise in opposition to H.R. 4865. This bill would jeopardize the solvency of the Medicare Hospital Trust Fund. The revenue from this tax goes directly into the Medicare Hospital Trust Fund. The loss of this revenue would be about $110 billion over the next 10 years or $13.6 trillion over the next 75 years. If this legislation were to be adopted, absent any other action on the part of Congress, the Medicare Hospital Trust Fund would be depleted 5 years earlier, in 2030 instead of 2035. The sponsors of H.R. 4865 tell us that this bill will not jeopardize Medicare because the legislation will require the Federal Government to make up the $14 trillion difference. This is an easy promise to keep while we have record budget surpluses. But when the Medicare Trust Fund gets close to zero, there may be no surplus. The same projections that have produced the estimates of budget surpluses over the next 10 years project annual deficits in subsequent years. At that point, we will have to reinstate the tax or raise the tax burden on working families to keep Medicare going. Even now, the bill will use up some of the surplus. Consequently, this revenue will be unavailable to use for other programs, such as a prescription drug benefit that will help all seniors. This revenue will also not be available to pay down our national debt, leading to billions of dollars in increased interest payments.

Moreover, this is only one of many tax cuts the Republicans have proposed that will benefit wealthier people in the coming years and which will leave working families in the lurch. These tax cuts will crowd out funding for vital programs such as education, housing and medical research. And, unlike earlier proposed tax cuts, this one directly threatens the solvency of Medicare. I urge my colleagues to vote against this bill because it does not benefit the large majority of seniors and risks the future of Medicare.

Ms. BALDWIN. Mr. Speaker, it is clear that most of the Members of this institution want to provide help to seniors who receive Medicare and Social Security benefits. There are two proposals that we are considering today which purport to help those seniors. One bill will provide seniors with a tax cut, including the wealthiest in our society . . . which is virtually guaranteed to deplete the Medicare Trust Fund and jeopardize the future of this vital program.

This legislation to repeal the 1993 tax provision will make it more difficult for the government to finance adequate Medicare prescription drug coverage, as well as other improvements that ultimately should be included in the Medicare benefit package, such as catastrophic costs and long-term care. This legislation is a hundred billion dollar raid on the Medicare Trust Fund and replaces the money with an IOU.

Although we are currently in the era of surpluses, we should not forget that Medicare's fiscal future is troubled. After several years of deficits in the 1990s, the Part A trust fund is now running a small cash surplus. This is only temporary, however—Part A will begin running cash deficits again by 2010, according to the most recent Medicare Trust Fund trustees report. Beyond 2010, its cash deficits will grow larger, totaling nearly $7 trillion in the next 40 years.

Despite these looming deficits, this legislation would weaken, rather than strengthen Medicare financing by depriving the program of roughly $100 billion in dedicated revenue over the next ten years and nearly half a trillion dollars in the next 25 years. Without this income, Medicare Part A will go into the red again five years earlier than under current law. This will not only threaten the viability of the Medicare program for future generations, but it will force an even greater squeeze on hospitals and other health care providers dependent on Medicare payments. This revenue loss will be permanent, while the projected budget surpluses are temporary.

Fortunately, we have a more fiscally responsible alternative. The substitute measure also cuts taxes for 95 percent of Social Security beneficiaries. Seniors living alone who make less than $80,000 a year and couples with a joint income of less than $100,000 a year would be eligible for the tax cut. In addition, the alternative maintains the financial integrity of the Medicare program by forcing the Treasury Secretary to guarantee that the funds will be available, before depleting the Trust Fund and providing the tax cut.

Mr. Chairman, if we really care about seniors, we must ensure we maintain the financial stability of Social Security and Medicare, while providing responsible tax cuts. The alternative we are considering today does both and I urge its adoption.

Ms. ESHOO. Mr. Speaker, when I was first elected to Congress in 1992, I promised my constituents that I would do everything in my power to abstain from the spending spree that had run up the largest budget deficit in American history. I consistently voted against irresponsible spending bills and for legislation to balance the budget and bring our fiscal house back to order.

Today, we're reaping the benefits of our fiscal restraint. We are now in our third year of budget surpluses and unprecedented economic progress. The United States is enjoying the longest economic expansion in history, the lowest poverty rate in twenty years, and the lowest unemployment rate since the 1970s. Whereas in 1992 we suffered under the weight of a $290 billion budget deficit, today we are buoyed by a $211 billion surplus.

And yet, it seems that our Republican colleagues have forgotten the lessons we learned just eight short years ago and are spending the surpluses as fast as they come in. Last year, the Republicans tried to enact their tax cut agenda at a cost of $929 billion over 10 years. This sweeping bill failed because it was obvious that such a large package shoved aside all other priorities and put the nation's fiscal health in jeopardy.

This year, Republicans have devised a more clever political strategy of breaking up their tax agenda, allowing them to focus attention on the same attractions of each part of their agenda while obscuring the total cost. But the cost is the same. So far this year, Republicans have pushed through tax cuts that would eat up $739 billion of the budget surpluses. When you add this to other tax cuts and spending increases they vow to bring up, the Republicans will have spent $88 billion more than is available once Social Security and Medicare are protected.

Today, Congress is on its way to invading Medicare as well. While we are currently in an era of surpluses, we must not forget that Medicare's fiscal future is troubled. According to the most recent Trustees Report, Part A will begin running cash deficits again by 2010, totaling nearly $7 trillion by 2040.

Despite these looming deficits, the Republicans have introduced yet another tax cut that robs the Medicare program of roughly $100 billion in dedicated revenues over the next ten years and $464 billion through 2024. The Social Security Benefits Tax Relief Act (H.R. 4865), repeals a portion of the tax on Social Security benefits thereby eliminating a dedicated source of revenues to the Medicare Trust Fund. Without this income, Medicare Part A will go into the red again five years earlier than under current law. The result will be a significant threat to the viability of the Medicare program for future generations, and an even greater squeeze on hospitals and other health care providers dependent upon Medicare payments.

H.R. 4865 purports to replace the lost revenue to the Medicare trust fund from the projected on-budget surplus. However, while the revenue loss to the Medicare trust fund is guaranteed, the budget surplus exists only in projections and faces many other competing demands. Furthermore, the revenue loss to the Medicare trust fund would be permanent, while the projected budget surpluses are temporary. Once the projected surpluses run out, the Medicare trust fund will be left with a large hole unless a future Congress is willing to raise taxes or cut other programs.

Perhaps most egregious, like other Republican tax cuts, H.R. 4865 only benefits the wealthiest Americans. The National Council of Senior Citizens calls H.R. 4865 ''an irresponsible political gesture to upper income persons which will have severe consequences for the Social Security system and the solvency of the Medicare Part A trust fund.'' The massive amount of general revenues that would be consumed by this bill will leave fewer resources extending the solvency of the Medicare program and creating a Medicare prescription drug benefit.

The Democratic substitute amendment, on the other hand, provides the same tax relief as the Republican bill but offers it to more seniors at about half the cost. Whereas the Republican bill only benefits the wealthiest 20 percent of Social Security recipients, the Democratic substitute would provide tax relief to 95 percent of seniors. Rather than eliminating the tax for all seniors, the Democratic substitute keeps the tax in place for only the very wealthiest—singles earning more than $80,000 and couples earning more than $100,000 a year.

The Democratic substitute is also more fiscally responsible. Unlike the Republican bill, the Democratic substitute protects Social Security and Medicare by conditioning the tax cut on a certification from the Secretary of the Treasury that the on-budget surplus is sufficient to replenish the lost tax revenue. Thus, it can't go into effect in years in which there is not enough of an on-budget surplus to replace lost revenues.

We are at a historic ''fork in the road.'' If we continue down the path of irresponsible tax cuts for the wealthy, there will be nothing left for shoring up Medicare and Social Security, enacting a Medicare prescription drug benefit, or paying down the public debt. I urge my colleagues to vote yes on the Democratic substitute and no on the underlying bill. Congress must reverse its course and get back on the road to fiscal discipline.

Mr. WELDON of Florida. Mr. Speaker, the ''Social Security Benefits Tax Relief Act of 2000'' (H.R. 4865) repeals the tax on Social Security benefits created in the 1993 Clinton-Gore budget plan. This tax costs more than 8 million seniors an average of $1,180 a year.

In 1993, Vice-President GORE cast the Senate tie-breaking vote to join with the Democrat-led House that imposed this tax on Social Security. I believe seniors should be able to keep their hundred bucks a month instead of having to send it to Washington.

It's time to repeal the tax on Social Security to let Florida's seniors keep more of the benefits they earned. In an era of budget surpluses, it's wrong to punish seniors with a tax that's outlived its purpose. Social Security checks shouldn't arrive in the mailbox with a bill from the IRS attached.

I am committed to improving the lives of Florida's seniors. Earlier this year, I voted to eliminate the Social Security earnings limit and in favor of a prescription drug benefit. These were done in addition to ending the 40-year Democrat raid on the Social Security trust fund.

I am deeply disturbed that the President refuses to help America's seniors and is indicating that he will veto this tax equity bill for our senior citizens.

Mr. REYES. Mr. Speaker, I rise in strong opposition to this bill, another in a series of fiscally irresponsible tax cuts. Our current budget surplus has put us in a position to extend the life of Social Security and Medicare, to ensure that we are able to provide a Medicare prescription drug benefit, invest in education, and pay down the national debt.

But the Congressional majority's strategy is not to extend the solvency of Social Security or Medicare by even one day or address other important domestic issues like education. They would rather use uncertain projections about the future surplus to provide irresponsible tax breaks. According to the Department of Treasury, the Congressional majority's tax schemes provide relatively few benefits for the vast majority of working families.

As a result of the tax cuts passed this year, the average family in the top 1 percent would receive a tax cut of over $16,000—compare that to the $220 tax cut that middle income families received. We should provide fair and equitable tax cuts that allow working families to send their kids to college, pay for child care, and care for sick family members while still strengthening Social Security and Medicare and paying down the national debt. President Clinton's tax cut package would have done just that.

In contrast, this reckless bill will deprive Medicare of roughly $100 billion in dedicated revenues over the next ten years and half a trillion by 2024. This bill attempts to solve that problem by replacing the lost revenue with money from the projected surplus. There is no guarantee that we will have years of budget surpluses to work with and replace the lost revenue. Pass this bill and we are guaranteed to drain resources from the Medicare trust fund.

Mr. Speaker, I urge all of my colleagues to stop playing politics and focus on good policy.

Mr. COX. Mr. Speaker, I rise in strong support of H.R. 4865, long overdue legislation to repeal the 1993 Clinton-Gore tax increase on Social Security beneficiaries.

The media has begun calling this tax the ''Gore Tax'' because Vice President AL GORE cast the tie-breaking vote in the Senate needed to send the bill to President Clinton for his signature.

The Gore Tax impose a 70 percent income tax rate increase or retired couples making as little as $22,000 each, and single retirees earning as little as $34,000.

These low-income senior citizens don't qualify in anyone's book as ''rich.'' In fact, they earn barely enough to keep them out of the government's official definition of ''poverty.'' Yet AL GORE cast the deciding vote to significantly increase taxes on these low-income senior citizens.

How costly has this tax increase been? This year, the Gore Tax will hit 10 million retirees, and force each of them to pay an average of $1,200 in additional taxes. This tax burden is made all the more devastating because of the fact that so many low-income seniors live largely on their Social Security income.

The Gore Tax is not only terrible tax policy because it unfairly burdens low-income Americans. It's also bad tax policy because it discourages Americans from working and saving for retirement.

Instead of encouraging hard work and thrift, the Gore Tax severely punishes Americans who set money aside for retirement—and retirees who want to stay productive and in the workforce during their golden years—by forcing them to pay thousands of dollars more in income taxes.

This tax is indefensible. I urge my colleagues to vote for H.R. 4865, so that we can at long last repeal the Gore Tax and its unfair and punitive burden on America's senior citizens.

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the Social Security Benefits Tax Relief Act of 2000. This legislation will reduce the tax burden on millions of older americans who are enjoying their golden years.

In 1993, the Congress and the Administration recognized that in order to shore up our nation's Medicare system and pay down the ballooning deficits caused by the fiscal imprudence of President George Bush, some unpopular decisions would need to be made.

In 1993 and today, I salute the actions of the Democrats in Congress and President Clinton to address the pressing needs of Medicare and our nation's budget concerns. Six years later, thanks in large part to the first Clinton administration budget and the brave Democratic Party that took the right, yet politicallly unpopular path, our nation is enjoying unparalleled economic growth.

Budget surpluses are projected for the next decade, unemployment rates are at their lowest peacetime rate in American history, homeownership is at a record high, most importantly, and every community in America is benefiting from increased wealth and job creation.

This is a far different picture from the dark days of the last Republican Administration of President George Bush. President Bush provided our nation with high debts, a bankrupted Medicare system and high unemployment rates.

Today, thanks to the great work and keen insight of President Bill Clinton, Vice President AL GORE and the Democrats in Congress, we now enjoy a budget surplus that continues to grow beyond even the wildest and most optimistic scenarios of every credible economist regardless of ideology.

These funds allow Congress the ability to scale back the heavy tax burden on working families, senior citizens and small businesses. For that reason, I am pleased to rise in support of this legislation to provide sensible tax relief to American seniors.

This bill will ensure that those middle class seniors, many of whom also benefited from the repeal of the Social Security Earnings Limit earlier this year, will now be able to keep more of their income.

I am pleased to work in a bipartisan way today to support this legislation and provide the seniors of my Congressional district in Queens and the Bronx, a tax cut on average of $1200 a year.

In the best traditions of the Democratic Party, I will support this legislation to improve the quality of life for our nation's seniors.

Mr. CRANE. Mr. Speaker, I rise in support of this important legislation to relieve some of the tax burden on our seniors by reversing the mistake made in 1993 by the Clinton/Gore Administration and the Democratic-led Congress.

The 1993 Clinton/Gore tax increase, raising the percentage of some senior's Social Security benefits subject to income tax from 85 percent to 50 percent, was not only unfair to seniors, but it was also just plain bad tax policy. Under current law, when an employer collects his half of the Social Security tax, the employer is allowed to deduct that amount from gross income as an expense. The individual paying payroll tax, however, is subject to individual income tax on the amount of payroll tax directly subtracted from his paycheck. In other words, half of the individual's total payroll tax contribution is subject to tax and half is not. The correct policy then, when considering taxing Social Security benefits, is to tax half the benefits. That assures that we achieve a basic goal of sound tax policy—tax all income once, but only once. The bill before us would once again lower the percentage of income subject to tax back down to 50 percent, where it belongs.

The 1993 tax did much more than raise taxes on the elderly. It effectively reduced seniors' Social Security benefits. Of course, Clinton/Gore and the Democratic Congress didn't cut seniors' benefits by changing the benefit formula. But raising the tax on seniors' benefits certainly had the same effect. Every month, millions of seniors who rely on Social Security benefits had less money to spend. It makes no difference to them whether they have less money because their benefits are cut or because the tax on the benefits is higher. The bottom line—they have less money.

Mr. Speaker, President Clinton is quoted as saying yesterday, ''I say to Congress: Stop passing tax bills you know I'll veto.''

I say to President Clinton, stop vetoing the tax cut bills we are sending you. You threaten to veto a bill to relieve the patently unfair marriage penalty. You threaten to veto a bill to repeal the grossly unfair and immoral death tax. Now you threaten to veto a bill to relieve an unfair burden on seniors. Mr. President, this is not your money. Let us return it to the people who earned it.

The Administration likes to talk about all the total cost of the bills we have sent to him or plan to send. That is a little like adding up the total cost of all the items on a restaurant's menu. Mr. President, we are hoping that a couple of these tax cut bills at least will look good enough for you to sign them. Then we can start talking bout the total cost. Until you do, we will continue sending up dishes for your approval. Until you do start signing them, it is the height of folly to talk about their total cost as though you had signed them.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I am pleased that we are bringing legislation to the floor today to repeal this unfair tax on seniors. Our senior citizens have worked their entire lives to build the savings that will enable them to enjoy a safe and secure retirement. The 85 percent tax created in the 1993 Clinton budget penalizes those seniors who have done what we are encouraging them to do, build their own personal savings for retirement.

The worst thing about this tax is that the income levels that trigger it have not changed since the law was enacted—even though the cost of living has certainly increased since then. Therefore, more and more people become affected by it each year. According to the Congressional Budget Office, this year 10 million seniors (that's one out of every five seniors) will have to pay additional taxes, and by 2010 that number will reach 17 million—or one-third of seniors. With the income levels at $32,000 for individuals and $44,000 for couples, this is not a tax on upper income seniors—it is a tax on middle income seniors. And in Connecticut it hits seniors even harder because of our higher cost of living.

In a letter to Chairman ARCHER, the AARP expresses its concerns about the tax. Their letter states: ''The 1993 tax may serve to undermine the program. By adding additional taxes to an already progressive Social Security benefit formula, these changes risk undermining the widespread public support the system enjoys.''

This tax was created as part of a deficit reduction program. Now that we are enjoying unprecedented budget surpluses, we owe it to our seniors to repeal the tax. In 1993, the deficit was $255 billion. For fiscal year 2000, the surplus is $233 billion. This tax helped create that surplus, so we owe it to our seniors and working Americans to repay the favor.

Repealing this increase is a matter of fairness and will help senior citizens, especially those with moderate incomes, keep more of their money in their own pockets. I urge my colleagues to support this piece of critical tax relief.

Mrs. BIGGERT. Mr. Speaker, I cannot believe what I am hearing from the other side of the Chamber today.

When the Democrat-controlled Congress passed this tax increase on seniors in 1993, they told them that the purpose was deficit reduction. It was to balance the federal budget.

Now, seven years later, there is no federal budget deficit. There was no federal budget deficit last year. There will be no budget deficit next year or the following year. We look ahead, and as far as any projection ventures forward, there will be no federal budget deficits.

Seniors know this. Everyone in this Chamber knows this. So who are we attempting to fool?

And why do we continue to force this budget deficit reduction tax on America's seniors when there is no budget deficit?

The answer is that we owe it to our seniors to repeal this onerous tax. For seven years, ten million American seniors have paid more than their fair share to reduce federal budget deficits. They have succeeded.

The very least we now can do is to repeal this tax.

To do less would be to engage in the worst kind of bait-and-switch tactic.

What are we to say? In 1993, the tax was needed for deficit reduction. In 2000, there is no budget deficit so it is needed for spending? That's dishonest and unfair.

Let's face it, this Democrat substitute is little more than an attempt to do justice for some and not for others.

Let's do the right thing for all seniors—the honest thing—and repeal this tax.

Mr. PASTOR. Mr. Speaker, we are very fortunate to be enjoying the prosperity and fiscal opportunities that come with a strong economy. Americans should be proud of the productive labor force and technological achievement that have led to current and projected budget surpluses. But we must not lose sight of the big picture and squander our opportunity to use current prosperity to safeguard our future.

The tax cut we are debating today does not consider the big picture. This bill would reduce funds that could be used to strengthen the Social Security system for the benefit of our children and grandchildren. It would jeopardize our ability to extend the life of the Medicare trust fund and create a Medicare drug benefit that is long overdue. Whey would we do this at a time when my constituents in Arizona, and Americans across the country, have made it clear that strengthening Social Security and Medicare are among the highest legislative priorities for American families?

Republicans have argued that this proposal benefits seniors by reducing their tax obligation. In fact, this bill is a break for only the top 16 percent of Social Security beneficiaries and a threat to the majority of seniors who favor a Medicare drug benefit. It is a threat to the future of younger generations, who already lack confidence in Congress's ability to ensure that Social Security will be there for them. This bill puts benefits for the wealthiest seniors before the needs of the most vulnerable Americans and puts short term political considerations before investment in our Nation's future.

I cannot support this irresponsible legislation. I am tired of the Republican leadership wasting what little time we have on proposals to benefit the wealthiest Americans when there is so much important work left undone. Let us do the responsible thing. Let us focus first on reinforcing the social foundation on which this Nation's future security and prosperity will grow.

Mr. HOLT. Mr. Speaker, I rise today in support of H.R. 4865 to repeal the 1993 tax on Social Security benefits. I have spoken to and heard from many residents in Central New Jersey who want to see this Social Security tax eliminated.

Since coming to Congress, I have stood for targeted and reasonable tax reductions, I have crossed party lines to phase out the estate tax, and to eliminate the marriage penalty. I also support ending the 1993 tax on Social Security benefits.

As I do, however, I want to be sure that this body understands and appreciates the context in which this tax was enacted. The 1993 tax on Social Security benefits was a small part of the Omnibus Budget Reconciliation Act of 1993, which paved the way for significant deficit reduction, and the large budget surpluses we enjoy today. OBRA, particularly the 1993 Social Security tax, was initially unpopular. Many Members in fact lost their seats in this House for voting for it. But it was enacted for a good cause—to reduce the deficit and help shore up the Medicare program.

It's important to remember the status of the Medicare Trust funds at that time. Medicare was in far graver condition than Social Security and was rapidly nearing insolvency. In fact, the 1993 Medicare Trustees report projected that Medicare would become insolvent just six years after the report in 1999. Thanks to the cumulative effects of the 1993 package, however, as well as changes made in 1997, the Medicare program is projected to remain solvent through at least 2025. That is a remarkable turn around, and we have a lot of courageous Members of Congress who are no longer with us today to thank for it.

These measures also helped to create a budget surplus that we could never have imagined just a few years ago. We have gone from budget deficits of over $200 billion per year—deficits which, by the way, included Social Security surpluses—to record on-budget surpluses today.

Now that budget surpluses have been created and are projected to continue into the next decade we can make reasonable and targeted tax cuts.

But we must not get complacent about the condition of Medicare or Social Security, or minimize the challenges that will only increase as the baby boom generation reaches retirement. It is crucial that we maintain the strength and long term solvency of Medicare and Social Security through whatever tax reductions are ultimately passed, following the negotiations that will take place with the leadership of Congress and the White House.

I am satisfied that H.R. 4865 provides a general revenue offset to replenish the loss of revenue from repealing the 1993 tax—revenue that is dedicated to the Medicare trust funds. But this also means that these are now funds that cannot be used to meet the many other varied needs a rapidly aging population presents.

I challenge this Congress not to neglect the other essential needs of our seniors and our communities. While passing meaningful tax relief is essential, I also intend, and hope Members on both sides of the aisle will work with me, in seeing that a real prescription drug benefit is provided under Medicare. This is what our seniors want and are asking for. It is especially critical that a prescription drug benefit be a central part of Medicare and not as an add-on. We know Medicare. Medicare works.

Insurance companies, on the other hand, have not demonstrated a dedication to guaranteeing coverage to seniors, and indeed, their business is not geared towards that goal. Their representatives have made that clear.

I also hope we can begin to work in a bipartisan way to establish a long-term care insurance program for older Americans and persons with severe disabilities. By reauthorizing the Older Americans Act and by creating a tax credit for caregivers, we are making promising strides in that area. But there is a long way to go, and meeting the needs of our rapidly aging population will require our utmost attention.

Mr. Speaker, while we take action to provide meaningful tax relief here today, we must not lose sight of the larger overall need to maintain our budget surplus and continue to preserve Medicare and Social Security for today's and tomorrow's workers.

Mr. REYES. Mr. Speaker, I rise in support of the Democratic substitute and in strong opposition to the fiscally irresponsible Republican tax scheme. The substitute would raise from $44,000 to $100,000 the annual income level at which couples must include 85 percent of their Social Security benefits as taxable income. By raising these levels, the substitute would provide the same tax relief as in the reported bill for approximately 95 percent of beneficiaries.

The tax reductions in the Democratic bill would be contingent on a year-by-year certification by the Secretary of the Treasury that there are sufficient surpluses outside the Social Security and Medicare programs to make the general fund transfers necessary to reimburse the Medicare Trust Fund. Thus, before the Medicare Trust Fund is depleted, the substitute guarantees that the budget surpluses exist to ensure these appropriations will actually be made to the Medicare Trust Fund to replace the lost revenue.

Our proposal can only go into effect in years in which there is enough of an on-budget surplus to replace lost revenues in the Medicare Trust Fund. The Republican bill makes no such guarantees and merely relies on continued surpluses year after year. Furthermore, the Republican bill requires huge transfers of federal funds from general revenues into Medicare. It takes money out of one pocket and puts it back in the other pocket. These transfers jeopardize the program's solvency and could result in increased Medicare premiums.

Our seniors deserve better than political games. I urge all of my colleagues to vote for the Democratic substitute and against the risky Republican tax scheme.

Ms. KILPATRICK. Mr. Speaker, I rise today in strong and stringent opposition to H.R. 4865, the Social Security Tax Benefits Relief Act. First and foremost I must say that I am for providing tax relief to our nation's citizens. There are seniors and others in our country who are clearly in need of tax relief. However, any tax proposals that we consider should not solely benefit those at the top of the economy who are least in need of a tax break. We, as Democrats, have tried to structure targeted tax proposals that will benefit those in the middle and lowest rungs of the economic latter.

This bill will benefit only the top one-fifth of Social Security beneficiaries. While many of these people are not rich, this regressive distribution of the benefits from the GOP bill is consistent with favor-of-the-wealthy trend of previous Republican tax cuts. According to the Department of Treasury, roughly half of the tax cuts passed by the House this year will go to the wealthiest 5 percent of households. The other 95 percent will share the other half.

I say to those listening, do not be fooled by the misleading title given this legislation. This bill will jeopardize all that we have done to ensure that the budget is balanced in a manner that protects the longevity of Social Security and Medicare while also leaving enough aside to provide the prescription drug benefit that our nation's seniors need. This tax cut will raise the aggregate amount of tax expenditures of nearly $740 billion—rivaling the amount they attempted to pass in the 1999 tax-cut bill vetoed by the president ($792 billion). This amount threatens to liquidate nearly all of the projected budget surpluses.

This latest Republican tax proposal while appearing to be a straight forward tax cut for some Social Security beneficiaries is truly a dangerous scheme that particularly threatens the solvency of medicare. The revenues collected from this tax go directly to fund the Medicare Hospital Trust fund. By depriving Medicare of this dedicated revenue stream, Republicans would create a massive, unfunded promise that explodes in the future years. Medicare actuaries estimate cumulative losses at roughly $13.7 trillion in dedicated revenue over the next 75 years. Republicans would replace a sure-thing with an IOU to be drawn on the trust fund forever. Nothing guarantees that Congress will offset this cost elswehere in the budget, or curtail other tax cuts enough to guarantee this money will be there for Medicare.

Like all of the other tax cuts that the Republicans are pushing through, they are doing so knowing that this measusre is clearly headed to the long line of other bills that the President has indicated he will veto. Instead of working with the President to come up with bipartisan tax legislation the Republicans insist on pushing through thoughtless and unwise tax legislation that threatens Medicare and other important programs only to score political points in an election year. In 1995, this very same drill brought the government to a shutdown. In subsequent years, in an effort to thwart the budgetary goals of the President, they have done the same thing they are doing now, only to see their efforts stall under the weight of presidential vetoes.

It is frustrating to vote against measures like this that proclaim to do good while failing to meet the clear needs of our citizens. Given the frustration we all feel here in Congress, I extend a plea to those on the other side to discontinue their efforts to score political points. I urge Members on both sides of the aisle to reflect on the successes and failures that we have experienced here during the course of the District work period, so that when we return, we can come together and address the pressing needs of the American people.

Mrs. MEEK of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks. I thank the Gentleman from New York, Mr. RANGEL, for yielding.

Mr. Speaker, I rise in strong opposition to this legislation. This is a bad bill which moves us in the wrong direction. It fundamentally weakens Medicare at a time when we still need to be protecting and strengthening it. If the majority party believed in truth in advertising instead of putting attractive names on awful bills, they would call this bill ''The Sunset on Medicare Act''. For we surely put Medicare at enormous risk by making it more dependent on annual appropriations.

If there is anyone who believes that we are strengthening Medicare by eliminating a dedicated source of $117 billlion in revenues over the next ten years ($13.7 trilllion over the 75 year solvency period for the program) and substituting general revenues, please see me when this debate concludes and I'll sell you the Brooklyn Bridge! No one can seriously assert that Medicare is made more secure by replacing a dedicated tax source with a promise to make payments to Medicare from the General Fund.

Relying on annual appropriations from general revenues to make up the shortfall that this legislation will create is a very dangerous strategy, particularly given the Majority's insistence on adopting huge, reckless tax cuts for the wealthy, rather than targeted tax relief for the middle class.

This bill will jeopardize our ability to add a much-needed prescription drug benefit to Medicare and will endanger other important domestic priorities. It is especially irresponsible because we know that the start of retirement among the Baby Boomer generation will cause the number of people using Medicare to double from 40 million to 80 million between now and 2030.

We know that good economic times do not last forever. What will happen when there is a downturn in our economy or if the Republicans

push through even larger tax cuts? The general revenue ''promise'' to replace funds taken from Medicare will prove to be worthless.

We have a solemn responsibility to strengthen and secure Medicare and Social Security not just for today's beneficiaries, but for future beneficiaries. I will not be a party to weakening Medicare when we need to strengthen and protect it. Reject this irresponsible bill.

Mr. MCCOLLUM. Mr. Speaker, I rise today in strong support of H.R. 4865, the Social Security Benefits Tax Relief Act of 2000. This legislation would repeal the burdensome tax on Social Security benefits imposed by the Clinton-Gore Administration back in 1993. The Administration created this proposal during a time when the nation was attempting to reduce the Federal budget deficit, but now that we enjoy a plentiful surplus, it is only right to repeal this unduly high level of taxation on our senior citizens.

Mr. Speaker, in 1993, the Clinton-Gore Administration imposed the Tier II tax on up to 85% of Social Security benefits. Consequently, an individual recipient whose income exceeds $34,000, and a married couple whose income exceeds $44,000, find themselves having 85 percent of their benefits taxed rather than the previous 50 percent of their benefits. This abrupt change in law hurt our senor citizens who have worked hard toward a fiscally-responsible retirement plan based on the 50 percent taxable benefit level. The Administration claims it was necessary to increase this taxable base in 1993 to reduce the Federal budget deficit, but that deficit is gone now and it is time to return to the nation's senior citizens the money that is rightfully theirs.

This is not just a tax on the rich, but rather, a tax that hits the average senior citizen. In this year alone, 10 million beneficiaries are affected by this tax. By 2010, over 17.5 million beneficiaries will be affected. For seniors who fall within range of this income threshold, a great disincentive was created in 1993 for seniors to continue to work or save additional money for fear that an increase in income would cause more of their Social Security benefits to become taxable at this outrageous rate.

Not only is the tax burdensome, the income thresholds are not indexed for inflation, which means that more and more lower income people are affected by the tax each year. Although it may have appeared reasonable to tax an individual's income which exceeded $34,000 back in 1993, without indexing that income threshold for inflation, we are continuing to tax more lower income beneficiaries every year.

When many of us signed the Contract With America back in 1994, we pledged to do away with this burdensome Tier II tax by this year. Well, Mr. Speaker, the time has come to follow through with our promise and to allow America's seniors to keep more of their money.

I thank Congressman ARCHER for his efforts in bringing this measure to the floor. I enthusiastically support H.R. 4865, the Social Security Benefits Tax Relief Act of 2000, and encourage my colleagues to vote in support of this important legislation.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. POMEROY

Mr. POMEROY. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. POMEROY:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Social Security Benefits Tax Relief Act of 2000''.

SEC. 2. INCREASE IN ADJUSTED BASE AMOUNT CONTINGENT ON AVAILABILITY OF BUDGET SURPLUSES.

(a) IN GENERAL.—Section 86 of the Internal Revenue Code of 1986 (relating to social security and tier 1 railroad retirement benefits) is amended by adding at the end the following new subsection:

''(g) INCREASE IN ADJUSTED BASE AMOUNT CONTINGENT ON AVAILABILITY OF BUDGET SURPLUSES.—

''(1) IN GENERAL.—For any taxable year beginning after December 31, 2000, subsection (c)(2) shall be applied—

''(A) by substituting '$80,000' for '$34,000' in subparagraph (A) thereof, and

''(B) by substituting '$100,000' for '$44,000' in subparagraph (B) thereof.

''(2) CONTINGENCY.—

''(A) IN GENERAL.—Paragraph (1) shall apply to taxable years beginning in any calendar year only if the Secretary of the Treasury certifies (before the close of such calendar year) that the condition specified in subparagraph (B) is met with respect to such calendar year.

''(B) CONDITION.—The condition specified in this subparagraph is met for any calendar year if the projected on-budget surplus for the fiscal year beginning in such calendar year (determined by excluding the receipts and disbursements of part A of the medicare program) is greater than the projected appropriations that would be required by section 3 of the Social Security Benefits Tax Relief Act of 2000 for such fiscal year if paragraph (1) had been in effect for all taxable years after 2000.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 3. MAINTENANCE OF TRANSFERS TO HOSPITAL INSURANCE TRUST FUND.

(a) IN GENERAL.—There are hereby appropriated to the Hospital Insurance Trust Fund established under section 1817 of the Social Security Act amounts equal to the reduction in revenues to the Treasury by reason of the enactment of this Act. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had this Act not been enacted.

(b) REPORTS.—The Secretary of the Treasury or the Secretary's delegate shall annually report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate the amounts and timing of the transfers under this section.

The SPEAKER pro tempore. Pursuant to House Resolution 564, the gentleman from North Dakota (Mr. POMEROY) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from North Dakota (Mr. POMEROY).

□ 1600

Mr. POMEROY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the Democrat substitute provides tax relief for senior citizens that is fiscally responsible and safeguards the Social Security and Medicare trust funds. The amendment provides the same tax relief as the underlying bill to 95 percent of Social Security recipients but reduces the cost of the bill by $43 billion over 10 years. The amendment replenishes the revenue lost to the Medicare trust fund with revenue dedicated from the general fund surplus. Most importantly, unlike the Republican bill, the Democrat substitute protects Social Security and Medicare by requiring the Treasury Secretary to certify that the Medicare and Social Security trust funds are not being used to underwrite this tax relief.

Nearly 80 percent of our senior citizens will not be affected by either the majority or minority substitute. They do not pay this tax. Now, of those that do pay the tax, the Democrat substitute takes care of all but those 5 percent earning as a household over $100,000.

Now, in doing so, we ensure, first of all, 95 percent of all Social Security recipients are covered, but we save over the course of the bill $43 billion. At that point in time, it becomes a matter of priorities. Where do you want these resources to be allocated? Is the highest purpose for this $43 billion the tax relief purpose of households over $100,000, senior citizens with outside income of $100,000 or greater? Or could it be applied more appropriately? For example, as the chart indicates, that $43 billion saved in the Democrat substitute could go a long way to funding very meaningful prescription drug coverage for our seniors.

Finally, the Democrat substitute protects Social Security and Medicare by requiring that before the tax cut takes effect, the Secretary of Treasury must certify that the budget surplus, excluding the Medicare and Social Security trust funds, is sufficient to cover the projected revenue loss.

This is very important. Because the majority proposal, while it talks about transferring general fund revenues to cover the revenue lost in this tax measure, does not address the circumstance of if there are no general fund revenues available.

Look at this third and final chart. Under the projections that we have now put together of their spending and tax plans, they completely exhaust the surplus within the 10-year period of time, and in fact are $88 billion into the red, right back into Republican deficits of old, no funds available for the type of transfer envisioned in their bill.

Now, the Democrat substitute ensures that the Medicare trust fund will never be raided by this measure and therefore is a preferable way.

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

The SPEAKER pro tempore (Mr. PEASE). Does the gentleman from Florida (Mr. SHAW) claim the time in opposition?

Mr. SHAW. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Florida (Mr. SHAW) is recognized for 30 minutes.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume. It is interesting to sit here and if you listen to all of the debate, it is very interesting to note, and I will say that the gentleman who was just in the well certainly, I cannot accuse him of any hypocrisy because he was not a part of the debate on the general debate that we just concluded, so my remarks are not in any way aimed towards him.

Like the Republican bill, he depends on general revenue. Unlike the Republican bill, he has a certification as to certain surpluses. As a former CPA and a lawyer, I have great trouble with that. How would I as a CPA advise my clients as to whether or not there was going to be a surplus? How is the IRS going to even prepare the income tax forms that have to be gotten out? And how can we depend upon guesses every year coming from somewhere as to whether there is going to be a surplus? These are all very difficult questions.

I would like to also point out to my colleagues on the other side of the aisle, how did we make these transfers in the past when we did have deficits? Under the 1993 tax bill that we are trying to nullify here, these transfers were made to Medicare in 1993, 1994, 1995, 1996, 1997 and 1998, even though we had deficits in all of those years. We had a deficit in every one of those years. This argument simply does not hold water. When the money is transferred to Medicare, it stays inside the Government. The size of the surplus or the deficit does not really make a difference.

I would like to also mention the question as to whether the dedicated stream of income as coming out of the Social Security recipient's hide is any more reliable than the bill that is before us today that this substitute is trying to change. Any Congress can change what the previous Congress did. There is no question about that. But both bills, both the 1993 bill and the bill that is before us today, does not require any congressional action next year. The underlying bill does not require any congressional action next year. It automatically happens unless Congress decides to change the law. So the whole argument that has been made here that somehow Medicare is put at risk under the bill before the House, the principal bill before the House, simply does not hold water at all.

I think it has gotten to be the question when you do not want to talk about the facts, you talk about something else. Anyone who has practiced law and had any type of trial practice, if the facts are not with you, you talk about something else. That is exactly what has been happening here today.

I compliment the gentleman on his bill. It is certainly an improvement over existing law. But it does not get by the basic test. Is it morally right to tax 85 percent of the benefits that seniors are receiving under Social Security regardless of their income? If it is morally wrong, it is wrong. If it is wrong; it is wrong. This is what we are trying to reverse.

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

Mr. POMEROY. Mr. Speaker, I yield myself 30 seconds to make some brief responses. I imagine the gentleman, my friend and colleague, was a very good lawyer from the way he spun his argument back. The fact of the matter is if there is not a risk that there will not be sufficient general fund revenues to flow into these trust funds to make certain the Medicare trust fund is whole, lawyers and accountants would not have any issue advising their clients. The fact of the matter is, as the third chart I showed earlier demonstrates, very conceivably the plans of the majority would erode the surplus and leave this Nation in the position of having money come from Social Security or Medicare. That is what the substitute wants to avoid.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I want to thank the gentleman from North Dakota (Mr. POMEROY) and the gentleman from Massachusetts (Mr. CAPUANO) for working together on this substitute. I think it offers a sensible and cost-effective substitute for the Republican plan. I share some of the concern of my Republican colleagues because we do have a surplus. Let us give some of it back. The difference is the Democratic substitute does that. It raises the caps from $34,000 to $80,000 for individuals and from $44,000 per couple to $100,000. It retains some of the money in the Medicare trust fund. But even better, even better than just talking about the tax cuts, these cuts will not be taken out of the Social Security surplus.

We have a problem in Washington because oftentimes we pay for tax cuts and spending with Social Security surplus funds. We are no longer doing that, thank goodness. But in adding even more so better than the Republican bill, we make sure that the Medicare trust fund is whole every year. Instead of just a promise that every year it will go in there, it requires that certification.

The issue my colleague from Florida brought up, I do my own taxes and my taxes are not due until April 15. The IRS does not send me my form until the end of December. So I would assume during that year somewhere the certification would be made.

Our proposal will relieve middle-income seniors of the burden of the tax without busting the Federal budget. While I did not agree wholeheartedly with the imposition of the tax, I think cutting it now would have an adverse effect on both the budget and the Medicare program as a whole. Rather than eliminating the tax for all seniors, our legislation again only leaves it to the 5 percent of the wealthiest compared to the 20 percent who pay it now. Let me say it again, that our bill allows the tax cut to take place only if there is a surplus to pay for it in the Medicare trust fund.

Unfortunately, at the rate my Republican colleagues are spending it as my colleague showed, there is not going to be any of that surplus left, so this is just a wink for the Medicare trust fund. Between spending $739 billion in tax cuts plus entitlement and discretionary spending, we will be $88 billion in the hole.

Mr. Speaker, I urge a vote for the Democratic substitute.

Mr. POMEROY. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO), cosponsor of the Democrat substitute.

Mr. CAPUANO. Mr. Speaker, I would just like to ask a question. It seems to me from all the debate that I have heard in the last several hours that somehow the tax on Social Security is going to disappear. Well, for those people who understand the tax forms, who still do them, who still read the tax laws, I have one question. Will line 20(b) on the 1040 tax form disappear under your proposal?

I will answer the question. The answer is no. The answer is no. Every single person, every single one who is currently paying taxes on any part of their Social Security will still pay taxes on their Social Security after the Republican proposal. I want to say that again. No single person will go to no tax on their Social Security because of their proposal. Not one.

I also want to turn the clock back just a little bit. To hear it today, the world started in 1993. My God, it is amazing. I have to turn the clock back just a little bit further and go to 1983. 1983 was the year, the first time a single penny on Social Security income was taxed by anybody. This Congress voted it under President Reagan and Vice President George Bush's administration. They voted, along with 97 Republicans. Of those 97 Republicans who voted to tax Social Security, the gentleman from Florida was amongst that group, as was a gentleman named Mr. Cheney from Wyoming. They both voted to tax Social Security income. This bill will not do anything about that tax.

My question is, if that is so good, what is so bad about our proposal to raise the tax level so that only the richest people in America get hit a little bit? If it is so morally reprehensible or morally wrong, to quote several comments made today, what is so morally right about a 1983 tax? The answer can only be, because in 1993 we had Clinton-Gore, and in 1983 we had Reagan-Bush. Somehow Reagan-Bush taxes are morally okay, but Clinton-Gore taxes are morally wrong. That is

absurd. That is absurd and it is offensive to say it. I understand if you want to slash the tax, cut the whole thing out. After the proposal is passed today by the Republican majority, there will still be, this year, this year if this is ever passed into law, $13.8 billion still raised on the taxes on Social Security. I do not want anyone at home, including my mother who is here today, to go home thinking that they will not be paying taxes on their Social Security. They will be.

This whole discussion is about politics. That is what it is about. It is about a convention coming up next week. People want to say, We voted to cut taxes. It is not true. It is a misnomer. It is as misleading as anything I have heard.

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

I would like to remind the gentleman from Massachusetts that none of the Social Security recipients today would be receiving their benefits if it were not for that 1983 tax bill. It was necessary.

Mr. CAPUANO. If the gentleman will yield, I would not have opposed it. I would have voted with him.

Mr. SHAW. I thought the gentleman was trying to make a point there that needed clarification. I am very proud that we have kept Social Security. Line 20(b) on the tax return, is that the first tier on Social Security, the first tier tax?

Mr. CAPUANO. If the gentleman recalls his tax law, he would understand that they are both combined together on page 25 of the instructions.

Mr. SHAW. I congratulate the gentleman on his sense of humor, but if that is the first tier, the tax on the first tier, then that would certainly remain under both bills. I do not have the tax return. The gentleman obviously has one before him. I might say that I would be glad to take a look at it and discuss the tax return with him.

□ 1615

But I think the question is, and we seem to be losing our way here, the question is whether or not we are going to give tax relief to our seniors.

Back when this tax, this 85 percent tax, was passed by this Congress, there was a deficit of $255 billion. If you go back and look at the argument and the reasons for the tax, it was to get rid of the deficit or to cut down the deficit.

Now, I did not support picking out the seniors and going after them for this, but that is exactly what the majority party did at that time; and that is when the Democrats ran the House.

Now, we do not have a deficit of $255 billion under the Republican House; we now have a surplus of $233 billion, $233 billion. If this tax was for the purpose of getting rid of the deficit or getting the deficit down, now is the time to give it back. This was a tax that was supposed to pay down the deficit. The deficit is gone. We picked out the seniors to do it. We now have a surplus of $233 billion, and it is time to get rid of this tax.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, for two reasons, what the chairman says is correct. The increased tax on Social Security benefits passed in 1993 was for the purpose of reducing deficit spending, even though the money of the tax was earmarked for Medicare. As far as its justification for deficit reduction, it is appropriate that we repeal this tax increase. We are now experiencing huge surpluses and make up that money to Medicare. Therefore, to continue to justify this tax for deficit reduction is not appropriate.

Let me offer another reason why it is appropriate to reduce this tax. Higher-income retirees tend to be workers who paid in more Social Security taxes than lower-wage earners; and because the Social Security system is so progressive, higher-income wage earners already receive a much smaller percentage of what they paid in in terms of the benefits they receive. It is not fair in a relative sense that they be additionally penalized by this tax.

Now, it is my opinion that eventually, as we lower the tax rate overall, as suggested by Governor Bush, we should tax Social Security benefits the way we tax private pensions. We now tax private pensions, but we only tax the value of the employer's contribution plus total interest as a percentage of the whole. We do not tax the recipient's contribution. That amount in a typical Social Security pension received from high wage earners is 15 percent. In contrast, an average low wage earner retiree has already received in benefits about seven times his or her after-tax contribution.

So our goal should be to lower the tax overall and to treat those higher-income recipients that are already in a progressive state at a fair tax level related to the lower tax level.

Mr. POMEROY. Mr. Speaker, I yield 2½ minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to compliment my colleague from Florida, the attorney. He said a couple of things that I think are noteworthy. Number one is when the facts are not on your side, talk about everything but the facts.

My colleague from Florida, the facts are not on your side. I am not a lawyer, but I can read the Treasury report. The Treasury report that came out on June 30 of this year has some extremely interesting facts.

Number one, there is still no surplus, other than the trust funds, and the trust funds raised about $170 billion. Yet we have a cumulative surplus of only about $176. Why is that? Because they stole $11 billion from somebody's trust fund to pay the bills.

The second thing is I have heard over and over we are paying down the debt. Again, according to the Treasury's own figures, the debt has grown by $42 billion of public debt this year. This year we have spent, as of today, $300 billion of the taxpayers' dollars down a rat hole called interest on the national debt. It is not taking care of old folks, it is not educating kids, and we are going to keep throwing money down that rat hole until we pay down the debt, and you do not pay down the debt unless you balance your budget.

Again, this is coming from the Bureau of Public Debt. This is June 30, 1999. The publicly held debt was $5.636 trillion. One year later, June 30, 27 days ago, the public debt is $5.685 trillion, an increase of over $40 billion.

Again, I would say to the gentleman from Florida (Mr. SHAW), I am not a lawyer, but I can read.

To the point: Where did they steal the $11 billion? Did it come out of Social Security? Did it come out of Medicare? Did it come out of the approximately $10 billion of the Military Retiree Trust Fund? Because they certainly stole $11 billion from somebody's trust fund under this charade of a balanced budget.

I urge Members to reject the Republican proposal. I urge this generation of Americans that has run up $5 trillion of the $5.7 trillion worth of debt which has been incurred in our lifetimes, let us pay our bills and not stick our kids with them.

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

Mr. Speaker, I would like to ask the gentleman in the well, was he speaking for or against the substitute?

Mr. TAYLOR of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, I will not be able to support either of them, because I think this generation ought to pay its bills.

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in strong support of the substitute and in opposition to the final bill. I feel that the substitute is much more fiscally responsible than the attempt in the final version to basically bet the entire budget surplus on the hopes that the surplus money projected out in 10 years will in fact materialize. But I have always felt that, given the current economic numbers, we can provide some tax relief to Americans and working families, and even to seniors who need it, as long as it is done in a fiscally responsible way.

The substitute creates an exemption for individuals up to $80,000, up to $100,000 for married couples, and will exempt 95 percent of seniors in our country, and yet it will not bet the entire farm by the complete elimination that the final bill calls for.

I also think it is fair to do it that way as well, because when you look at current earnings and what they are taxed on for FICA purposes, it phases

out at roughly $76,000 in the current year. That means those earning more than $76,000 no longer pay FICA taxes, yet working families below that level are taxed on every dollar that they earn.

The other point that I want to make, Mr. Speaker, is this: this body has never been accused of being consistent philosophically on a lot of issues, and we are not in this instance. Earlier this summer when gasoline prices were spiking around the country, there was a lot of talk and excitement out here about repealing the Federal gas tax to provide relief. But when people realized that that would mean taking money out of the Highway Trust Fund to do it, a dedicated revenue stream, they said, oh, no, no, no, we cannot do that, we should not touch that, because it will jeopardize roads and highways and bridges.

Now, all of a sudden, when we have a dedicated revenue stream that goes into Medicare and a tax cut proposal is on the table to withdraw funds from that, that seems to be acceptable. That seems to be okay if we do it, even if it may jeopardize the long-term solvency of the Medicare program.

We could not do it with the gas tax repeal, which is a more regressive tax than what we are talking about in this instance, but we are willing to jeopardize the Medicare program under virtually the same exact circumstances.

At least the substitute ensures that surpluses in fact materialize to pay for the revenue shortfall in the Medicare Trust Fund that the tax repeal will create.

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

Mr. Speaker, I would like to advise the gentleman who just spoke that neither the bill in chief, H.R. 4865, nor the substitute, puts Medicare in jeopardy. There is a replacement of the money coming out of general revenue under both bills. So I think this is very clear.

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

Mr. SHAW. I yield to the gentleman from Wisconsin.

Mr. KIND. We could have done the same exact thing with the gas tax with the Federal Highway Trust Fund, but that was not acceptable because there was a dedicated revenue stream for our infrastructure needs, just as there is right now with the Medicare.

Mr. SHAW. Mr. Speaker, reclaiming my time, the gas tax is a use tax to pay for highways. What we are talking about now is Social Security. It is quite different. And to say that it is right to tax some folks and it is wrong to tax other folks on the same type of income and moneys that they are receiving under Social Security, which they have paid for, this is not a welfare program, this is an earned benefit. That is what Social Security is, an earned benefit under which all American employees have been duly taxed at the time it was earned and paid into the Social Security trust fund.

We just simply have a difference of opinion. The gentleman from North Dakota wants to give his tax relief to people under $85,000. We think if it is wrong, it is wrong, it is wrong for all people; and that is an honest disagreement.

But neither program, and I want to repeat this, neither the Democrat substitute nor the bill that is mainly under consideration here in any way jeopardizes the Medicare fund. That is a blue herring. It is weird that anybody would really come in to say this, when the bills, both bills, in black and white, specifically state that those funds will be put into the Medicare fund.

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from North Dakota (Mr. POMEROY); and I thank the gentleman from Texas (Mr. GREEN), as well as the gentleman from Massachusetts (Mr. CAPUANO).

To the distinguished gentleman from Florida, I think the issue is a holistic approach to what we are trying to do. Frankly, I think it is important to distinguish why I am here opposing the Republican plan, and supporting, and gratefully supporting, the Democratic substitute, because I cannot in good faith close hospitals, as they would be closing in my community, or throw senior citizens off of Medicare.

What we have in the substitute is a plan that spends $75 billion, but in refuting the comments by the gentleman from Florida, the substitute ties the funding to certifying that the Medicare Trust Fund is solvent.

If you take all of the expenditures that our good friends on the Republican side of the aisle have been spending on tax cuts, of which the American people have said, I want a solvent Social Security, a solvent Medicare, and I want other opportunities, it is almost $2 trillion. If we are trying to get a prescription drug benefit, debt reduction, Social Security and Medicare solvency, this is what the Republican plan leaves us with, a deficit of $88 billion, meaning that we have no way of paying for those items that are so needed.

Let me share with you the fact that the American Association of Health Plans indicates that at least 711,000 Medicare beneficiaries, your parents, my parents, aunts and uncles, 711,000 Medicare beneficiaries will suffer the loss of their current health benefits in January of 2001 because the Medicare Choice programs are being forced to exit.

Let me also share with Members, in my own hometown, Aetna U.S. Healthcare has moved out and seniors are being thrown off these plans. My own concerned citizen called me and said, What do I do? I do not have an HMO choice. So more of them are going to need more Medicare.

It is to shore up this program that I support the substitute, and I would hope that we would support the saving of Social Security and Medicare.

Mr. Speaker, I rise in strong support of the Democratic Substitute to H.R. 4865, Social Security Benefits Tax Relief Act of 2000. I am urging my colleagues to support this measure so that all, not just a minuscule fraction, of America's seniors get the benefits they are entitled to.

There is an undeniable Medicare/Social Security crisis in America. HMOs are withdrawing from communities across the nation leaving seniors without adequate choices for health care coverage. One of the biggest insurers in my state of Texas will not renew its contract to offer Medicare+Choice HMO for the entire state. According to the American Association of Health Plans (AAHP), at least 711,000 Medicare beneficiaries will suffer the loss of their current health coverage in January of 2001 because Medicare+Choice plans are being forced to exit the program.

For instance, Aetna U.S. Healthcare (Aetna) has announced its withdrawal from certain Medicare markets in the Houston metropolitan area. Mr. Speaker, that is of serious concerns to seniors in my district that are unaccustomed to shopping around for some other plan that may be less than adequate. Overall, Aetna is withdrawing from 11 states and from certain counties in three other states. These withdrawals will affect approximately 355,000 seniors currently enrolled in Aetna affiliated Medicare plans throughout the country.

Allow me to take a moment to share the frustration that seniors in Texas and elsewhere must go through when seniors are forced out of their health coverage. In 1999, about 53 percent of CIGNA healthCare members disenrolled, 32 percent of Texas Health Choice members disenrolled, and 22 percent of Prudential Health Care members disenrolled. Those seniors had to find alternative means to pay their bills with fewer, sometimes higher expensive alternatives.

A concerned senior citizen recently called my office when she was informed that her Medicare HMO was going out of business. She quickly realized—with some discomfort—that she would have to sign up for another plan. She was confused by the suddenness of this call and understandably concerned about alternative health coverage. She is one of many such seniors that are faced with highly uncomfortable choices.

We need to bring some relief to seniors to offset Medicare's escalating costs and to reduce taxes for our seniors. Many of my colleagues here share the goal of reducing the tax burden on middle-income seniors. I do strongly support a fair repeal of Social Security benefits subject to tax. That is why I strongly support the substitute, which seeks to both reduce the tax burden of all income levels while maintaining fiscal responsibility.

At the same time, we must ensure that Medicare's solvency is maintained. Unlike the Republican proposal, the substitute will not jeopardize Medicare's future. That is absolutely vital to the aged population of our nation that rely on these funds.

Under the current bill, the tax repeal for Social Security benefits only benefits the wealthiest 20 percent of seniors. According to the Center on Budget and Policy Priorities, H.R. 4865 would benefit ''higher-income beneficiaries while requiring $14 trillion in general-revenue transfers over 75 years.'' We need to

strengthen and modernize Medicare and Social Security, not weaken it.

The substitute would raise from $44,000 to $100,000 the annual income level at which couples must include 85 percent of their Social Security benefits as taxable income. The annual income level for single Social Security beneficiaries would go from $34,000 to $80,000. By raising these levels, the substitute would provide the same tax relief as in the reported bill for 95 percent of the beneficiaries while continuing a dedicated revenue stream to Medicare.

The substitute would also include the appropriations language in the reported legislation that would provide for general fund transfers to the Medicare Trust Fund equal to the tax reductions under the bill.

It is critical that the tax reductions in the substitute depend on a year-by-year certification by the Secretary of the Treasury that there are sufficient surpluses outside Social Security and Medicare programs to make the general fund transfers necessary to reimburse the Medicare Trust Fund. Therefore, before the Medicare Trust Fund is depleted, the substitute guarantees that the budget surpluses exist to ensure these appropriations will actually be made to the Medicare trust fund to replace the lost revenue.

America's seniors are depending on us to balance the need for tax relief with the need for Medicare solvency. If we come together today, we could bring real relief to our most vulnerable seniors. That is the least we can do for our seniors.

I urge my colleagues to pass the substitute to H.R. 4865.

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

Mr. Speaker, I would like to address a statement made by the former speaker, the gentlewoman from Texas. The gentleman from North Dakota can correct me if it is in his bill, but I do not believe either bill has anything to do with any certification that the Medicare Trust Fund is solvent. I believe what the gentleman refers to is a projection as to the surplus, and it does not address any projections as to the Medicare Trust Fund. That is not in either bill, as I understand it.

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

Mr. SHAW. I yield to the gentleman from North Dakota.

Mr. POMEROY. The certification requirement in our substitute does ensure that the Medicare Trust Fund stays solvent, because it requires, before the effect of the tax in a given year, it requires certification there are sufficient general fund revenues to move into the Medicare Trust Fund.

□ 1630

Without that certification, we believe one could find themselves in a situation where there was no general fund revenue available to move into the Medicare Trust Fund.

Mr. SHAW. Reclaiming my time, I would only point out to the gentleman that general revenue, since 1993, has been going into the trust fund and we did not run surpluses until 1998. So the Republican plan, as the gentleman refers to it, or I refer to it as the bipartisan plan, it keeps Medicare funded. There is no question about that. Neither bill addresses what is paid to hospitals. That is another problem.

The gentlewoman from Texas (Ms. JACKSON-LEE) brought this up and that is a problem across the country. We know that and we are looking at it in the Committee on Ways and Means and elsewhere in this Congress. But I would say that this does not in any way increase the funding for Medicare. It does not affect the benefits one way or another. It does not increase it. It does not decrease it. Both bills completely, do completely, replace the money in the Medicare Trust Fund that is taken out to give the Social Security beneficiaries some tax relief, and I am talking about people between $3,000 and $4,000.

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

Mr. SHAW. I yield to the gentleman from North Dakota.

Mr. POMEROY. On the point of the gentleman, well made but I take issue with it, that in those years when we ran deficits we transferred money from the general fund, I think a more appropriate way to view what was occurring is trust fund dollars were being spent, dollars from the Social Security trust fund, dollars more appropriately allocated to the Medicare Trust Fund. The majority and minority have found a point of consensus that we do not want anymore to spend the Social Security Trust Fund on anything but Social Security.

We believe, therefore, that this certification requirement requiring before that revenue is lost in a given year, there be general fund revenue available to replace it in the Medicare Trust Fund, is the only way that will ensure the solvency of the Medicare Trust Fund without using funds from either the Social Security or Medicare Trust Fund to keep it whole.

Mr. SHAW. Reclaiming my time, I would say to the gentleman that Medicare is going to be funded whether we get into new deficit spending or if we continue to run a surplus. I think the gentleman realizes that. The Congress is not going to cut Medicare funding. There is a stream coming out of both bills that keeps Medicare whole.

So I think we need to redirect the argument as to who is going to get the tax relief.

There are going to be some people in this House, such as the gentleman from Mississippi (Mr. TAYLOR), and he stated his reason for doing that, that he is going to oppose both bills. He stated his reason for it. That is an honest argument. But to say that one bill is going to run up deficits and the other is not is certainly not the right way to debate so that we can get all the facts out here on the table.

I think we need to redirect the debate back to what is before us, and that is who is going to get the tax relief. That is the only question that is before us at this particular moment as to the substitute.

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

Mr. POMEROY. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I thank my friend, the gentleman from North Dakota (Mr. POMEROY), for yielding me this time.

Mr. Speaker, I rise in strong opposition to the underlying bill and in support of the Democratic substitute. The underlying bill violates a hard-won national consensus on fiscal policy. I thought we had learned and agreed in two ugly decades of moral and economic bankruptcy in this country that we should base our governance not upon what we desire and wish to do but on what we can afford. I thought we had agreed that we should base our decisions not on the money that we hoped will be there but on the funds that we know that are there.

The underlying bill, I believe, violates this consensus because it contributes to a proposition in which the majority says that for every extra dollar that we think we are going to have, we are prepared to spend a $1.05. That consensus in this country would say that, first of all, we should not spend $1.05 for every dollar that is brought in and we should not assume that we are really going to have that dollar because it is based upon guesswork, economic sorcery and a desire for funds that may or may not be there.

I thought we had learned that we cannot have everything. I do not like this tax on Social Security benefits. I do not like the tax on gasoline. I do not like the tax on capital gains. I do not like a lot of things that we levy taxes on. But the one thing I really do not like is telling people they can have everything, higher defense spending, debt reduction, save Social Security, a prescription drug benefit, more spending on education, more spending on health care, and an immense tax cut as well.

The real deficit in this country for 20 years was not in dollars and cents. It was in credibility. Let us not renew that deficit. Let us oppose this bill.

Mr. POMEROY. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. GEPHARDT), the minority leader of the House.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, this is a bad piece of legislation and I hope it is not passed, and I hope that the alternative that we have before the House could be passed in its stead.

I think this bill should be renamed. It should be the Savage the Medicare Trust Fund bill, because this bill takes $116 billion out of the Medicare Trust Fund.

Now, why is that a concern? We have been worried for months and years

about the Medicare Trust Fund. We have been saying how are we going to get enough money into the Medicare Trust Fund to extend its solvency? This bill will cut its solvency by 5 years.

Now remember that we are in a time when we have the need to do something to put more money out of the Medicare Trust Fund to take care of problems from the 1997 Balanced Budget Act. We all have nursing home operators coming to see us because they do not have enough reimbursement out of the Medicare Trust Fund. Half the nursing homes in the country are bankrupt today because of the cut in reimbursements from the Medicare Trust Fund.

The academic health institutions, I am visited by Washington University and St. Louis University in my town. They have been cut by the Medicare 1997 bill. They want restorations.

The home health care people cannot get out to do the home health care visits and so we are probably, before we leave in this Congress, going to restore funding out of the Medicare Trust Fund for them.

If we put it altogether, the savings from the 1997 Act over 10 years comes to over $200 billion. If we did half in terms of give-backs, that would be as much as this bill costs.

So instead of talking about hitting the trust fund for $100 billion, we are going to hit it for $200 billion. That will cut its solvency 10 years.

So this is the Savage the Medicare Trust Fund Act. That is what it is.

Now, the Republicans say, well, we will put the money back from general revenue. We will put it back from the surplus, the vaunted surplus. If we look at this chart, we can see that if we just take their trillion dollar tax cut, and I will get back to that in a minute, and put realistic spending projections in debt service, we already are running a deficit even with present projections. Let us remember these are projections.

How many have heard of Ed McMahon sending the envelope from Publisher's Clearinghouse saying one may have won $10 million? Has anyone gotten one? If they have, I bet they did not go out and spend the $10 million because it might not show up.

Well, these projections may not come true, and then where will we be? That is why our alternative is contingent on the surplus actually being there, so that each and every year we will figure out whether or not what we hope would happen actually happened.

Now, the other problem we have here is that this is just one more tax cut in the tax-cut-a-week program, which is really dividing the big chocolate cake we had out here last year from the Republicans. They had a $750 billion tax cut. They passed it, I think, probably about this time last year and they were going to go home in August and excite the American people about the great things about this tax cut. Guess what? The President vetoed it and when they came back they have never tried to override the veto.

If it was such a great bill, why did they not try to override the veto? No. Instead, they cut that big cake into pieces and this bill today is one of the pieces. Guess what? The cake is even bigger than it was last year. It is a trillion dollars.

Why, in the name of common sense, would we want to go back to the deficits that we suffered in this country from 1981 to 1995, fifteen years of deficits?

There were times in this House many Members felt like trustees in bankruptcy, $200 billion, $300 billion a year, and passage of all these tax cuts together will take us right back to the deficit spending and the red ink we had in those years.

Finally, let me say we can do tax cuts this year. You bet we can do tax cuts this year, if they are sensible, if they are targeted, if they do not spend so much of the surplus that we get back to deficits.

The President talked about expanding educational opportunities by making tuition deductible, tax relief through a for long-term care, a home health care credit, a child care credit, expanding the earned income credit, helping families save for retirement, relief from the marriage penalty and estate tax for family-owned businesses and farms.

Under the President's plan, a family of four making $31,000 a year gets over $350 in tax cuts. Under the Republican chocolate cake that cost a trillion dollars, they get $131. Under the President's plan, a family earning over a million dollars gets about $100 in tax cuts but under their plan they get $23,000 in tax cuts. That is the difference.

You bet we can do tax cuts. We can even do a big piece of this tax cut if we do not give it to the high rollers, as we do not do in our alternative.

You bet we can deliver tax relief to the ordinary families of this country if we were not so obsessed with giving huge amounts of money to the wealthiest families in this country. You bet we can do tax cuts.

Finally, let me say this, I say to my friends in the other party we need to do tax cuts this year. This tax cut, if it is passed and sent to the President, will be vetoed. Their marriage tax penalty, which was focused on the wealthy, will be vetoed. Their estate tax relief, again focused on the wealthiest Americans, will be vetoed.

If one is a family out there today watching this, an elderly family, a middle income family, an average family, working hard every day, they want tax cuts now that mean something to them. In the name of sense, why can we not sit down at a table and work out all of these tax cuts so that the President will sign them, so they fit in a budget that is sensible and prudent and let us get the tax relief for the American people this year?

Vetoes and press releases get us nowhere. Let us pass real tax cuts that will help the hard-pressed working American family.

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

Mr. Speaker, just a couple of observations I would like to make, and it is interesting, the minority leader whom I have a great deal of respect for, it is interesting they talk about how the Republican tax cut is going to savage Medicare but the minority substitute will not when they are both tax cuts. We both replace this money. It is absolutely unbelievable that these arguments are being made this way.

I would like to also point out, there is a lot of things that we should sit down and talk about. I would love nothing better than to sit down and talk to the gentleman from Missouri (Mr. GEPHARDT) and members of the minority party. I would contribute my entire August break to sitting down and talking about Social Security and getting this thing done. I would like to also talk to the President about getting Social Security reform done, and do it this year and do it on this President's watch. I think this would be a wonderful thing. It would be a wonderful legacy that the President can leave, but we are getting stonewalled. We are getting stonewalled from the minority side. This type of legislation is not going to go forward and it is not going to go forward unless the leadership and the Democrat party tears down that wall and lets us proceed.

□ 1645

Neither of these bills, and I will say it again, and this is getting so repetitious, neither of these bills in any way jeopardizes Medicare, it absolutely is not going to happen under either the substitute or the bill, main bill itself. Again, I must point out to the House that the letter that we have received from the administration's Department of Health and Human Services says, and it says very forthrightly, that this proposal will have no financial impact on the Medicare trust fund. It is in writing, it is dated July 18.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, I want to thank the chairman of the Subcommittee on Social Security for his fine work and his defense of Social Security and his defense of the legislation we have before us today.

I rise to oppose the substitute, because the substitute is a last gasp attempt by the minority to preserve a tax increase that they passed when there was a deficit and when they were in the majority, and it was passed with their votes alone. The trouble with the substitute that they offer is very simple. It is an attempt to preserve this tax on Social Security benefits against the day when it is inevitably going to be shifted back on to the middle class.

Why do I say that? It is because they have not indexed their provisions for inflation. They have raised the caps on

what this tax is going to apply to, they have expanded the exemption, but at the same time, they have not indexed those changes for inflation.

So over time, we are going to experience the same difficulty that we are facing now. The tax will apply to more and more Social Security recipients, and in the end, I think the only solution to dealing with this Social Security tax that they passed is to repeal it outright. If they want to go after high-income Americans and tax them, there are fairer ways to do it than by taxing Social Security benefits because when we tax Social Security benefits, we violate a principle.

Mr. Speaker, Social Security benefits should not be taxed. We should leave in place a healthy Social Security system and leave the benefits completely free from taxation. It is a priority, if we are going to preserve the Social Security system in the long term, to make sure that those benefits are tax free. By preserving this surtax, that they and they alone passed, they are attempting to leave the camel's nose under the tent. We cannot allow that to happen.

Mr. Speaker, what we are passing today is fiscally sound, it is a recognition of the fact that we are now running gigantic surpluses, and that having run those surpluses, the time has come to roll back some of those taxes that we have imposed on the taxpayer back when we were running deficits.

This is common sense legislation; it is one that enjoys broad support, and I hope that we can have bipartisan support not only to pass this legislation, but also to block the substitute which is a last-ditch attempt to preserve this tax.

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Speaker, the gentleman from Florida was correct a moment ago when he said, this is all about who is going to get a tax cut, and that is precisely why I oppose both the substitute and, even more strongly, the base bill. Because the gentleman from Florida knows that the Archer-Shaw bill, for the future of Social Security, requires this $116 billion in order to fund it. Therefore, the tax cut they are perfectly willing to give back today will jeopardize the very plan my Republican colleagues have worked very hard for.

The gentleman from Florida also knows that this gentleman is ready to reach out and to work with my colleagues on the other side on a meaningful Social Security fix. However, I would submit to my colleagues, and why I so strongly oppose this so-called tax cut, is because we are misleading the senior citizens of this country. Because no matter how many times the gentleman from Florida stands on the floor and says nothing in his bill will jeopardize Medicare, how can he say that, when the removal of that will require $14 trillion over the next 75 years to replace it.

Now, the gentleman will say that he is going to replace it, and both bills replace it, but let me point out legislating general revenue transfers to the Medicare trust fund simply to tread water in terms of solvency is a dangerous precedent. I have joined with the gentleman from Florida on his side of the aisle for criticizing our President for proposing that, but now the gentleman brings a bill that transfers $4 billion more than the President has proposed, the gentleman criticizes him, but suddenly today, because this is being advertised as a tax cut, he is for it.

Now, it is time for us to get serious about legislating. I wish we could do this, but not before political conventions. I understand that, because the short-term political appeal of this legislation is so great. But anyone that looks at the results and anyone that looks at the facts knows better. We remember the gentleman from Mississippi (Mr. TAYLOR) standing here just a moment ago and showing all of us, there is no surplus; when we consider all of the trust funds, there is no surplus.

While I understand the short-term political appeal of this legislation, before you cast your vote I would ask my colleagues to consider the long-term ramifications this bill will have for Social Security and Medicare.

Although we are currently in an era of surpluses, we should not forget that Medicare's financial future is troubled. The legislation before us would weaken, rather than strengthen Medicare financing by depriving the program of roughly $14 trillion in dedicated revenues over the next seventy-five years. This will not only threaten the viability of the Medicare program for future generations, but it will force an even greater squeeze on hospitals and other health care providers dependent upon Medicare payments.

While the revenue loss to the Medicare trust fund is guaranteed, the budget surplus that is supposed to replace the lost revenues exists only in projections and faces many other competing demands. Once the projected surpluses run out, the Medicare trust fund will be left with a large hole unless a future Congress is willing to raise taxes or cut other programs.

Legislating general revenue transfers to the Medicare Trust Fund simply to tread water in terms of solvency is a dangerous precedent that will significantly affect our ability to enact fiscally responsible Social Security and Medicare reform. I have joined with many of my colleagues on the other side of the aisle criticizing the President for proposing general revenue transfers to prop up the Social Security and Medicare trust funds without reforming those programs. I would point out to my Republican colleagues that the general revenue transfers in this bill are nearly $4 trillion more than the total general revenue transfers to the Social Security and Medicare trust funds combined under the President's budget.

We should be working to address the long-term financial problems facing Social Security and Medicare instead of voting on the tax cut of the week. Unfortunately, the majority's plan to use all of the surplus on tax cuts will take away the resources that we will need to finance Social Security reform plans such as the Archer-Shaw bill.

I urge my colleagues to preserve the integrity of the Medicare program and vote against this bill.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume to respond basically to the comments made by the gentleman from Texas. He is quite right, he has reached out across the aisle in order to solve the problems of Social Security, but I would correct him in one statement. For the next 15 years, the Archer-Shaw plan uses the Social Security surplus to save Social Security. After that, there is a period of time when general revenue does come in. That is 15 years out. I believe the gentleman's plan does depend upon general revenue right from the very beginning.

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

Mr. SHAW. I yield to the gentleman from Texas.

Mr. STENHOLM. Mr. Speaker, according to the scores of Social Security by CBO, both of our plans require the very same dollars that the gentleman proposed to give back today in the long term. We would not disagree on that.

I would just say, we are consistent. What the gentleman has said about our plan is correct, and what I have said about the Republican plan is correct. Let us not split hairs. We need that money. If the gentleman gives it back today, as he proposes, he is going to do damage to Medicare unless we somehow find the magic money somewhere else.

I thank the gentleman for yielding.

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

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in strong opposition to the Republican tax cut proposal for the rich, and I rise in support of the Democratic alternative.

There are many of us in this House who would like to roll back taxes on Social Security. The problem is, we do not believe we ought to do it for the very rich or the super rich.

The Democratic alternative quite simply says, we can provide tax relief for Social Security recipients, 95 percent of them, and do it in a fiscally sound manner. It seems to me now the Republicans have to answer the question: why should we give tax relief to people who make over $100,000, those seniors who make over $100,000 and who only represent 5 percent of the senior population. There is a fundamental question of fairness here.

Second, there is the question of fiscal prudency. They take $117 billion out of the Medicare trust fund. They tell us well, we will put this money back by taking money out of the general fund and putting it back into Medicare.

However, as has been pointed out time and time again, we have red ink. We will not have, when they get through tax cutting and spending, we will not have any money to put back into the trust fund. So on that score, this plan simply will not work.

The Democratic alternative, on the other hand, saves $45 billion and makes much more fiscal sense, while still providing sensible tax relief.

Second, there is a question of fairness. We will hear the Republicans talk about seniors who make $34,000, and that is not a lot of money. I agree, but why do they give a tax break to seniors who make $300,000 a year? That does not make any sense.

Finally, I think we ought to consider something really important. Prescription drug coverage. We have 12 million seniors in Medicare who do not have prescription drug coverage, and I assure my colleagues, if we have this tax giveaway as propounded by the Republicans, we will not be able to provide a prescription drug benefit.

So when we analyze the entire package, we get an excessive Republican plan and a fiscally responsible Democratic plan. I urge adoption of the Democratic alternative.

Mr. SHAW. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, regardless of what both sides are talking about in terms of numbers and fixes, there should be certain principles. The American people are taxed too high, both on the high end and on the low end of the spectrum.

In 1993, when my colleagues on that side controlled the White House, the House and the Senate, they increased the tax on Social Security in their tax bill. They also spent every single dime of the Social Security Trust Fund, and now they argue that they want to save it. They also spent every dime out of the Medicare trust fund for great socialized spending, which drove this Nation deeper and deeper in debt. In 1994, when we took the majority and said, we are going to save Medicare, and we did, some joined us, but most, including the Democrat leadership, fought everything against a balanced budget and welfare reform and Social Security lockbox, because it eliminated their spending.

The principle is that the American people are taxed too much; we want to give some of their money back. It is not our money.

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I rise in opposition to H.R. 4865. I want to make a couple of points.

It is interesting that we are seeing this bill again. This particular tax issue has not been on the House floor since 1995, but the Republicans have decided to drag it out of the barn right before the Republican convention and stick it up there so they can go and campaign on it. They do not care that it drains all of this money out of the Medicare trust fund, and they say, we will make that up out of general revenues, even though we have not done that before with respect to the Medicare insurance trust fund. My colleagues will remember, it was not too many years ago that we were concerned that the trust fund was going to become insolvent. Both sides were trying to figure out a way to do it. Now it is solvent until 2027, I think, and now we are going to drain money out of it.

But the thing that is also ironic about it is, on the budget resolution and I worked on the budget, the Republicans said we only had $40 billion of general revenues to spend on Medicare to improve the Medicare program, and we could not put a real prescription drug program on the floor because we could only spend $40 billion over 5 years.

Well, they passed their fig leaf plan that had bipartisan opposition to it, that spent $40 billion, they are talking about doing a Medicare give-back bill that will spend $25 billion, and today they are going to spend $44.5 billion of general revenues of the projected surplus for this tax cut bill that they want to do. They are spending the general revenues more times than we spent the spectrum, and they are doing it under false pretenses. That is the problem with this bill. They drain the Medicare trust fund, they do not stick by their budget resolution; they are doing for purely political reasons, and it is a real shame.

Mr. Speaker, I would love to get together with the gentleman from Florida and work through these problems, but nobody is ready to legislate and they are certainly not going to legislate before the Republican convention this next week in Philadelphia, so perhaps we can come back in September, sit down, figure out a sound fiscal policy that both parties can agree upon and give senior citizens prescription drug relief, in addition to tax relief, let us give them relief from rising prescription drugs.

Mr. POMEROY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO), a cosponsor of the democratic substitute.

□ 1700

Mr. CAPUANO. Mr. Speaker, again I rise at the end of the day simply to draw the line as I did earlier about what I think this proposal is, this substitute. The difference between the substitute and the main bill is simple, very, very simple.

We believe in the concept that tax cuts should first go to those who need it most. I understand there was a philosophical difference of opinion on that, and I respect that; but that is our belief.

When one has to balance out where pennies should go, where dollars should go, where even billions should go, they should go to those who need it most first. That is why our proposal raises the levels to $80,000 for a single person and $100,000 for married couples.

The second most important part of this bill has to do with how this gets done. Under the Republican proposal, it is a political promise; and that is all it is. Under our proposal, it remains a dedicated revenue stream.

There is a distinct difference, and it is a difference that I generally hear from the majority side. The difference is that people do not trust us. I happen to agree. They do not.

Mr. POMEROY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN), another cosponsor of the substitute.

Mr. GREEN of Texas. Mr. Speaker, to follow up on my colleague from Erie, Pennsylvania, where he said this is the last gasp, this is the last gasp to try to make sure we do not raid the Medicare Trust Fund.

I know the argument from my colleagues on the other side said there is no difference in the substitute and the bill. There is a big difference, that each year that the Medicare Trust Fund, they have to be certified that is there is a surplus that can go into the trust fund, not automatically tax cuts and then hope there is money to pay for the trust fund.

The same would apply to the Social Security Trust Fund, Social Security surplus that we are building up now. We would not use the Social Security surplus to take it out of one senior's pocket and put it in the other for a tax cut. That is just wrong. Our seniors in our country know better than that, Mr. Speaker.

That is why the substitute should be adopted. We need to make sure that we give seniors a tax cut, but we do not raid the Medicare Trust Fund or take it out of their social security surplus that not only they paid but we are all paying.

Mr. POMEROY. Mr. Speaker, does the gentleman from Florida (Mr. SHAW) have any additional speakers?

Mr. SHAW. Mr. Speaker, we had a couple Pages that wanted to speak on this side, but I do not think they would be in order. We have one more speaker and that will be to close.

Mr. POMEROY. Mr. Speaker, I believe we have the right to close.

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Florida (Mr. SHAW) has the right to close.

Mr. POMEROY. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Speaker, we are squandering a golden opportunity here today to preserve this surplus, to protect Social Security and Medicare, and pay down the debt.

As has been mentioned earlier, when one adds up all the spending and tax cuts this House is passing, we have already used up the entire surplus. That is why the argument that general revenues replacing this tax cut protect

Medicare simply does not fly on the facts.

Now, what does the motion to recommit represent? It represents an honest statement that there should be a legitimate debate about the extent to which seniors should contribute to the cost of Medicare in the years that go forward.

Yes, I say to the gentleman from Florida (Mr. SHAW), I think one can make some legitimate points about reducing this tax once we have the general revenue in place for Medicare. But that should be part of a broader debate on Medicare reform.

We should not be doing Medicare reform ala carte. We ought to be having an honest and open debate about what fairness represents in terms of the share of the baby boomers like myself are going to pay, what share seniors are going to pay, how we are going to structure prescription drugs we all agree upon. Those are the facts. That is why we should defeat this bill and adopt the motion to recommit.

Mr. SHAW. Mr. Speaker, I yield the balance of our time to the gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means.

Mr. ARCHER. Mr. Speaker, I thank the gentleman for yielding me this time, and I compliment him on the outstanding work that he has done as chairman of the Subcommittee on Social Security to protect the rights of seniors. That is what we are about today.

Those Members who have listened to the rhetoric, if they were trying to be objective, sure must be puzzled because they have heard trillions of dollars thrown around. They have heard they are going to jeopardize Medicare. They have heard all types of comments.

Why? Why is there such desperation on the part of the minority to undo a wrong? Is it because they have got to defend what they did in 1993 even though it was wrong? They will defend it at any cost with whatever rhetoric, because it is basically wrong to tax senior citizens on their Social Security benefits, then say we are doing it to balance the budget. That is the wrong way, if in fact that truly is the rationale.

We are here to right a wrong today. So what is the response of the Democrat substitute? To do precisely what we do in our base bill in transferring general Treasury revenues into the Medicare Trust Fund. Now, if they really believed in the argument that they have made against our base bill that it jeopardizes Medicare, then why are they doing the very same thing? All they are doing is leaving the tax in place, continuing the wrong, helping some people and saying, well, we are for targeted tax relief. This is targeted tax relief. But the Democrats' idea of the target is leave the bull's eye out. We do not want to truly score for the right thing.

If one was going to find a tax and claim we need this to balance the budget, the last tax one would pick would be to tax the Social Security benefits and destroy the value of those benefits that people work a lifetime to achieve and then say, well, that is okay. It is not okay.

This is not political for me. I oppose this tax vehemently when it was first put in place. I opposed even the original tax to tax 50 percent of the benefits because it is wrong.

No matter how one couches it, no matter how one says, the President is going to veto it, why will he veto this? He will veto it only to defend the wrong that he put on the books in 1993.

But we are going to do the right thing. It is responsible.

But when I look at the Democrat substitute, I realize that it is a typical sleight-of-hand approach. First, you see it, then you do not. It says to seniors, well, we will give some of you some relief, but only if the budget is balanced. So maybe they get it; maybe they do not.

How does one know how to plan what the value of one's Social Security benefits is going to be in advance? One cannot under the Democrat substitute. They put seniors on a yo-yo string and say look what we are doing for you. It is like Peanuts when Charlie Brown is told kick the ball; and just as he gets to the ball, Lucy pulls the ball away. That is the Democrat substitute. I do not think seniors want that with their benefits and the value of their benefits.

In addition, they do what AARP has told us over and over again is in violation of the Social Security contract. They means test the Social Security benefits. They say to seniors, you have not really earned these benefits. You are not really entitled to them. We are going to determine whether you get them or not.

Then they also say to young workers, do not save, because if you save, you are going to lose your Social Security benefits. Only if you save will you lose your Social Security benefits. That is a terrible signal to send to young workers at a time when we need savings more and more and more.

Maybe that is the worst part of it. But it is bad through and through and through.

We are here to correct a wrong and to do the right thing. We will not be deterred by the smoke screen that is put up on the other side of the aisle in defense of the wrong that they put on the books in 1993.

I say to my colleagues, because I know we are going to get votes from people who are objective and know the right thing on the Democrat side, I say to all of my colleagues, vote against this substitute and vote for the bill. It is the right thing to do.

Ms. PELOSI. Mr. Speaker, over the past few month, it has become increasingly clear that the Republicans' only real agenda is tax breaks. I am not against cutting taxes. However, the Democratic approach of targeted tax cuts that go to those who need them most is better for our country.

The reduction of taxes for our nation's seniors is certainly a worthy goal, but we must not reach that goal by placing Medicare in jeopardy. The problem with the tax cut in the Republican bill is that it eliminates a dedicated tax source for the Medicare Trust Fund and replaces it with an IOU from the general fund.

As a result, we will have $100 billion less over the next 10 years to use to extend Medicare solvency, offset Medicare reductions made in 1997, and provide all seniors a true Medicare prescription drug benefit. These are vitally important goals and they should not be sacrificed for tax cuts.

The Democratic alternative targets this tax cut to low and middle-income seniors by raising the income threshold at which Social Security benefits are subject to taxation from $34,000 to $80,000. This provides tax relief while protecting the Medicare Trust Fund from losses. Protecting Medicare and Social Security must be a priority for this Congress. We must avoid losses to Medicare that will force seniors to pay higher out-of-pocket payments for the health care that they deserve.

I urge my colleagues to support the Democratic substitute.

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

The SPEAKER pro tempore. Pursuant to House Resolution 564, the previous question is ordered on the bill and on the amendment by the gentleman from North Dakota (Mr. POMEROY).

The question is on the amendment in the nature of a substitute offered by the gentleman from North Dakota (Mr. POMEROY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POMEROY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 169, nays 256, not voting 10, as follows:

[Roll No. 449]

YEAS—169

Abercrombie	Cramer	Hall (TX)
Ackerman	Crowley	Hill (IN)
Andrews	Cummings	Hilliard
Baca	Davis (FL)	Hinchey
Baird	Davis (IL)	Hinojosa
Baldacci	DeFazio	Holt
Baldwin	DeGette	Hooley
Barcia	Delahunt	Jackson (IL)
Barrett (WI)	DeLauro	Jackson-Lee (TX)
Becerra	Deutsch	Jefferson
Bentsen	Dicks	John
Berkley	Dingell	Johnson, E. B.
Berman	Dixon	Jones (OH)
Bishop	Dooley	Kaptur
Blagojevich	Doyle	Kennedy
Bonior	Engel	Kildee
Boswell	Eshoo	Kilpatrick
Boucher	Etheridge	Kind (WI)
Brown (FL)	Evans	Kleczka
Brown (OH)	Farr	Klink
Capps	Filner	Kucinich
Capuano	Frost	LaFalce
Carson	Gejdenson	Lampson
Clay	Gephardt	Lantos
Clayton	Gonzalez	Larson
Clement	Gordon	Lee
Clyburn	Green (TX)	Levin
Condit	Gutierrez	Lofgren
Conyers	Hall (OH)	

Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Mink
Moakley
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Stabenow
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn

NAYS—256

Aderholt
Allen
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berry
Biggert
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Coyne
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doggett
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
Martinez
McCollum
McCrery
McDermott
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mollohan
Moran (KS)
Morella
Murtha
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Barton
Ewing
Gilman
Jenkins
Largent
McIntosh
Myrick
Smith (WA)
Spratt
Vento

□ 1732

Messrs. WHITFIELD, TANNER, CANNON, SALMON, HERGER, BILBRAY, KINGSTON, BRADY of Pennsylvania and GREENWOOD changed their vote from ''yea'' to ''nay.''

Ms. DEGETTE, Ms. KILPATRICK and Mr. MEEKS of New York changed their vote from ''nay'' to ''yea.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PEASE). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ARCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 265, noes 159, not voting 11, as follows:

[Roll No. 450]

AYES—265

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Berkley
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeFazio
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holt
Hooley
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaHood
Lampson
Larson
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McKeon
McKinney
Mica
Miller (FL)
Miller, Gary
Mink
Moore
Moran (KS)
Nadler
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stabenow
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—159

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Blumenauer
Bonior
Borski
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Dixon
Doggett
Doyle
Edwards
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
Lantos
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Markey
Mascara
Matsui
McCarthy (MO)
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett

Pomeroy	Scott	Thurman
Price (NC)	Serrano	Tierney
Rahall	Sherman	Towns
Rangel	Skelton	Udall (CO)
Reyes	Slaughter	Udall (NM)
Rivers	Snyder	Velazquez
Rodriguez	Stark	Visclosky
Rothman	Stenholm	Waters
Roybal-Allard	Strickland	Watt (NC)
Rush	Stupak	Waxman
Sabo	Tanner	Weygand
Sanders	Taylor (MS)	Woolsey
Sanford	Thompson (CA)	Wynn
Sawyer	Thompson (MS)	

NOT VOTING—11

Barton	Largent	Smith (WA)
Ewing	McIntosh	Spratt
Gilman	Metcalf	Vento
Jenkins	Myrick	

□ 1748

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2909. An act to provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4576) ''An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3703

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3703.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4892

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 4892.

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

There was no objection.

PERMISSION TO INSERT OMITTED REMARKS ON H.R. 4942, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

Mr. MORAN of Virginia. Mr. Speaker, I understand that in my remarks yesterday, some of those remarks were inadvertently left out of the Journal. I ask unanimous consent to insert those remarks in their entirety.

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

There was no objection.

The text of the remarks as originally delivered is as follows:

Mr. MORAN of Virginia. Madam Chairman, perhaps some people take umbrage at the passion of the gentlewoman from the District of Columbia (Ms. NORTON), but I would expect that any of us if facing the same level of frustration and unfairness would not react in the same passionate manner.

She is defending, not only her constituents but a process, a democratic process, that she believes in that caused all of us to get into public service, and the fact is, she is right, Madam Chairman. The mayor of the District of Columbia said he is going to pocket veto this bill. We have to believe. I cannot believe any of us do not believe that he is going to do that. So if we believe he is going to do that, why are we doing this?

He is going to insist that there be a religious exemption clause. People that have moral objections are going to be able to raise them. So why are we doing this, putting this offensive language in this bill? Just to show that we are more powerful than them, just to show them. She is right. This is wrong.

Now, let me also say it is wrong for insurance companies to cover viagra for men and not cover contraception for women. Let us just tell it like it is. What could be more unfair? All this contraceptive equity provision says is that insurance companies ought to be fair and start respecting women, when contraception is the largest single expense, out-of-pocket expense, for women during most of their lives, and that is because of men's irresponsibility that, darn it, it ought to be covered.

So it is the right legislation. They should have passed this legislation, and it is also true that most of these Catholic institutions are self-insured. It does not even apply to them. They are self-insured.

Let me also say something, and I can only say this, I certainly would never say this if my own life were different, but having been educated in Catholic schools all my life, if I were a gay man, I would feel the same sense of frustration and disappointment that Councilman Jim Graham expressed on the D.C. council.

That disappointment and the intolerance and, yes, the hypocrisy of the Catholic church as an institution towards homosexuality ought to be addressed. So I do not blame them for saying that. I know he wishes he had not said that, but these are debates that belonged in the D.C. council. These are debates and issues that should be settled, should be settled by the D.C. government.

The Catholic institutions within the D.C. government have plenty of access. They are well respected, deservedly so. They contribute tremendous benefits to D.C. government and its society. They will be fully reflected in the legislation that becomes law, and that is the way it ought to be. We have no business getting involved in this issue, particularly when we have no legitimate role to play.

The gentlewoman from the District of Columbia (Ms. NORTON) is absolutely right. The mayor is going to take care of that situation. Let him take care of the situation. He will be held accountable. He should be held accountable. He is elected. He understands it. He has a solution for it, and that is the way it should be, and what we are doing on this floor is not what should be done by this Congress. Madam Chairman, I gather we are going to continue this debate tomorrow.

RESIGNATION AS MEMBER OF COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on House Administration:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 27, 2000.

Hon. J. DENNIS HASTERT,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing to submit to you my resignation from the Committee on House Administration. It has been a pleasure to serve on this committee during the 106th Congress. I will consider my resignation effective immediately.

Cordially,

THOMAS W. EWING,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON HOUSE ADMINISTRATION

Mrs. BIGGERT. Mr. Speaker, I offer a resolution (H. Res. 569), and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 569

Resolved, That the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on House Administration: Mr. LINDER of Georgia.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. EDWARDS. Mr. Speaker, on Tuesday of this week I was unable to be present in the House for rollcall votes 430 through 438.

Had I been present, I would have voted ''yes'' on rollcalls 430, 431, 432, 434, 435, 436, 437, and 438 and ''no'' on rollcall vote 433.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4920, DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000

Mr. LAZIO. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to engross the bill, H.R. 4920, in the form of the introduced bill.

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

There was no objection.

WORLD BANK AIDS MARSHALL PLAN TRUST FUND ACT

Mr. LEACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3519) to provide for negotiations for the creation of a trust fund to be administered by the International Bank for Reconstruction and Development or the International Development Association to combat the AIDS epidemic, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

SENATE AMENDMENT:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Global AIDS and Tuberculosis Relief Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—ASSISTANCE TO COUNTRIES WITH LARGE POPULATIONS HAVING HIV/AIDS
Sec. 101. Short title.
Sec. 102. Definitions.
Sec. 103. Findings and purposes.
Subtitle A—United States Assistance
Sec. 111. Additional assistance authorities to combat HIV and AIDS.
Sec. 112. Voluntary contribution to Global Alliance for Vaccines and Immunizations and International AIDS Vaccine Initiative.
Sec. 113. Coordinated donor strategy for support and education of orphans in sub-Saharan Africa.
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CHAPTER 1—ESTABLISHMENT OF THE FUND
Sec. 121. Establishment.
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CHAPTER 3—UNITED STATES FINANCIAL PARTICIPATION
Sec. 141. Authorization of appropriations.
Sec. 142. Certification requirement.
TITLE II—INTERNATIONAL TUBERCULOSIS CONTROL
Sec. 201. Short title.
Sec. 202. Findings.
Sec. 203. Assistance for tuberculosis prevention, treatment, control, and elimination.
TITLE III—ADMINISTRATIVE AUTHORITIES
Sec. 301. Effective program oversight.
Sec. 302. Termination expenses.

TITLE I—ASSISTANCE TO COUNTRIES WITH LARGE POPULATIONS HAVING HIV/AIDS

SEC. 101. SHORT TITLE.

This title may be cited as the ''Global AIDS Research and Relief Act of 2000''.

SEC. 102. DEFINITIONS.

In this title:

(1) AIDS.—The term ''AIDS'' means the acquired immune deficiency syndrome.

(2) ASSOCIATION.—The term ''Association'' means the International Development Association.

(3) BANK.—The term ''Bank'' or ''World Bank'' means the International Bank for Reconstruction and Development.

(4) HIV.—The term ''HIV'' means the human immunodeficiency virus, the pathogen which causes AIDS.

(5) HIV/AIDS.—The term ''HIV/AIDS'' means, with respect to an individual, an individual who is infected with HIV or living with AIDS.

SEC. 103. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the Surgeon General of the United States, the epidemic of human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) will soon become the worst epidemic of infectious disease in recorded history, eclipsing both the bubonic plague of the 1300's and the influenza epidemic of 1918–1919 which killed more than 20,000,000 people worldwide.

(2) According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), more than 34,300,000 people in the world today are living with HIV/AIDS, of which approximately 95 percent live in the developing world.

(3) UNAIDS data shows that among children age 14 and under worldwide, more than 3,800,000 have died from AIDS, more than 1,300,000 are living with the disease; and in one year alone—1999—an estimated 620,000 became infected, of which over 90 percent were babies born to HIV-positive women.

(4) Although sub-Saharan Africa has only 10 percent of the world's population, it is home to more than 24,500,000—roughly 70 percent—of the world's HIV/AIDS cases.

(5) Worldwide, there have already been an estimated 18,800,000 deaths because of HIV/AIDS, of which more than 80 percent occurred in sub-Saharan Africa.

(6) The gap between rich and poor countries in terms of transmission of HIV from mother to child has been increasing. Moreover, AIDS threatens to reverse years of steady progress of child survival in developing countries. UNAIDS believes that by the year 2010, AIDS may have increased mortality of children under 5 years of age by more than 100 percent in regions most affected by the virus.

(7) According to UNAIDS, by the end of 1999, 13,200,000 children have lost at least one parent to AIDS, including 12,100,000 children in sub-Saharan Africa, and are thus considered AIDS orphans.

(8) At current infection and growth rates for HIV/AIDS, the National Intelligence Council estimates that the number of AIDS orphans worldwide will increase dramatically, potentially increasing threefold or more in the next 10 years, contributing to economic decay, social fragmentation, and political destabilization in already volatile and strained societies. Children without care or hope are often drawn into prostitution, crime, substance abuse, or child soldiery.

(9) Donors must focus on adequate preparations for the explosion in the number of orphans and the burden they will place on families, communities, economies, and governments. Support structures and incentives for families, communities, and institutions which will provide care for children orphaned by HIV/AIDS, or for the children who are themselves afflicted by HIV/AIDS, will be essential.

(10) The 1999 annual report by the United Nations Children's Fund (UNICEF) states ''[t]he number of orphans, particularly in Africa, constitutes nothing less than an emergency, requiring an emergency response'' and that ''finding the resources needed to help stabilize the crisis and protect children is a priority that requires urgent action from the international community.''.

(11) The discovery of a relatively simple and inexpensive means of interrupting the transmission of HIV from an infected mother to the unborn child—namely with nevirapine (NVP), which costs US$4 a tablet—has created a great opportunity for an unprecedented partnership between the United States Government and the governments of Asian, African and Latin American countries to reduce mother-to-child transmission (also known as ''vertical transmission'') of HIV.

(12) According to UNAIDS, if implemented this strategy will decrease the proportion of orphans that are HIV-infected and decrease infant and child mortality rates in these developing regions.

(13) A mother-to-child antiretroviral drug strategy can be a force for social change, providing the opportunity and impetus needed to address often long-standing problems of inadequate services and the profound stigma associated with HIV-infection and the AIDS disease. Strengthening the health infrastructure to improve mother-and-child health, antenatal, delivery and postnatal services, and couples counseling generates enormous spillover effects toward combating the AIDS epidemic in developing regions.

(14) United States Census Bureau statistics show life expectancy in sub-Saharan Africa falling to around 30 years of age within a decade, the lowest in a century, and project life expectancy in 2010 to be 29 years of age in Botswana, 30 years of age in Swaziland, 33 years of age in Namibia and Zimbabwe, and 36 years of age in South Africa, Malawi, and Rwanda, in contrast to a life expectancy of 70 years of age in many of the countries without a high prevalence of AIDS.

(15) A January 2000 United States National Intelligence Estimate (NIE) report on the global infectious disease threat concluded that the economic costs of infectious diseases—especially HIV/AIDS—are already significant and could reduce GDP by as much as 20 percent or more by 2010 in some sub-Saharan African nations.

(16) According to the same NIE report, HIV prevalence among militias in Angola and the Democratic Republic of the Congo are estimated at 40 to 60 percent, and at 15 to 30 percent in Tanzania.

(17) The HIV/AIDS epidemic is of increasing concern in other regions of the world, with UNAIDS estimating that there are more than 5,600,000 cases in South and South-east Asia, that the rate of HIV infection in the Caribbean

is second only to sub-Saharan Africa, and that HIV infections have doubled in just two years in the former Soviet Union.

(18) Despite the discouraging statistics on the spread of HIV/AIDS, some developing nations—such as Uganda, Senegal, and Thailand—have implemented prevention programs that have substantially curbed the rate of HIV infection.

(19) AIDS, like all diseases, knows no national boundaries, and there is no certitude that the scale of the problem in one continent can be contained within that region.

(20) Accordingly, United States financial support for medical research, education, and disease containment as a global strategy has beneficial ramifications for millions of Americans and their families who are affected by this disease, and the entire population which is potentially susceptible.

(b) PURPOSES.—The purposes of this title are to—

(1) help prevent human suffering through the prevention, diagnosis, and treatment of HIV/AIDS; and

(2) help ensure the viability of economic development, stability, and national security in the developing world by advancing research to—

(A) understand the causes associated with HIV/AIDS in developing countries; and

(B) assist in the development of an AIDS vaccine.

Subtitle A—United States Assistance

SEC. 111. ADDITIONAL ASSISTANCE AUTHORITIES TO COMBAT HIV AND AIDS.

(a) ASSISTANCE FOR PREVENTION OF HIV/AIDS AND VERTICAL TRANSMISSION.—Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended by adding at the end the following new paragraphs:

''(4)(A) Congress recognizes the growing international dilemma of children with the human immunodeficiency virus (HIV) and the merits of intervention programs aimed at this problem. Congress further recognizes that mother-to-child transmission prevention strategies can serve as a major force for change in developing regions, and it is, therefore, a major objective of the foreign assistance program to control the acquired immune deficiency syndrome (AIDS) epidemic.

''(B) The agency primarily responsible for administering this part shall—

''(i) coordinate with UNAIDS, UNICEF, WHO, national and local governments, and other organizations to develop and implement effective strategies to prevent vertical transmission of HIV; and

''(ii) coordinate with those organizations to increase intervention programs and introduce voluntary counseling and testing, antiretroviral drugs, replacement feeding, and other strategies.

''(5)(A) Congress expects the agency primarily responsible for administering this part to make the human immunodeficiency virus (HIV) and the acquired immune deficiency syndrome (AIDS) a priority in the foreign assistance program and to undertake a comprehensive, coordinated effort to combat HIV and AIDS.

''(B) Assistance described in subparagraph (A) shall include help providing—

''(i) primary prevention and education;

''(ii) voluntary testing and counseling;

''(iii) medications to prevent the transmission of HIV from mother to child; and

''(iv) care for those living with HIV or AIDS.

''(6)(A) In addition to amounts otherwise available for such purpose, there is authorized to be appropriated to the President $300,000,000 for each of the fiscal years 2001 and 2002 to carry out paragraphs (4) and (5).

''(B) Of the funds authorized to be appropriated under subparagraph (A), not less than 65 percent is authorized to be available through United States and foreign nongovernmental organizations, including private and voluntary organizations, for-profit organizations, religious affiliated organizations, educational institutions, and research facilities.

''(C)(i) Of the funds authorized to be appropriated by subparagraph (A), not less than 20 percent is authorized to be available for programs as part of a multidonor strategy to address the support and education of orphans in sub-Saharan Africa, including AIDS orphans.

''(ii) Assistance made available under this subsection, and assistance made available under chapter 4 of part II to carry out the purposes of this subsection, may be made available notwithstanding any other provision of law that restricts assistance to foreign countries.

''(D) Of the funds authorized to be appropriated under subparagraph (A), not less than 8.3 percent is authorized to be available to carry out the prevention strategies for vertical transmission referred to in paragraph (4)(A).

''(E) Of the funds authorized to be appropriated by subparagraph (A), not more than 7 percent may be used for the administrative expenses of the agency primarily responsible for carrying out this part of this Act in support of activities described in paragraphs (4) and (5).

''(F) Funds appropriated under this paragraph are authorized to remain available until expended.''.

(b) TRAINING AND TRAINING FACILITIES IN SUB-SAHARAN AFRICA.—Section 496(i)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2293(i)(2)) is amended by adding at the end the following new sentence: ''In addition, providing training and training facilities, in sub-Saharan Africa, for doctors and other health care providers, notwithstanding any provision of law that restricts assistance to foreign countries.''.

SEC. 112. VOLUNTARY CONTRIBUTION TO GLOBAL ALLIANCE FOR VACCINES AND IMMUNIZATIONS AND INTERNATIONAL AIDS VACCINE INITIATIVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 302 of the Foreign Assistance Act of 1961 (22 U.S.C. 2222) is amended by adding at the end the following new subsections:

''(k) In addition to amounts otherwise available under this section, there is authorized to be appropriated to the President $50,000,000 for each of the fiscal years 2001 and 2002 to be available only for United States contributions to the Global Alliance for Vaccines and Immunizations.

''(l) In addition to amounts otherwise available under this section, there is authorized to be appropriated to the President $10,000,000 for each of the fiscal years 2001 and 2002 to be available only for United States contributions to the International AIDS Vaccine Initiative.''.

(b) REPORT.—At the close of fiscal year 2001, the President shall submit a report to the appropriate congressional committees on the effectiveness of the Global Alliance for Vaccines and Immunizations and the International AIDS Vaccine Initiative during that fiscal year in meeting the goals of—

(1) improving access to sustainable immunization services;

(2) expanding the use of all existing, safe, and cost-effective vaccines where they address a public health problem;

(3) accelerating the development and introduction of new vaccines and technologies;

(4) accelerating research and development efforts for vaccines needed primarily in developing countries; and

(5) making immunization coverage a centerpiece in international development efforts.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In subsection (b), the term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

SEC. 113. COORDINATED DONOR STRATEGY FOR SUPPORT AND EDUCATION OF ORPHANS IN SUB-SAHARAN AFRICA.

(a) STATEMENT OF POLICY.—It is in the national interest of the United States to assist in mitigating the burden that will be placed on sub-Saharan African social, economic, and political institutions as these institutions struggle with the consequences of a dramatically increasing AIDS orphan population, many of whom are themselves infected by HIV and living with AIDS. Effectively addressing that burden and its consequences in sub-Saharan Africa will require a coordinated multidonor strategy.

(b) DEVELOPMENT OF STRATEGY.—The President shall coordinate the development of a multidonor strategy to provide for the support and education of AIDS orphans and the families, communities, and institutions most affected by the HIV/AIDS epidemic in sub-Saharan Africa.

(c) DEFINITION.—In this section, the term ''HIV/AIDS'' means, with respect to an individual, an individual who is infected with the human immunodeficiency virus (HIV), the pathogen that causes the acquired immune deficiency virus (AIDS), or living with AIDS.

SEC. 114. AFRICAN CRISIS RESPONSE INITIATIVE AND HIV/AIDS TRAINING.

(a) FINDINGS.—Congress finds that—

(1) the spread of HIV/AIDS constitutes a threat to security in Africa;

(2) civil unrest and war may contribute to the spread of the disease to different parts of the continent;

(3) the percentage of soldiers in African militaries who are infected with HIV/AIDS is unknown, but estimates range in some countries as high as 40 percent; and

(4) it is in the interests of the United States to assist the countries of Africa in combating the spread of HIV/AIDS.

(b) EDUCATION ON THE PREVENTION OF THE SPREAD OF AIDS.—In undertaking education and training programs for military establishments in African countries, the United States shall ensure that classroom training under the African Crisis Response Initiative includes military-based education on the prevention of the spread of AIDS.

Subtitle B—World Bank AIDS Trust Fund

CHAPTER 1—ESTABLISHMENT OF THE FUND

SEC. 121. ESTABLISHMENT.

(a) NEGOTIATIONS FOR ESTABLISHMENT OF TRUST FUND.—The Secretary of the Treasury shall seek to enter into negotiations with the World Bank or the Association, in consultation with the Administrator of the United States Agency for International Development and other United States Government agencies, and with the member nations of the World Bank or the Association and with other interested parties, for the establishment within the World Bank of—

(1) the World Bank AIDS Trust Fund (in this subtitle referred to as the ''Trust Fund'') in accordance with the provisions of this chapter; and

(2) the Advisory Board to the Trust Fund in accordance with section 124.

(b) PURPOSE.—The purpose of the Trust Fund should be to use contributed funds to—

(1) assist in the prevention and eradication of HIV/AIDS and the care and treatment of individuals infected with HIV/AIDS; and

(2) provide support for the establishment of programs that provide health care and primary and secondary education for children orphaned by the HIV/AIDS epidemic.

(c) COMPOSITION.—

(1) IN GENERAL.—The Trust Fund should be governed by a Board of Trustees, which should be composed of representatives of the participating donor countries to the Trust Fund. Individuals appointed to the Board should have demonstrated knowledge and experience in the fields of public health, epidemiology, health care (including delivery systems), and development.

(2) UNITED STATES REPRESENTATION.—

(A) IN GENERAL.—Upon the effective date of this paragraph, there shall be a United States

member of the Board of Trustees, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall have the qualifications described in paragraph (1).

(B) EFFECTIVE AND TERMINATION DATES.—

(i) EFFECTIVE DATE.—This paragraph shall take effect upon the date the Secretary of the Treasury certifies to Congress that an agreement establishing the Trust Fund and providing for a United States member of the Board of Trustees is in effect.

(ii) TERMINATION DATE.—The position established by subparagraph (A) is abolished upon the date of termination of the Trust Fund.

SEC. 122. GRANT AUTHORITIES.

(a) PROGRAM OBJECTIVES.—

(1) IN GENERAL.—In carrying out the purpose of section 121(b), the Trust Fund, acting through the Board of Trustees, should provide only grants, including grants for technical assistance to support measures to build local capacity in national and local government, civil society, and the private sector to lead and implement effective and affordable HIV/AIDS prevention, education, treatment and care services, and research and development activities, including access to affordable drugs.

(2) ACTIVITIES SUPPORTED.—Among the activities the Trust Fund should provide grants for should be—

(A) programs to promote the best practices in prevention, including health education messages that emphasize risk avoidance such as abstinence;

(B) measures to ensure a safe blood supply;

(C) voluntary HIV/AIDS testing and counseling;

(D) measures to stop mother-to-child transmission of HIV/AIDS, including through diagnosis of pregnant women, access to cost-effective treatment and counseling, and access to infant formula or other alternatives for infant feeding;

(E) programs to provide for the support and education of AIDS orphans and the families, communities, and institutions most affected by the HIV/AIDS epidemic;

(F) measures for the deterrence of gender-based violence and the provision of post-exposure prophylaxis to victims of rape and sexual assault; and

(G) incentives to promote affordable access to treatments against AIDS and related infections.

(3) IMPLEMENTATION OF PROGRAM OBJECTIVES.—In carrying out the objectives of paragraph (1), the Trust Fund should coordinate its activities with governments, civil society, nongovernmental organizations, the Joint United Nations Program on HIV/AIDS (UNAIDS), the International Partnership Against AIDS in Africa, other international organizations, the private sector, and donor agencies working to combat the HIV/AIDS crisis.

(b) PRIORITY.—In providing grants under this section, the Trust Fund should give priority to countries that have the highest HIV/AIDS prevalence rate or are at risk of having a high HIV/AIDS prevalence rate.

(c) ELIGIBLE GRANT RECIPIENTS.—Governments and nongovernmental organizations should be eligible to receive grants under this section.

(d) PROHIBITION.—The Trust Fund should not make grants for the purpose of project development associated with bilateral or multilateral bank loans.

SEC. 123. ADMINISTRATION.

(a) APPOINTMENT OF AN ADMINISTRATOR.—The Board of Trustees, in consultation with the appropriate officials of the Bank, should appoint an Administrator who should be responsible for managing the day-to-day operations of the Trust Fund.

(b) AUTHORITY TO SOLICIT AND ACCEPT CONTRIBUTIONS.—The Trust Fund should be authorized to solicit and accept contributions from governments, the private sector, and nongovernmental entities of all kinds.

(c) ACCOUNTABILITY OF FUNDS AND CRITERIA FOR PROGRAMS.—As part of the negotiations described in section 121(a), the Secretary of the Treasury shall, consistent with subsection (d)—

(1) take such actions as are necessary to ensure that the Bank or the Association will have in effect adequate procedures and standards to account for and monitor the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund; and

(2) seek agreement on the criteria that should be used to determine the programs and activities that should be assisted by the Trust Fund.

(d) SELECTION OF PROJECTS AND RECIPIENTS.—The Board of Trustees should establish—

(1) criteria for the selection of projects to receive support from the Trust Fund;

(2) standards and criteria regarding qualifications of recipients of such support;

(3) such rules and procedures as may be necessary for cost-effective management of the Trust Fund; and

(4) such rules and procedures as may be necessary to ensure transparency and accountability in the grant-making process.

(e) TRANSPARENCY OF OPERATIONS.—The Board of Trustees should ensure full and prompt public disclosure of the proposed objectives, financial organization, and operations of the Trust Fund.

SEC. 124. ADVISORY BOARD.

(a) IN GENERAL.—There should be an Advisory Board to the Trust Fund.

(b) APPOINTMENTS.—The members of the Advisory Board should be drawn from—

(1) a broad range of individuals with experience and leadership in the fields of development, health care (especially HIV/AIDS), epidemiology, medicine, biomedical research, and social sciences; and

(2) representatives of relevant United Nations agencies and nongovernmental organizations with on-the-ground experience in affected countries.

(c) RESPONSIBILITIES.—The Advisory Board should provide advice and guidance to the Board of Trustees on the development and implementation of programs and projects to be assisted by the Trust Fund and on leveraging donations to the Trust Fund.

(d) PROHIBITION ON PAYMENT OF COMPENSATION.—

(1) IN GENERAL.—Except for travel expenses (including per diem in lieu of subsistence), no member of the Advisory Board should receive compensation for services performed as a member of the Board.

(2) UNITED STATES REPRESENTATIVE.—Notwithstanding any other provision of law (including an international agreement), a representative of the United States on the Advisory Board may not accept compensation for services performed as a member of the Board, except that such representative may accept travel expenses, including per diem in lieu of subsistence, while away from the representative's home or regular place of business in the performance of services for the Board.

CHAPTER 2—REPORTS

SEC. 131. REPORTS TO CONGRESS.

(a) ANNUAL REPORTS BY TREASURY SECRETARY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for the duration of the Trust Fund, the Secretary of the Treasury shall submit to the appropriate committees of Congress a report on the Trust Fund.

(2) REPORT ELEMENTS.—The report shall include a description of—

(A) the goals of the Trust Fund;

(B) the programs, projects, and activities, including any vaccination approaches, supported by the Trust Fund;

(C) private and governmental contributions to the Trust Fund; and

(D) the criteria that have been established, acceptable to the Secretary of the Treasury and the Administrator of the United States Agency for International Development, that would be used to determine the programs and activities that should be assisted by the Trust Fund.

(b) GAO REPORT ON TRUST FUND EFFECTIVENESS.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of the Congress a report evaluating the effectiveness of the Trust Fund, including—

(1) the effectiveness of the programs, projects, and activities described in subsection (a)(2)(B) in reducing the worldwide spread of AIDS; and

(2) an assessment of the merits of continued United States financial contributions to the Trust Fund.

(c) APPROPRIATE COMMITTEES DEFINED.—In subsection (a), the term ''appropriate committees'' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations, the Committee on Banking and Financial Services, and the Committee on Appropriations of the House of Representatives.

CHAPTER 3—UNITED STATES FINANCIAL PARTICIPATION

SEC. 141. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—In addition to any other funds authorized to be appropriated for multilateral or bilateral programs related to HIV/AIDS or economic development, there is authorized to be appropriated to the Secretary of the Treasury $150,000,000 for each of the fiscal years 2001 and 2002 for payment to the Trust Fund.

(b) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated by subsection (a) for the fiscal years 2001 and 2002, $50,000,000 are authorized to be available each such fiscal year only for programs that benefit orphans.

SEC. 142. CERTIFICATION REQUIREMENT.

(a) IN GENERAL.—Prior to the initial obligation or expenditure of funds appropriated pursuant to section 141, the Secretary of the Treasury shall certify that adequate procedures and standards have been established to ensure accountability for and monitoring of the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund.

(b) TRANSMITTAL OF CERTIFICATION.—The certification required by subsection (a), and the bases for that certification, shall be submitted by the Secretary of the Treasury to Congress.

TITLE II—INTERNATIONAL TUBERCULOSIS CONTROL

SEC. 201. SHORT TITLE.

This title may be cited as the ''International Tuberculosis Control Act of 2000''.

SEC. 202. FINDINGS.

Congress makes the following findings:

(1) Since the development of antibiotics in the 1950s, tuberculosis has been largely controlled in the United States and the Western World.

(2) Due to societal factors, including growing urban decay, inadequate health care systems, persistent poverty, overcrowding, and malnutrition, as well as medical factors, including the HIV/AIDS epidemic and the emergence of multidrug resistant strains of tuberculosis, tuberculosis has again become a leading and growing cause of adult deaths in the developing world.

(3) According to the World Health Organization—

(A) in 1998, about 1,860,000 people worldwide died of tuberculosis-related illnesses;

(B) one-third of the world's total population is infected with tuberculosis; and

(C) tuberculosis is the world's leading killer of women between 15 and 44 years old and is a leading cause of children becoming orphans.

(4) Because of the ease of transmission of tuberculosis, its international persistence and growth pose a direct public health threat to those nations that had previously largely controlled the disease. This is complicated in the United States by the growth of the homeless

population, the rate of incarceration, international travel, immigration, and HIV/AIDS.

(5) With nearly 40 percent of the tuberculosis cases in the United States attributable to foreign-born persons, tuberculosis will never be controlled in the United States until it is controlled abroad.

(6) The means exist to control tuberculosis through screening, diagnosis, treatment, patient compliance, monitoring, and ongoing review of outcomes.

(7) Efforts to control tuberculosis are complicated by several barriers, including—

(A) the labor intensive and lengthy process involved in screening, detecting, and treating the disease;

(B) a lack of funding, trained personnel, and medicine in virtually every nation with a high rate of the disease;

(C) the unique circumstances in each country, which requires the development and implementation of country-specific programs; and

(D) the risk of having a bad tuberculosis program, which is worse than having no tuberculosis program because it would significantly increase the risk of the development of more widespread drug-resistant strains of the disease.

(8) Eliminating the barriers to the international control of tuberculosis through a well-structured, comprehensive, and coordinated worldwide effort would be a significant step in dealing with the increasing public health problem posed by the disease.

SEC. 203. ASSISTANCE FOR TUBERCULOSIS PREVENTION, TREATMENT, CONTROL, AND ELIMINATION.

Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)), as amended by section 111(a) of this Act, is further amended by adding at the end the following:

''(7)(A) Congress recognizes the growing international problem of tuberculosis and the impact its continued existence has on those nations that had previously largely controlled the disease. Congress further recognizes that the means exist to control and treat tuberculosis, and that it is therefore a major objective of the foreign assistance program to control the disease. To this end, Congress expects the agency primarily responsible for administering this part—

''(i) to coordinate with the World Health Organization, the Centers for Disease Control, the National Institutes of Health, and other organizations toward the development and implementation of a comprehensive tuberculosis control program; and

''(ii) to set as a goal the detection of at least 70 percent of the cases of infectious tuberculosis, and the cure of at least 85 percent of the cases detected, in those countries in which the agency has established development programs, by December 31, 2010.

''(B) There is authorized to be appropriated to the President, $60,000,000 for each of the fiscal years 2001 and 2002 to be used to carry out this paragraph. Funds appropriated under this subparagraph are authorized to remain available until expended.''.

TITLE III—ADMINISTRATIVE AUTHORITIES

SEC. 301. EFFECTIVE PROGRAM OVERSIGHT.

Section 635 of the Foreign Assistance Act of 1961 (22 U.S.C. 2395) is amended by adding at the end thereof the following new subsection:

''(l) The Administrator of the agency primarily responsible for administering part I may use funds made available under that part to provide program and management oversight for activities that are funded under that part and that are conducted in countries in which the agency does not have a field mission or office.''.

SEC. 302. TERMINATION EXPENSES.

Section 617 of the Foreign Assistance Act of 1961 (22 U.S.C. 2367) is amended to read as follows:

''SEC. 617. TERMINATION EXPENSES.

''(a) IN GENERAL.—Funds made available under this Act and the Arms Export Control Act, may remain available for obligation for a period not to exceed 8 months from the date of any termination of assistance under such Acts for the necessary expenses of winding up programs related to such termination and may remain available until expended. Funds obligated under the authority of such Acts prior to the effective date of the termination of assistance may remain available for expenditure for the necessary expenses of winding up programs related to such termination notwithstanding any provision of law restricting the expenditure of funds. In order to ensure the effectiveness of such assistance, such expenses for orderly termination of programs may include the obligation and expenditure of funds to complete the training or studies outside their countries of origin of students whose course of study or training program began before assistance was terminated.

''(b) LIABILITY TO CONTRACTORS.—For the purpose of making an equitable settlement of termination claims under extraordinary contractual relief standards, the President is authorized to adopt as a contract or other obligation of the United States Government, and assume (in whole or in part) any liabilities arising thereunder, any contract with a United States or third-country contractor that had been funded with assistance under such Acts prior to the termination of assistance.

''(c) TERMINATION EXPENSES.—Amounts certified as having been obligated for assistance subsequently terminated by the President, or pursuant to any provision of law, shall continue to remain available and may be reobligated to meet any necessary expenses arising from the termination of such assistance.

''(d) GUARANTY PROGRAMS.—Provisions of this or any other Act requiring the termination of assistance under this or any other Act shall not be construed to require the termination of guarantee commitments that were entered into prior to the effective date of the termination of assistance.

''(e) RELATION TO OTHER PROVISIONS.—Unless specifically made inapplicable by another provision of law, the provisions of this section shall be applicable to the termination of assistance pursuant to any provision of law.''.

The SPEAKER pro tempore (during the reading). Without objection, the Senate amendment is considered as read and printed in the RECORD.

There was no objection.

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

Ms. LEE. Mr. Speaker, reserving the right to object, first I would like to thank the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE) for their tremendous leadership on this issue. I would also like to thank my colleagues on the Committee on Banking and Financial Services. I would also, in addition, like to thank the Committee on Banking and Financial Services staff and the committee staff of the Committee on International Relations as well as my own staff for their hard work. But I want to especially thank my senior legislative assistant, Michael Riggs, who has worked tirelessly on this effort.

I must also recognize and give credit really to my predecessor and a great statesman, Congressman Ron Dellums, and members of the Congressional Black Caucus for their strong support. Ron has been sounding the clarion call about this pandemic of HIV/AIDS globally for many years. The drumbeat is now being heard. Today we see the collective work of Members of Congress, the Clinton administration, HIV/AIDS specialists and activists, faith-based communities, Africans, and the business community coming together.

At this moment, the global AIDS crisis is the most urgent humanitarian crisis of our time. It is estimated that 6,000 people die each day of AIDS in Africa. Since I introduced the AIDS Marshall Plan last August, nearly 3 million people have died.

This is not a Democratic issue, nor is it a Republican issue. It is a moral issue that demands a moral response. AIDS, like all diseases, knows no boundaries. There is no guarantee that the scale of the problem in one continent can be contained within that region.

So our message is clear. Today with the passage of this bill we will press forward with our commitment to fight the war against HIV/AIDS and to stem the tide of death. We know that with resources we can fight this war and save lives and prevent the spread of HIV/AIDS.

Today we are taking a major step in the right direction. I am confident that the bill that we pass today will push us even further in our commitment to fighting AIDS in Africa. I believe that the quick pace at which we are moving reflects the urgency of this crisis.

Again, I want to thank the gentleman from Iowa (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE). I want to say that today we are showing America and we are showing the world that Africa and the fate of humanity really does matter and that the United States is prepared to show leadership in the fight against HIV/AIDS. This is really a defining moment for us all. It is a historic day. I am pleased that we are approving this important piece of legislation.

Mr. LEACH. Mr. Speaker, will the gentlewoman yield?

Ms. LEE. Further reserving the right to object, I yield to the gentleman from Iowa.

Mr. LEACH. Mr. Speaker, I would like to simply thank the gentlewoman for her leadership, also that of her predecessor whom she mentioned, Mr. Dellums; staff, as well as, frankly, Mrs. Fogleman on our staff and Mr. McCormick on our staff and the Senate leadership and staff of the Senate Foreign Relations Committee that has worked so closely with us.

By perspective, let me just very briefly say that nothing is more difficult than to provide some sort of perspective to issues of the day, but if we look at the 14th century, 20 million people died of the bubonic plague, and it would be hard to conclude that that was not the most important incident of the century. Today we have almost reached that figure with AIDS. Within a decade we may be at a multiple of that figure. It is anything but inconceivable not to conclude that exterminating this deadly disease is not the most important issue of our age.

This approach that we have adopted is seminal. It is a part of the picture of dealing with AIDS, not the whole picture but a very significant part and with the combination of reduction in debt burdens of the developing world stands as the most significant effort the United States Congress has ever taken for the developing world and one of the most significant efforts the United States Congress has ever taken towards disease control and prevention.

This is an extraordinary, symbolic measure, one that we are going to have to build upon but a firm and thoughtful step in the right direction. Let me thank the gentlewoman again for her help and leadership in this cause.

Mr. LAFALCE. Mr. Speaker, I want to express my thanks to Chairman LEACH and to Chairman GILMAN for the cooperation they have shown in bringing this Senate amended language to the floor on an expedited basis. I also offer my congratulations to Congresswoman BARBARA LEE for her initiative on, and consistent commitment to, this legislation. Without her, this much-needed bill would not be becoming law. Moreover, she has led the fight for appropriations for this trust fund that will help the World Bank tackle the scourges of AIDS and tuberculosis that so tragically threatens the lives of too many people in Africa. No outcome was more gratifying than the amendment to the Foreign Operations Appropriations bill that obtained funding for this legislation.

This country has a proud and longstanding tradition of providing humanitarian assistance—especially in a crisis. HIV/AIDS is an international epidemic of crisis proportions. The HIV/AIDS pandemic could come to rival, in other parts of the world, the destructive bubonic plague of the 1300s that devastated the continent of Europe.

Worldwide, HIV/AIDS has infected millions. Yet worldwide, we spend so very little to fight the disease and contain the pandemic. As we all know, although Sub-Saharan Africa has only 10 percent of the world's population, it suffers roughly 70 percent of the HIV/AIDS cases. We also know that if HIV/AIDS reaches a certain prevalence, it can explosively infect a population, and some areas in addition to Africa are threatened. No country in the world seriously threatened by this disease and unable to fight it alone should be ignored by our efforts.

Taking targeted and expeditious action to begin to fight the AIDS pandemic is both the moral and the sensible thing to do. Although there is as yet no known cure for the disease, we can make meaningful progress in containing it.

This trust fund has many unique features. None is more prominent than that the fund can receive contributions from anyone, not merely governments that are members of the World Bank. Moreover, these contributions will be deductible or expensible for the contributor. Consequently, although our government's share will be significant, the promise is great for leveraging this fund into a very large resource base to combat the worst plague to hit mankind since the Black Death in the Middle Ages.

Both the House and the Senate have appropriately provided for oversight of the monies in the fund. Many of the nations where AIDS/HIV is prevalent are also nations where corruption is highest. Consequently, the trust fund is endowed with effective monitoring devices to detect the illicit.

However, these safeguards are not so burdensome that the trust fund will be unduly hamstrung. Indeed, another unique feature of this fund is that its uses are so flexible. AIDS is a cunning enemy. The course and form differs from area to area. In some, education is the most effective weapon. In others, drugs, such as forms of AZT, can do the most good. The trust fund is not locked into one approach but is free to use all of them as circumstances warrant.

This will not be the last bill to come to this floor on AIDS. We now know the raw statistics on how the plague is totally out of control throughout a significant portion of the world. We now also know that even here, where there has been some progress against this disease, that this progress can be reversed. Consequently, for an undetermined number of Congresses to come, this chamber will be grappling with this opponent. However, the legislation we pass today and send to the President is a substantial step in the right direction.

Ms. LEE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

LONG-TERM CARE SECURITY ACT

Mr. SCARBOROUGH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4040) to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments, with amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments and the House amendments to the Senate amendments as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

TITLE I—FEDERAL LONG-TERM CARE INSURANCE

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Long-Term Care Security Act''.

SEC. 1002. LONG-TERM CARE INSURANCE.

(a) IN GENERAL.—Subpart G of part III of title 5, United States Code, is amended by adding at the end the following:

''CHAPTER 90—LONG-TERM CARE INSURANCE

''Sec.
''9001. Definitions.
''9002. Availability of insurance.
''9003. Contracting authority.
''9004. Financing.
''9005. Preemption.
''9006. Studies, reports, and audits.
''9007. Jurisdiction of courts.
''9008. Administrative functions.
''9009. Cost accounting standards.

''§ 9001. Definitions

For purposes of this chapter:

''(1) EMPLOYEE.—The term 'employee' means—

''(A) an employee as defined by section 8901(1); and

''(B) an individual described in section 2105(e),

but does not include an individual employed by the government of the District of Columbia.

''(2) ANNUITANT.—The term 'annuitant' has the meaning such term would have under paragraph (3) of section 8901 if, for purposes of such paragraph, the term 'employee' were considered to have the meaning given to it under paragraph (1) of this subsection.

''(3) MEMBER OF THE UNIFORMED SERVICES.—The term 'member of the uniformed services' means a member of the uniformed services, other than a retired member of the uniformed services, who is—

''(A) on active duty or full-time National Guard duty for a period of more than 30 days; and

''(B) a member of the Selected Reserve.

''(4) RETIRED MEMBER OF THE UNIFORMED SERVICES.—The term 'retired member of the uniformed services' means a member or former member of the uniformed services entitled to retired or retainer pay, including a member or former member retired under chapter 1223 of title 10 who has attained the age of 60 and who satisfies such eligibility requirements as the Office of Personnel Management prescribes under section 9008.

''(5) QUALIFIED RELATIVE.—The term 'qualified relative' means each of the following:

''(A) The spouse of an individual described in paragraph (1), (2), (3), or (4).

''(B) A parent, stepparent, or parent-in-law of an individual described in paragraph (1) or (3).

''(C) A child (including an adopted child, a stepchild, or, to the extent the Office of Personnel Management by regulation provides, a foster child) of an individual described in paragraph (1), (2), (3), or (4), if such child is at least 18 years of age.

''(D) An individual having such other relationship to an individual described in paragraph (1), (2), (3), or (4) as the Office may by regulation prescribe.

''(6) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' refers to an individual described in paragraph (1), (2), (3), (4), or (5).

''(7) QUALIFIED CARRIER.—The term 'qualified carrier' means an insurance company (or consortium of insurance companies) that is licensed to issue long-term care insurance in all States, taking any subsidiaries of such a company into account (and, in the case of a consortium, considering the member companies and any subsidiaries thereof, collectively).

''(8) STATE.—The term 'State' includes the District of Columbia.

''(9) QUALIFIED LONG-TERM CARE INSURANCE CONTRACT.—The term 'qualified long-term care insurance contract' has the meaning given such term by section 7702B of the Internal Revenue Code of 1986.

''(10) APPROPRIATE SECRETARY.—The term 'appropriate Secretary' means—

''(A) except as otherwise provided in this paragraph, the Secretary of Defense;

''(B) with respect to the Coast Guard when it is not operating as a service of the Navy, the Secretary of Transportation;

''(C) with respect to the commissioned corps of the National Oceanic and Atmospheric Administration, the Secretary of Commerce; and

''(D) with respect to the commissioned corps of the Public Health Service, the Secretary of Health and Human Services.

''§ 9002. Availability of insurance

''(a) IN GENERAL.—The Office of Personnel Management shall establish and, in consultation with the appropriate Secretaries, administer

a program through which an individual described in paragraph (1), (2), (3), (4), or (5) of section 9001 may obtain long-term care insurance coverage under this chapter for such individual.

''(b) GENERAL REQUIREMENTS.—Long-term care insurance may not be offered under this chapter unless—

''(1) the only coverage provided is under qualified long-term care insurance contracts; and

''(2) each insurance contract under which any such coverage is provided is issued by a qualified carrier.

''(c) DOCUMENTATION REQUIREMENT.—As a condition for obtaining long-term care insurance coverage under this chapter based on one's status as a qualified relative, an applicant shall provide documentation to demonstrate the relationship, as prescribed by the Office.

''(d) UNDERWRITING STANDARDS.—

''(1) DISQUALIFYING CONDITION.—Nothing in this chapter shall be considered to require that long-term care insurance coverage be made available in the case of any individual who would be eligible for benefits immediately.

''(2) SPOUSAL PARITY.—For the purpose of underwriting standards, a spouse of an individual described in paragraph (1), (2), (3), or (4) of section 9001 shall, as nearly as practicable, be treated like that individual.

''(3) GUARANTEED ISSUE.—Nothing in this chapter shall be considered to require that long-term care insurance coverage be guaranteed to an eligible individual.

''(4) REQUIREMENT THAT CONTRACT BE FULLY INSURED.—In addition to the requirements otherwise applicable under section 9001(9), in order to be considered a qualified long-term care insurance contract for purposes of this chapter, a contract must be fully insured, whether through reinsurance with other companies or otherwise.

''(5) HIGHER STANDARDS ALLOWABLE.—Nothing in this chapter shall, in the case of an individual applying for long-term care insurance coverage under this chapter after the expiration of such individual's first opportunity to enroll, preclude the application of underwriting standards more stringent than those that would have applied if that opportunity had not yet expired.

''(e) GUARANTEED RENEWABILITY.—The benefits and coverage made available to eligible individuals under any insurance contract under this chapter shall be guaranteed renewable (as defined by section 7A(2) of the model regulations described in section 7702B(g)(2) of the Internal Revenue Code of 1986), including the right to have insurance remain in effect so long as premiums continue to be timely made. However, the authority to revise premiums under this chapter shall be available only on a class basis and only to the extent otherwise allowable under section 9003(b).

''§ 9003. Contracting authority

''(a) IN GENERAL.—The Office of Personnel Management shall, without regard to section 5 of title 41 or any other statute requiring competitive bidding, contract with one or more qualified carriers for a policy or policies of long-term care insurance. The Office shall ensure that each resulting contract (hereafter in this chapter referred to as a 'master contract') is awarded on the basis of contractor qualifications, price, and reasonable competition.

''(b) TERMS AND CONDITIONS.—

''(1) IN GENERAL.—Each master contract under this chapter shall contain—

''(A) a detailed statement of the benefits offered (including any maximums, limitations, exclusions, and other definitions of benefits);

''(B) the premiums charged (including any limitations or other conditions on their subsequent adjustment);

''(C) the terms of the enrollment period; and

''(D) such other terms and conditions as may be mutually agreed to by the Office and the carrier involved, consistent with the requirements of this chapter.

''(2) PREMIUMS.—Premiums charged under each master contract entered into under this section shall reasonably and equitably reflect the cost of the benefits provided, as determined by the Office. The premiums shall not be adjusted during the term of the contract unless mutually agreed to by the Office and the carrier.

''(3) NONRENEWABILITY.—Master contracts under this chapter may not be made automatically renewable.

''(c) PAYMENT OF REQUIRED BENEFITS; DISPUTE RESOLUTION.—

''(1) IN GENERAL.—Each master contract under this chapter shall require the carrier to agree—

''(A) to provide payments or benefits to an eligible individual if such individual is entitled thereto under the terms of the contract; and

''(B) with respect to disputes regarding claims for payments or benefits under the terms of the contract—

''(i) to establish internal procedures designed to expeditiously resolve such disputes; and

''(ii) to establish, for disputes not resolved through procedures under clause (i), procedures for one or more alternative means of dispute resolution involving independent third-party review under appropriate circumstances by entities mutually acceptable to the Office and the carrier.

''(2) ELIGIBILITY.—A carrier's determination as to whether or not a particular individual is eligible to obtain long-term care insurance coverage under this chapter shall be subject to review only to the extent and in the manner provided in the applicable master contract.

''(3) OTHER CLAIMS.—For purposes of applying the Contract Disputes Act of 1978 to disputes arising under this chapter between a carrier and the Office—

''(A) the agency board having jurisdiction to decide an appeal relative to such a dispute shall be such board of contract appeals as the Director of the Office of Personnel Management shall specify in writing (after appropriate arrangements, as described in section 8(c) of such Act); and

''(B) the district courts of the United States shall have original jurisdiction, concurrent with the United States Court of Federal Claims, of any action described in section 10(a)(1) of such Act relative to such a dispute.

''(4) RULE OF CONSTRUCTION.—Nothing in this chapter shall be considered to grant authority for the Office or a third-party reviewer to change the terms of any contract under this chapter.

''(d) DURATION.—

''(1) IN GENERAL.—Each master contract under this chapter shall be for a term of 7 years, unless terminated earlier by the Office in accordance with the terms of such contract. However, the rights and responsibilities of the enrolled individual, the insurer, and the Office (or duly designated third-party administrator) under such contract shall continue with respect to such individual until the termination of coverage of the enrolled individual or the effective date of a successor contract thereto.

''(2) EXCEPTION.—

''(A) SHORTER DURATION.—In the case of a master contract entered into before the end of the period described in subparagraph (B), paragraph (1) shall be applied by substituting 'ending on the last day of the 7-year period described in paragraph (2)(B)' for 'of 7 years'.

''(B) DEFINITION.—The period described in this subparagraph is the 7-year period beginning on the earliest date as of which any long-term care insurance coverage under this chapter becomes effective.

''(3) CONGRESSIONAL NOTIFICATION.—No later than 180 days after receiving the second report required under section 9006(c), the President (or his designee) shall submit to the Committees on Government Reform and on Armed Services of the House of Representatives and the Committees on Governmental Affairs and on Armed Services of the Senate, a written recommendation as to whether the program under this chapter should be continued without modification, terminated, or restructured. During the 180-day period following the date on which the President (or his designee) submits the recommendation required under the preceding sentence, the Office of Personnel Management may not take any steps to rebid or otherwise contract for any coverage to be available at any time following the expiration of the 7-year period described in paragraph (2)(B).

''(4) FULL PORTABILITY.—Each master contract under this chapter shall include such provisions as may be necessary to ensure that, once an individual becomes duly enrolled, long-term care insurance coverage obtained by such individual pursuant to that enrollment shall not be terminated due to any change in status (such as separation from Government service or the uniformed services) or ceasing to meet the requirements for being considered a qualified relative (whether as a result of dissolution of marriage or otherwise).

''§ 9004. Financing

''(a) IN GENERAL.—Each eligible individual obtaining long-term care insurance coverage under this chapter shall be responsible for 100 percent of the premiums for such coverage.

''(b) WITHHOLDINGS.—

''(1) IN GENERAL.—The amount necessary to pay the premiums for enrollment may—

''(A) in the case of an employee, be withheld from the pay of such employee;

''(B) in the case of an annuitant, be withheld from the annuity of such annuitant;

''(C) in the case of a member of the uniformed services described in section 9001(3), be withheld from the pay of such member; and

''(D) in the case of a retired member of the uniformed services described in section 9001(4), be withheld from the retired pay or retainer pay payable to such member.

''(2) VOLUNTARY WITHHOLDINGS FOR QUALIFIED RELATIVES.—Withholdings to pay the premiums for enrollment of a qualified relative may, upon election of the appropriate eligible individual (described in section 9001(1)–(4)), be withheld under paragraph (1) to the same extent and in the same manner as if enrollment were for such individual.

''(c) DIRECT PAYMENTS.—All amounts withheld under this section shall be paid directly to the carrier.

''(d) OTHER FORMS OF PAYMENT.—Any enrollee who does not elect to have premiums withheld under subsection (b) or whose pay, annuity, or retired or retainer pay (as referred to in subsection (b)(1)) is insufficient to cover the withholding required for enrollment (or who is not receiving any regular amounts from the Government, as referred to in subsection (b)(1), from which any such withholdings may be made, and whose premiums are not otherwise being provided for under subsection (b)(2)) shall pay an amount equal to the full amount of those charges directly to the carrier.

''(e) SEPARATE ACCOUNTING REQUIREMENT.—Each carrier participating under this chapter shall maintain records that permit it to account for all amounts received under this chapter (including investment earnings on those amounts) separate and apart from all other funds.

''(f) REIMBURSEMENTS.—

''(1) REASONABLE INITIAL COSTS.—

''(A) IN GENERAL.—The Employees' Life Insurance Fund is available, without fiscal year limitation, for reasonable expenses incurred by the Office of Personnel Management in administering this chapter before the start of the 7-year period described in section 9003(d)(2)(B), including reasonable implementation costs.

''(B) REIMBURSEMENT REQUIREMENT.—Such Fund shall be reimbursed, before the end of the first year of that 7-year period, for all amounts obligated or expended under subparagraph (A) (including lost investment income). Such reimbursement shall be made by carriers, on a pro

rata basis, in accordance with appropriate provisions which shall be included in master contracts under this chapter.

''(2) SUBSEQUENT COSTS.—

''(A) IN GENERAL.—There is hereby established in the Employees' Life Insurance Fund a Long-Term Care Administrative Account, which shall be available to the Office, without fiscal year limitation, to defray reasonable expenses incurred by the Office in administering this chapter after the start of the 7-year period described in section 9003(d)(2)(B).

''(B) REIMBURSEMENT REQUIREMENT.—Each master contract under this chapter shall include appropriate provisions under which the carrier involved shall, during each year, make such periodic contributions to the Long-Term Care Administrative Account as necessary to ensure that the reasonable anticipated expenses of the Office in administering this chapter during such year (adjusted to reconcile for any earlier overestimates or underestimates under this subparagraph) are defrayed.

''§ 9005. Preemption

''The terms of any contract under this chapter which relate to the nature, provision, or extent of coverage or benefits (including payments with respect to benefits) shall supersede and preempt any State or local law, or any regulation issued thereunder, which relates to long-term care insurance or contracts.

''§ 9006. Studies, reports, and audits

''(a) PROVISIONS RELATING TO CARRIERS.—Each master contract under this chapter shall contain provisions requiring the carrier—

''(1) to furnish such reasonable reports as the Office of Personnel Management determines to be necessary to enable it to carry out its functions under this chapter; and

''(2) to permit the Office and representatives of the General Accounting Office to examine such records of the carrier as may be necessary to carry out the purposes of this chapter.

''(b) PROVISIONS RELATING TO FEDERAL AGENCIES.—Each Federal agency shall keep such records, make such certifications, and furnish the Office, the carrier, or both, with such information and reports as the Office may require.

''(c) REPORTS BY THE GENERAL ACCOUNTING OFFICE.—The General Accounting Office shall prepare and submit to the President, the Office of Personnel Management, and each House of Congress, before the end of the third and fifth years during which the program under this chapter is in effect, a written report evaluating such program. Each such report shall include an analysis of the competitiveness of the program, as compared to both group and individual coverage generally available to individuals in the private insurance market. The Office shall cooperate with the General Accounting Office to provide periodic evaluations of the program.

''§ 9007. Jurisdiction of courts

''The district courts of the United States have original jurisdiction of a civil action or claim described in paragraph (1) or (2) of section 9003(c), after such administrative remedies as required under such paragraph (1) or (2) (as applicable) have been exhausted, but only to the extent judicial review is not precluded by any dispute resolution or other remedy under this chapter.

''§ 9008. Administrative functions

''(a) IN GENERAL.—The Office of Personnel Management shall prescribe regulations necessary to carry out this chapter.

''(b) ENROLLMENT PERIODS.—The Office shall provide for periodic coordinated enrollment, promotion, and education efforts in consultation with the carriers.

''(c) CONSULTATION.—Any regulations necessary to effect the application and operation of this chapter with respect to an eligible individual described in paragraph (3) or (4) of section 9001, or a qualified relative thereof, shall be prescribed by the Office in consultation with the appropriate Secretary.

''(d) INFORMED DECISIONMAKING.—The Office shall ensure that each eligible individual applying for long-term care insurance under this chapter is furnished the information necessary to enable that individual to evaluate the advantages and disadvantages of obtaining long-term care insurance under this chapter, including the following:

''(1) The principal long-term care benefits and coverage available under this chapter, and how those benefits and coverage compare to the range of long-term care benefits and coverage otherwise generally available.

''(2) Representative examples of the cost of long-term care, and the sufficiency of the benefits available under this chapter relative to those costs. The information under this paragraph shall also include—

''(A) the projected effect of inflation on the value of those benefits; and

''(B) a comparison of the inflation-adjusted value of those benefits to the projected future costs of long-term care.

''(3) Any rights individuals under this chapter may have to cancel coverage, and to receive a total or partial refund of premiums. The information under this paragraph shall also include—

''(A) the projected number or percentage of individuals likely to fail to maintain their coverage (determined based on lapse rates experienced under similar group long-term care insurance programs and, when available, this chapter); and

''(B)(i) a summary description of how and when premiums for long-term care insurance under this chapter may be raised;

''(ii) the premium history during the last 10 years for each qualified carrier offering long-term care insurance under this chapter; and

''(iii) if cost increases are anticipated, the projected premiums for a typical insured individual at various ages.

''(4) The advantages and disadvantages of long-term care insurance generally, relative to other means of accumulating or otherwise acquiring the assets that may be needed to meet the costs of long-term care, such as through tax-qualified retirement programs or other investment vehicles.

''§ 9009. Cost accounting standards

''The cost accounting standards issued pursuant to section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)) shall not apply with respect to a long-term care insurance contract under this chapter.''.

(b) CONFORMING AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by adding at the end of subpart G the following:

''90. Long-Term Care Insurance ..... 9001.''.

SEC. 1003. EFFECTIVE DATE.

The Office of Personnel Management shall take such measures as may be necessary to ensure that long-term care insurance coverage under title 5, United States Code, as amended by this title, may be obtained in time to take effect not later than the first day of the first applicable pay period of the first fiscal year which begins after the end of the 18-month period beginning on the date of the enactment of this Act.

TITLE II—FEDERAL RETIREMENT COVERAGE ERRORS CORRECTION

SEC. 2001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Federal Erroneous Retirement Coverage Corrections Act''.

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

TITLE II—FEDERAL RETIREMENT COVERAGE ERRORS CORRECTION

Sec. 2001. Short title; table of contents.
Sec. 2002. Definitions.
Sec. 2003. Applicability.
Sec. 2004. Irrevocability of elections.

Subtitle A—Description of Retirement Coverage Errors to Which This Title Applies and Measures for Their Rectification

CHAPTER 1—EMPLOYEES AND ANNUITANTS WHO SHOULD HAVE BEEN FERS COVERED, BUT WHO WERE ERRONEOUSLY CSRS COVERED OR CSRS-OFFSET COVERED INSTEAD, AND SURVIVORS OF SUCH EMPLOYEES AND ANNUITANTS

Sec. 2101. Employees.
Sec. 2102. Annuitants and survivors.

CHAPTER 2—EMPLOYEE WHO SHOULD HAVE BEEN FERS COVERED, CSRS-OFFSET COVERED, OR CSRS COVERED, BUT WHO WAS ERRONEOUSLY SOCIAL SECURITY-ONLY COVERED INSTEAD

Sec. 2111. Applicability.
Sec. 2112. Correction mandatory.

CHAPTER 3—EMPLOYEE WHO SHOULD OR COULD HAVE BEEN SOCIAL SECURITY-ONLY COVERED BUT WHO WAS ERRONEOUSLY CSRS-OFFSET COVERED OR CSRS COVERED INSTEAD

Sec. 2121. Employee who should be Social Security-Only covered, but who is erroneously CSRS or CSRS-Offset covered instead.

CHAPTER 4—EMPLOYEE WHO WAS ERRONEOUSLY FERS COVERED

Sec. 2131. Employee who should be Social Security-Only covered, CSRS covered, or CSRS-Offset covered and is not FERS-Eligible, but who is erroneously FERS covered instead.
Sec. 2132. FERS-Eligible employee who should have been CSRS covered, CSRS-Offset covered, or Social Security-Only covered, but who was erroneously FERS covered instead without an election.
Sec. 2133. Retroactive effect.

CHAPTER 5—EMPLOYEE WHO SHOULD HAVE BEEN CSRS-OFFSET COVERED, BUT WHO WAS ERRONEOUSLY CSRS COVERED INSTEAD

Sec. 2141. Applicability.
Sec. 2142. Correction mandatory.

CHAPTER 6—EMPLOYEE WHO SHOULD HAVE BEEN CSRS COVERED, BUT WHO WAS ERRONEOUSLY CSRS-OFFSET COVERED INSTEAD

Sec. 2151. Applicability.
Sec. 2152. Correction mandatory.

Subtitle B—General Provisions

Sec. 2201. Identification and notification requirements.
Sec. 2202. Information to be furnished to and by authorities administering this title.
Sec. 2203. Service credit deposits.
Sec. 2204. Provisions related to Social Security coverage of misclassified employees.
Sec. 2205. Thrift Savings Plan treatment for certain individuals.
Sec. 2206. Certain agency amounts to be paid into or remain in the CSRDF.
Sec. 2207. CSRS coverage determinations to be approved by OPM.
Sec. 2208. Discretionary actions by Director.
Sec. 2209. Regulations.

Subtitle C—Other Provisions

Sec. 2301. Provisions to authorize continued conformity of other Federal retirement systems.
Sec. 2302. Authorization of payments.
Sec. 2303. Individual right of action preserved for amounts not otherwise provided for under this title.

Subtitle D—Effective Date

Sec. 2401. Effective date.

SEC. 2002. DEFINITIONS.

For purposes of this title:

(1) ANNUITANT.—The term ''annuitant'' has the meaning given such term under section 8331(9) or 8401(2) of title 5, United States Code.

(2) CSRS.—The term ''CSRS'' means the Civil Service Retirement System.

(3) CSRDF.—The term ''CSRDF'' means the Civil Service Retirement and Disability Fund.

(4) CSRS COVERED.—The term ''CSRS covered'', with respect to any service, means service that is subject to the provisions of subchapter III of chapter 83 of title 5, United States Code, other than service subject to section 8334(k) of such title.

(5) CSRS-OFFSET COVERED.—The term ''CSRS-Offset covered'', with respect to any service, means service that is subject to the provisions of subchapter III of chapter 83 of title 5, United States Code, and to section 8334(k) of such title.

(6) EMPLOYEE.—The term ''employee'' has the meaning given such term under section 8331(1) or 8401(11) of title 5, United States Code.

(7) EXECUTIVE DIRECTOR.—The term ''Executive Director of the Federal Retirement Thrift Investment Board'' or ''Executive Director'' means the Executive Director appointed under section 8474 of title 5, United States Code.

(8) FERS.—The term ''FERS'' means the Federal Employees' Retirement System.

(9) FERS COVERED.—The term ''FERS covered'', with respect to any service, means service that is subject to chapter 84 of title 5, United States Code.

(10) FORMER EMPLOYEE.—The term ''former employee'' means an individual who was an employee, but who is not an annuitant.

(11) OASDI TAXES.—The term ''OASDI taxes'' means the OASDI employee tax and the OASDI employer tax.

(12) OASDI EMPLOYEE TAX.—The term ''OASDI employee tax'' means the tax imposed under section 3101(a) of the Internal Revenue Code of 1986 (relating to Old-Age, Survivors and Disability Insurance).

(13) OASDI EMPLOYER TAX.—The term ''OASDI employer tax'' means the tax imposed under section 3111(a) of the Internal Revenue Code of 1986 (relating to Old-Age, Survivors and Disability Insurance).

(14) OASDI TRUST FUNDS.—The term ''OASDI trust funds'' means the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

(15) OFFICE.—The term ''Office'' means the Office of Personnel Management.

(16) RETIREMENT COVERAGE DETERMINATION.—The term ''retirement coverage determination'' means a determination by an employee or agent of the Government as to whether a particular type of Government service is CSRS covered, CSRS-Offset covered, FERS covered, or Social Security-Only covered.

(17) RETIREMENT COVERAGE ERROR.—The term ''retirement coverage error'' means an erroneous retirement coverage determination that was in effect for a minimum period of 3 years of service after December 31, 1986.

(18) SOCIAL SECURITY-ONLY COVERED.—The term ''Social Security-Only covered'', with respect to any service, means Government service that—

(A) constitutes employment under section 210 of the Social Security Act (42 U.S.C. 410); and

(B)(i) is subject to OASDI taxes; but

(ii) is not subject to CSRS or FERS.

(19) SURVIVOR.—The term ''survivor'' has the meaning given such term under section 8331(10) or 8401(28) of title 5, United States Code.

(20) THRIFT SAVINGS FUND.—The term ''Thrift Savings Fund'' means the Thrift Savings Fund established under section 8437 of title 5, United States Code.

SEC. 2003. APPLICABILITY.

(a) IN GENERAL.—This title shall apply with respect to retirement coverage errors that occur before, on, or after the date of enactment of this Act.

(b) LIMITATION.—Except as otherwise provided in this title, this title shall not apply to any erroneous retirement coverage determination that was in effect for a period of less than 3 years of service after December 31, 1986.

SEC. 2004. IRREVOCABILITY OF ELECTIONS.

Any election made (or deemed to have been made) by an employee or any other individual under this title shall be irrevocable.

Subtitle A—Description of Retirement Coverage Errors to Which This Title Applies and Measures for Their Rectification

CHAPTER 1—EMPLOYEES AND ANNUITANTS WHO SHOULD HAVE BEEN FERS COVERED, BUT WHO WERE ERRONEOUSLY CSRS COVERED OR CSRS-OFFSET COVERED INSTEAD, AND SURVIVORS OF SUCH EMPLOYEES AND ANNUITANTS

SEC. 2101. EMPLOYEES.

(a) APPLICABILITY.—This section shall apply in the case of any employee or former employee who should be (or should have been) FERS covered but, as a result of a retirement coverage error, is (or was) CSRS covered or CSRS-Offset covered instead.

(b) UNCORRECTED ERROR.—

(1) APPLICABILITY.—This subsection applies if the retirement coverage error has not been corrected before the effective date of the regulations described under paragraph (3). As soon as practicable after discovery of the error, and subject to the right of an election under paragraph (2), if CSRS covered or CSRS-Offset covered, such individual shall be treated as CSRS-Offset covered, retroactive to the date of the retirement coverage error.

(2) COVERAGE.—

(A) ELECTION.—Upon written notice of a retirement coverage error, an individual may elect to be CSRS-Offset covered or FERS covered, effective as of the date of the retirement coverage error. Such election shall be made not later than 180 days after the date of receipt of such notice.

(B) NONELECTION.—If the individual does not make an election by the date provided under subparagraph (A), a CSRS-Offset covered individual shall remain CSRS-Offset covered and a CSRS covered individual shall be treated as CSRS-Offset covered.

(3) REGULATIONS.—The Office shall prescribe regulations to carry out this subsection.

(c) CORRECTED ERROR.—

(1) APPLICABILITY.—This subsection applies if the retirement coverage error was corrected before the effective date of the regulations described under subsection (b).

(2) COVERAGE.—

(A) ELECTION.—

(i) CSRS-OFFSET COVERED.—Not later than 180 days after the date of enactment of this Act, the Office shall prescribe regulations authorizing individuals to elect, during the 18-month period immediately following the effective date of such regulations, to be CSRS-Offset covered, effective as of the date of the retirement coverage error.

(ii) THRIFT SAVINGS FUND CONTRIBUTIONS.—If under this section an individual elects to be CSRS-Offset covered, all employee contributions to the Thrift Savings Fund made during the period of FERS coverage (and earnings on such contributions) may remain in the Thrift Savings Fund in accordance with regulations prescribed by the Executive Director, notwithstanding any limit that would otherwise be applicable.

(B) PREVIOUS SETTLEMENT PAYMENT.—An individual who previously received a payment ordered by a court or provided as a settlement of claim for losses resulting from a retirement coverage error shall not be entitled to make an election under this subsection unless that amount is waived in whole or in part under section 2208, and any amount not waived is repaid.

(C) INELIGIBILITY FOR ELECTION.—An individual who, subsequent to correction of the retirement coverage error, received a refund of retirement deductions under section 8424 of title 5, United States Code, or a distribution under section 8433 (b), (c), or (h)(1)(A) of title 5, United States Code, may not make an election under this subsection.

(3) CORRECTIVE ACTION TO REMAIN IN EFFECT.—If an individual is ineligible to make an election or does not make an election under paragraph (2) before the end of any time limitation under this subsection, the corrective action taken before such time limitation shall remain in effect.

SEC. 2102. ANNUITANTS AND SURVIVORS.

(a) IN GENERAL.—This section shall apply in the case of an individual who is—

(1) an annuitant who should have been FERS covered but, as a result of a retirement coverage error, was CSRS covered or CSRS-Offset covered instead; or

(2) a survivor of an employee who should have been FERS covered but, as a result of a retirement coverage error, was CSRS covered or CSRS-Offset covered instead.

(b) COVERAGE.—

(1) ELECTION.—Not later than 180 days after the date of enactment of this Act, the Office shall prescribe regulations authorizing an individual described under subsection (a) to elect CSRS-Offset coverage or FERS coverage, effective as of the date of the retirement coverage error.

(2) TIME LIMITATION.—An election under this subsection shall be made not later than 18 months after the effective date of the regulations prescribed under paragraph (1).

(3) REDUCED ANNUITY.—

(A) AMOUNT IN ACCOUNT.—If the individual elects CSRS-Offset coverage, the amount in the employee's Thrift Savings Fund account under subchapter III of chapter 84 of title 5, United States Code, on the date of retirement that represents the Government's contributions and earnings on those contributions (whether or not such amount was subsequently distributed from the Thrift Savings Fund) will form the basis for a reduction in the individual's annuity, under regulations prescribed by the Office.

(B) REDUCTION.—The reduced annuity to which the individual is entitled shall be equal to an amount which, when taken together with the amount referred to in subparagraph (A), would result in the present value of the total being actuarially equivalent to the present value of an unreduced CSRS-Offset annuity that would have been provided the individual.

(4) REDUCED BENEFIT.—If—

(A) a surviving spouse elects CSRS-Offset benefits; and

(B) a FERS basic employee death benefit under section 8442(b) of title 5, United States Code, was previously paid;

then the survivor's CSRS-Offset benefit shall be subject to a reduction, under regulations prescribed by the Office. The reduced annuity to which the individual is entitled shall be equal to an amount which, when taken together with the amount of the payment referred to under subparagraph (B) would result in the present value of the total being actuarially equivalent to the present value of an unreduced CSRS-Offset annuity that would have been provided the individual.

(5) PREVIOUS SETTLEMENT PAYMENT.—An individual who previously received a payment ordered by a court or provided as a settlement of claim for losses resulting from a retirement coverage error may not make an election under this subsection unless repayment of that amount is waived in whole or in part under section 2208, and any amount not waived is repaid.

(c) NONELECTION.—If the individual does not make an election under subsection (b) before any time limitation under this section, the retirement coverage shall be subject to the following rules:

(1) CORRECTIVE ACTION PREVIOUSLY TAKEN.—If corrective action was taken before the end of any time limitation under this section, that corrective action shall remain in effect.

(2) CORRECTIVE ACTION NOT PREVIOUSLY TAKEN.—If corrective action was not taken before such time limitation, the employee shall be CSRS-Offset covered, retroactive to the date of the retirement coverage error.

CHAPTER 2—EMPLOYEE WHO SHOULD HAVE BEEN FERS COVERED, CSRS-OFFSET COVERED, OR CSRS COVERED, BUT WHO WAS ERRONEOUSLY SOCIAL SECURITY-ONLY COVERED INSTEAD

SEC. 2111. APPLICABILITY.

This chapter shall apply in the case of any employee who—

(1) should be (or should have been) FERS covered but, as a result of a retirement coverage error, is (or was) Social Security-Only covered instead;

(2) should be (or should have been) CSRS-Offset covered but, as a result of a retirement coverage error, is (or was) Social Security-Only covered instead; or

(3) should be (or should have been) CSRS covered but, as a result of a retirement coverage error, is (or was) Social Security-Only covered instead.

SEC. 2112. CORRECTION MANDATORY.

(a) UNCORRECTED ERROR.—If the retirement coverage error has not been corrected, as soon as practicable after discovery of the error, such individual shall be covered under the correct retirement coverage, effective as of the date of the retirement coverage error.

(b) CORRECTED ERROR.—If the retirement coverage error has been corrected, the corrective action previously taken shall remain in effect.

CHAPTER 3—EMPLOYEE WHO SHOULD OR COULD HAVE BEEN SOCIAL SECURITY-ONLY COVERED BUT WHO WAS ERRONEOUSLY CSRS-OFFSET COVERED OR CSRS COVERED INSTEAD

SEC. 2121. EMPLOYEE WHO SHOULD BE SOCIAL SECURITY-ONLY COVERED, BUT WHO IS ERRONEOUSLY CSRS OR CSRS-OFFSET COVERED INSTEAD.

(a) APPLICABILITY.—This section applies in the case of a retirement coverage error in which a Social Security-Only covered employee was erroneously CSRS covered or CSRS-Offset covered.

(b) UNCORRECTED ERROR.—

(1) APPLICABILITY.—This subsection applies if the retirement coverage error has not been corrected before the effective date of the regulations described in paragraph (3).

(2) COVERAGE.—In the case of an individual who is erroneously CSRS covered, as soon as practicable after discovery of the error, and subject to the right of an election under paragraph (3), such individual shall be CSRS-Offset covered, effective as of the date of the retirement coverage error.

(3) ELECTION.—

(A) IN GENERAL.—Upon written notice of a retirement coverage error, an individual may elect to be CSRS-Offset covered or Social Security-Only covered, effective as of the date of the retirement coverage error. Such election shall be made not later than 180 days after the date of receipt of such notice.

(B) NONELECTION.—If the individual does not make an election before the date provided under subparagraph (A), the individual shall remain CSRS-Offset covered.

(C) REGULATIONS.—The Office shall prescribe regulations to carry out this paragraph.

(c) CORRECTED ERROR.—

(1) APPLICABILITY.—This subsection applies if the retirement coverage error was corrected before the effective date of the regulations described under subsection (b)(3).

(2) ELECTION.—Not later than 180 days after the date of enactment of this Act, the Office shall prescribe regulations authorizing individuals to elect, during the 18-month period immediately following the effective date of such regulations, to be CSRS-Offset covered or Social Security-Only covered, effective as of the date of the retirement coverage error.

(3) NONELECTION.—If an eligible individual does not make an election under paragraph (2) before the end of any time limitation under this subsection, the corrective action taken before such time limitation shall remain in effect.

CHAPTER 4—EMPLOYEE WHO WAS ERRONEOUSLY FERS COVERED

SEC. 2131. EMPLOYEE WHO SHOULD BE SOCIAL SECURITY-ONLY COVERED, CSRS COVERED, OR CSRS-OFFSET COVERED AND IS NOT FERS-ELIGIBLE, BUT WHO IS ERRONEOUSLY FERS COVERED INSTEAD.

(a) APPLICABILITY.—This section applies in the case of a retirement coverage error in which a Social Security-Only covered, CSRS covered, or CSRS-Offset covered employee not eligible to elect FERS coverage under authority of section 8402(c) of title 5, United States Code, was erroneously FERS covered.

(b) UNCORRECTED ERROR.—

(1) APPLICABILITY.—This subsection applies if the retirement coverage error has not been corrected before the effective date of the regulations described in paragraph (2).

(2) COVERAGE.—

(A) ELECTION.—

(i) IN GENERAL.—Upon written notice of a retirement coverage error, an individual may elect to remain FERS covered or to be Social Security-Only covered, CSRS covered, or CSRS-Offset covered, as would have applied in the absence of the erroneous retirement coverage determination, effective as of the date of the retirement coverage error. Such election shall be made not later than 180 days after the date of receipt of such notice.

(ii) TREATMENT OF FERS ELECTION.—An election of FERS coverage under this subsection is deemed to be an election under section 301 of the Federal Employees Retirement System Act of 1986 (5 U.S.C. 8331 note; Public Law 99–335; 100 Stat. 599).

(B) NONELECTION.—If the individual does not make an election before the date provided under subparagraph (A), the individual shall remain FERS covered, effective as of the date of the retirement coverage error.

(3) EMPLOYEE CONTRIBUTIONS IN THRIFT SAVINGS FUND.—If under this section, an individual elects to be Social Security-Only covered, CSRS covered, or CSRS-Offset covered, all employee contributions to the Thrift Savings Fund made during the period of erroneous FERS coverage (and all earnings on such contributions) may remain in the Thrift Savings Fund in accordance with regulations prescribed by the Executive Director, notwithstanding any limit under section 8351 or 8432 of title 5, United States Code.

(4) REGULATIONS.—Except as provided under paragraph (3), the Office shall prescribe regulations to carry out this subsection.

(c) CORRECTED ERROR.—

(1) APPLICABILITY.—This subsection applies if the retirement coverage error was corrected before the effective date of the regulations described under paragraph (2).

(2) ELECTION.—Not later than 180 days after the date of enactment of this Act, the Office shall prescribe regulations authorizing individuals to elect, during the 18-month period immediately following the effective date of such regulations to remain Social Security-Only covered, CSRS covered, or CSRS-Offset covered, or to be FERS covered, effective as of the date of the retirement coverage error.

(3) NONELECTION.—If an eligible individual does not make an election under paragraph (2), the corrective action taken before the end of any time limitation under this subsection shall remain in effect.

(4) TREATMENT OF FERS ELECTION.—An election of FERS coverage under this subsection is deemed to be an election under section 301 of the Federal Employees Retirement System Act of 1986 (5 U.S.C. 8331 note; Public Law 99–335; 100 Stat. 599).

SEC. 2132. FERS-ELIGIBLE EMPLOYEE WHO SHOULD HAVE BEEN CSRS COVERED, CSRS-OFFSET COVERED, OR SOCIAL SECURITY-ONLY COVERED, BUT WHO WAS ERRONEOUSLY FERS COVERED INSTEAD WITHOUT AN ELECTION.

(a) IN GENERAL.—

(1) FERS ELECTION PREVENTED.—If an individual was prevented from electing FERS coverage because the individual was erroneously FERS covered during the period when the individual was eligible to elect FERS under title III of the Federal Employees Retirement System Act or the Federal Employees' Retirement System Open Enrollment Act of 1997 (Public Law 105–61; 111 Stat. 1318 et seq.), the individual—

(A) is deemed to have elected FERS coverage; and

(B) shall remain covered by FERS, unless the individual declines, under regulations prescribed by the Office, to be FERS covered.

(2) DECLINING FERS COVERAGE.—If an individual described under paragraph (1)(B) declines to be FERS covered, such individual shall be CSRS covered, CSRS-Offset covered, or Social Security-Only covered, as would apply in the absence of a FERS election, effective as of the date of the erroneous retirement coverage determination.

(b) EMPLOYEE CONTRIBUTIONS IN THRIFT SAVINGS FUND.—If under this section, an individual declines to be FERS covered and instead is Social Security-Only covered, CSRS covered, or CSRS-Offset covered, as would apply in the absence of a FERS election, all employee contributions to the Thrift Savings Fund made during the period of erroneous FERS coverage (and all earnings on such contributions) may remain in the Thrift Savings Fund in accordance with regulations prescribed by the Executive Director, notwithstanding any limit that would otherwise be applicable.

(c) INAPPLICABILITY OF DURATION OF ERRONEOUS COVERAGE.—This section shall apply regardless of the length of time the erroneous coverage determination remained in effect.

SEC. 2133. RETROACTIVE EFFECT.

This chapter shall be effective as of January 1, 1987, except that section 2132 shall not apply to individuals who made or were deemed to have made elections similar to those provided in this section under regulations prescribed by the Office before the effective date of this title.

CHAPTER 5—EMPLOYEE WHO SHOULD HAVE BEEN CSRS-OFFSET COVERED, BUT WHO WAS ERRONEOUSLY CSRS COVERED INSTEAD

SEC. 2141. APPLICABILITY.

This chapter shall apply in the case of any employee who should be (or should have been) CSRS-Offset covered but, as a result of a retirement coverage error, is (or was) CSRS covered instead.

SEC. 2142. CORRECTION MANDATORY.

(a) UNCORRECTED ERROR.—If the retirement coverage error has not been corrected, as soon as practicable after discovery of the error, such individual shall be covered under the correct retirement coverage, effective as of the date of the retirement coverage error.

(b) CORRECTED ERROR.—If the retirement coverage error has been corrected before the effective date of this title, the corrective action taken before such date shall remain in effect.

CHAPTER 6—EMPLOYEE WHO SHOULD HAVE BEEN CSRS COVERED, BUT WHO WAS ERRONEOUSLY CSRS-OFFSET COVERED INSTEAD

SEC. 2151. APPLICABILITY.

This chapter shall apply in the case of any employee who should be (or should have been) CSRS covered but, as a result of a retirement coverage error, is (or was) CSRS-Offset covered instead.

SEC. 2152. CORRECTION MANDATORY.

(a) UNCORRECTED ERROR.—If the retirement coverage error has not been corrected, as soon as practicable after discovery of the error, such individual shall be covered under the correct retirement coverage, effective as of the date of the retirement coverage error.

(b) CORRECTED ERROR.—If the retirement coverage error has been corrected before the effective date of this title, the corrective action taken before such date shall remain in effect.

Subtitle B—General Provisions

SEC. 2201. IDENTIFICATION AND NOTIFICATION REQUIREMENTS.

Government agencies shall take all such measures as may be reasonable and appropriate to promptly identify and notify individuals who are (or have been) affected by a retirement coverage error of their rights under this title.

SEC. 2202. INFORMATION TO BE FURNISHED TO AND BY AUTHORITIES ADMINISTERING THIS TITLE.

(a) APPLICABILITY.—The authorities identified in this subsection are—

(1) the Director of the Office of Personnel Management;

(2) the Commissioner of Social Security; and

(3) the Executive Director of the Federal Retirement Thrift Investment Board.

(b) AUTHORITY TO OBTAIN INFORMATION.—Each authority identified in subsection (a) may secure directly from any department or agency of the United States information necessary to enable such authority to carry out its responsibilities under this title. Upon request of the authority involved, the head of the department or agency involved shall furnish that information to the requesting authority.

(c) AUTHORITY TO PROVIDE INFORMATION.—Each authority identified in subsection (a) may provide directly to any department or agency of the United States all information such authority believes necessary to enable the department or agency to carry out its responsibilities under this title.

(d) LIMITATION; SAFEGUARDS.—Each of the respective authorities under subsection (a) shall—

(1) request or provide only such information as that authority considers necessary; and

(2) establish, by regulation or otherwise, appropriate safeguards to ensure that any information obtained under this section shall be used only for the purpose authorized.

SEC. 2203. SERVICE CREDIT DEPOSITS.

(a) CSRS DEPOSIT.—In the case of a retirement coverage error in which—

(1) a FERS covered employee was erroneously CSRS covered or CSRS-Offset covered;

(2) the employee made a service credit deposit under the CSRS rules; and

(3) there is a subsequent retroactive change to FERS coverage;

the excess of the amount of the CSRS civilian or military service credit deposit over the FERS civilian or military service credit deposit, together with interest computed in accordance with paragraphs (2) and (3) of section 8334(e) of title 5, United States Code, and regulations prescribed by the Office, shall be paid to the employee, the annuitant or, in the case of a deceased employee, to the individual entitled to lump-sum benefits under section 8424(d) of title 5, United States Code.

(b) FERS DEPOSIT.—

(1) APPLICABILITY.—This subsection applies in the case of an erroneous retirement coverage determination in which—

(A) the employee owed a service credit deposit under section 8411(f) of title 5, United States Code; and

(B)(i) there is a subsequent retroactive change to CSRS or CSRS-Offset coverage; or

(ii) the service becomes creditable under chapter 83 of title 5, United States Code.

(2) REDUCED ANNUITY.—

(A) IN GENERAL.—If at the time of commencement of an annuity there is remaining unpaid CSRS civilian or military service credit deposit for service described under paragraph (1), the annuity shall be reduced based upon the amount unpaid together with interest computed in accordance with section 8334(e) (2) and (3) of title 5, United States Code, and regulations prescribed by the Office.

(B) AMOUNT.—The reduced annuity to which the individual is entitled shall be equal to an amount that, when taken together with the amount referred to under subparagraph (A), would result in the present value of the total being actuarially equivalent to the present value of the unreduced annuity benefit that would have been provided the individual.

(3) SURVIVOR ANNUITY.—

(A) IN GENERAL.—If at the time of commencement of a survivor annuity, there is remaining unpaid any CSRS service credit deposit described under paragraph (1), and there has been no actuarial reduction in an annuity under paragraph (2), the survivor annuity shall be reduced based upon the amount unpaid together with interest computed in accordance with section 8334(e) (2) and (3) of title 5, United States Code, and regulations prescribed by the Office.

(B) AMOUNT.—The reduced survivor annuity to which the individual is entitled shall be equal to an amount that, when taken together with the amount referred to under subparagraph (A), would result in the present value of the total being actuarially equivalent to the present value of an unreduced survivor annuity benefit that would have been provided the individual.

SEC. 2204. PROVISIONS RELATED TO SOCIAL SECURITY COVERAGE OF MISCLASSIFIED EMPLOYEES.

(a) DEFINITIONS.—In this section, the term—

(1) ''covered individual'' means any employee, former employee, or annuitant who—

(A) is or was employed erroneously subject to CSRS coverage as a result of a retirement coverage error; and

(B) is or was retroactively converted to CSRS-offset coverage, FERS coverage, or Social Security-only coverage; and

(2) ''excess CSRS deduction amount'' means an amount equal to the difference between the CSRS deductions withheld and the CSRS-Offset or FERS deductions, if any, due with respect to a covered individual during the entire period the individual was erroneously subject to CSRS coverage as a result of a retirement coverage error.

(b) REPORTS TO COMMISSIONER OF SOCIAL SECURITY.—

(1) IN GENERAL.—In order to carry out the Commissioner of Social Security's responsibilities under title II of the Social Security Act, the Commissioner may request the head of each agency that employs or employed a covered individual to report (in coordination with the Office of Personnel Management) in such form and within such timeframe as the Commissioner may specify, any or all of—

(A) the total wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) paid to such individual during each year of the entire period of the erroneous CSRS coverage; and

(B) such additional information as the Commissioner may require for the purpose of carrying out the Commissioner's responsibilities under title II of the Social Security Act (42 U.S.C. 401 et seq.).

(2) COMPLIANCE.—The head of an agency or the Office shall comply with a request from the Commissioner under paragraph (1).

(3) WAGES.—For purposes of section 201 of the Social Security Act (42 U.S.C. 401), wages reported under this subsection shall be deemed to be wages reported to the Secretary of the Treasury or the Secretary's delegates pursuant to subtitle F of the Internal Revenue Code of 1986.

(c) PAYMENT RELATING TO OASDI EMPLOYEE TAXES.—

(1) IN GENERAL.—The Office shall transfer from the Civil Service Retirement and Disability Fund to the General Fund of the Treasury an amount equal to the lesser of the excess CSRS deduction amount or the OASDI taxes due for covered individuals (as adjusted by amounts transferred relating to applicable OASDI employee taxes as a result of corrections made, including corrections made before the date of enactment of this Act). If the excess CSRS deductions exceed the OASDI taxes, any difference shall be paid to the covered individual or survivors, as appropriate.

(2) TRANSFER.—Amounts transferred under this subsection shall be determined notwithstanding any limitation under section 6501 of the Internal Revenue Code of 1986.

(d) PAYMENT OF OASDI EMPLOYER TAXES.—

(1) IN GENERAL.—Each employing agency shall pay an amount equal to the OASDI employer taxes owed with respect to covered individuals during the applicable period of erroneous coverage (as adjusted by amounts transferred for the payment of such taxes as a result of corrections made, including corrections made before the date of enactment of this Act).

(2) PAYMENT.—Amounts paid under this subsection shall be determined subject to any limitation under section 6501 of the Internal Revenue Code of 1986.

(e) APPLICATION OF OASDI TAX PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986 TO AFFECTED INDIVIDUALS AND EMPLOYING AGENCIES.—A covered individual and the individual's employing agency shall be deemed to have fully satisfied in a timely manner their responsibilities with respect to the taxes imposed by sections 3101(a), 3102(a), and 3111(a) of the Internal Revenue Code of 1986 on the wages paid by the employing agency to such individual during the entire period such individual was erroneously subject to CSRS coverage as a result of a retirement coverage error based on the payments and transfers made under subsections (c) and (d). No credit or refund of taxes on such wages shall be allowed as a result of this subsection.

SEC. 2205. THRIFT SAVINGS PLAN TREATMENT FOR CERTAIN INDIVIDUALS.

(a) APPLICABILITY.—This section applies to an individual who—

(1) is eligible to make an election of coverage under section 2101 or 2102, and only if FERS coverage is elected (or remains in effect) for the employee involved; or

(2) is described in section 2111, and makes or has made retroactive employee contributions to the Thrift Savings Fund under regulations prescribed by the Executive Director.

(b) PAYMENT INTO THRIFT SAVINGS FUND.—

(1) IN GENERAL.—

(A) PAYMENT.—With respect to an individual to whom this section applies, the employing agency shall pay to the Thrift Savings Fund under subchapter III of chapter 84 of title 5, United States Code, for credit to the account of the employee involved, an amount equal to the earnings which are disallowed under section 8432a(a)(2) of such title on the employee's retroactive contributions to such Fund.

(B) AMOUNT.—Earnings under subparagraph (A) shall be computed in accordance with the procedures for computing lost earnings under section 8432a of title 5, United States Code. The amount paid by the employing agency shall be treated for all purposes as if that amount had actually been earned on the basis of the employee's contributions.

(C) EXCEPTIONS.—If an individual made retroactive contributions before the effective date of the regulations under section 2101(c), the Director may provide for an alternative calculation of lost earnings to the extent that a calculation under subparagraph (B) is not administratively feasible. The alternative calculation shall yield an amount that is as close as practicable to the amount computed under subparagraph (B), taking into account earnings previously paid.

(2) ADDITIONAL EMPLOYEE CONTRIBUTION.—In cases in which the retirement coverage error was corrected before the effective date of the regulations under section 2101(c), the employee involved shall have an additional opportunity to make retroactive contributions for the period of the retirement coverage error (subject to applicable limits), and such contributions (including any contributions made after the date of the correction) shall be treated in accordance with paragraph (1).

(c) REGULATIONS.—

(1) EXECUTIVE DIRECTOR.—The Executive Director shall prescribe regulations appropriate to

carry out this section relating to retroactive employee contributions and payments made on or after the effective date of the regulations under section 2101(c).

(2) OFFICE.—The Office, in consultation with the Federal Retirement Thrift Investment Board, shall prescribe regulations appropriate to carry out this section relating to the calculation of lost earnings on retroactive employee contributions made before the effective date of the regulations under section 2101(c).

SEC. 2206. CERTAIN AGENCY AMOUNTS TO BE PAID INTO OR REMAIN IN THE CSRDF.

(a) CERTAIN EXCESS AGENCY CONTRIBUTIONS TO REMAIN IN THE CSRDF.—

(1) IN GENERAL.—Any amount described under paragraph (2) shall—

(A) remain in the CSRDF; and

(B) may not be paid or credited to an agency.

(2) AMOUNTS.—Paragraph (1) refers to any amount of contributions made by an agency under section 8423 of title 5, United States Code, on behalf of any employee, former employee, or annuitant (or survivor of such employee, former employee, or annuitant) who makes an election to correct a retirement coverage error under this title, that the Office determines to be excess as a result of such election.

(b) ADDITIONAL EMPLOYEE RETIREMENT DEDUCTIONS TO BE PAID BY AGENCY.—If a correction in a retirement coverage error results in an increase in employee deductions under section 8334 or 8422 of title 5, United States Code, that cannot be fully paid by a reallocation of otherwise available amounts previously deducted from the employee's pay as employment taxes or retirement deductions, the employing agency—

(1) shall pay the required additional amount into the CSRDF; and

(2) shall not seek repayment of that amount from the employee, former employee, annuitant, or survivor.

SEC. 2207. CSRS COVERAGE DETERMINATIONS TO BE APPROVED BY OPM.

No agency shall place an individual under CSRS coverage unless—

(1) the individual has been employed with CSRS coverage within the preceding 365 days; or

(2) the Office has agreed in writing that the agency's coverage determination is correct.

SEC. 2208. DISCRETIONARY ACTIONS BY DIRECTOR.

(a) IN GENERAL.—The Director of the Office of Personnel Management may—

(1) extend the deadlines for making elections under this title in circumstances involving an individual's inability to make a timely election due to a cause beyond the individual's control;

(2) provide for the reimbursement of necessary and reasonable expenses incurred by an individual with respect to settlement of a claim for losses resulting from a retirement coverage error, including attorney's fees, court costs, and other actual expenses;

(3) compensate an individual for monetary losses that are a direct and proximate result of a retirement coverage error, excluding claimed losses relating to forgone contributions and earnings under the Thrift Savings Plan under subchapter III of chapter 84 of title 5, United States Code, and all other investment opportunities; and

(4) waive payments required due to correction of a retirement coverage error under this title.

(b) SIMILAR ACTIONS.—In exercising the authority under this section, the Director shall, to the extent practicable, provide for similar actions in situations involving similar circumstances.

(c) JUDICIAL REVIEW.—Actions taken under this section are final and conclusive, and are not subject to administrative or judicial review.

(d) REGULATIONS.—The Office of Personnel Management shall prescribe regulations regarding the process and criteria used in exercising the authority under this section.

(e) REPORT.—The Office of Personnel Management shall, not later than 180 days after the date of enactment of this Act, and annually thereafter for each year in which the authority provided in this section is used, submit a report to each House of Congress on the operation of this section.

SEC. 2209. REGULATIONS.

(a) IN GENERAL.—In addition to the regulations specifically authorized in this title, the Office may prescribe such other regulations as are necessary for the administration of this title.

(b) FORMER SPOUSE.—The regulations prescribed under this title shall provide for protection of the rights of a former spouse with entitlement to an apportionment of benefits or to survivor benefits based on the service of the employee.

Subtitle C—Other Provisions

SEC. 2301. PROVISIONS TO AUTHORIZE CONTINUED CONFORMITY OF OTHER FEDERAL RETIREMENT SYSTEMS.

(a) FOREIGN SERVICE.—Sections 827 and 851 of the Foreign Service Act of 1980 (22 U.S.C. 4067 and 4071) shall apply with respect to this title in the same manner as if this title were part of—

(1) the Civil Service Retirement System, to the extent this title relates to the Civil Service Retirement System; and

(2) the Federal Employees' Retirement System, to the extent this title relates to the Federal Employees' Retirement System.

(b) CENTRAL INTELLIGENCE AGENCY.—Sections 292 and 301 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2141 and 2151) shall apply with respect to this title in the same manner as if this title were part of—

(1) the Civil Service Retirement System, to the extent this title relates to the Civil Service Retirement System; and

(2) the Federal Employees' Retirement System, to the extent this title relates to the Federal Employees' Retirement System.

SEC. 2302. AUTHORIZATION OF PAYMENTS.

All payments authorized or required by this title to be paid from the Civil Service Retirement and Disability Fund, together with administrative expenses incurred by the Office in administering this title, shall be deemed to have been authorized to be paid from that Fund, which is appropriated for the payment thereof.

SEC. 2303. INDIVIDUAL RIGHT OF ACTION PRESERVED FOR AMOUNTS NOT OTHERWISE PROVIDED FOR UNDER THIS TITLE.

Nothing in this title shall preclude an individual from bringing a claim against the Government of the United States which such individual may have under section 1346(b) or chapter 171 of title 28, United States Code, or any other provision of law (except to the extent the claim is for any amounts otherwise provided for under this title).

Subtitle D—Effective Date

SEC. 2401. EFFECTIVE DATE.

Except as otherwise provided in this title, this title shall take effect on the date of enactment of this Act.

Amend the title so as to read: ''An Act to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees, members of the uniformed services, and civilian and military retirees, provide for the correction of retirement coverage errors under chapters 83 and 84 of such title, and for other purposes.''.

House amendments to Senate amendments:

Page 2, line 7, strike ''and''.

Page 2, line 9, strike the comma and insert ''; and''.

Page 2, after line 9, insert the following:

''(C) an individual employed by the Tennessee Valley Authority,

Page 29, line 18, insert ''under title 5, United States Code,'' after ''limit''.

Page 42, line 1, insert ''under title 5, United States Code,'' after ''limit''.

Page 50, strike line 3 and all that follows through ''Office'' in line 5, and insert the following:

(c) PAYMENT RELATING TO OASDI EMPLOYEE TAXES.—The Office

(and run-in the remaining text of paragraph (1)).

Page 50, strike lines 16 through 19.

Page 51, strike lines 7 through 19.

Mr. SCARBOROUGH (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. CUMMINGS. Mr. Speaker, reserving the right to object, today is a cause for celebration. H.R. 4040 is a testament to how good process can lead to good results for the people we serve.

□ 1800

Commitment, bipartisanship and hard work on the part of the gentleman from Florida (Mr. SCARBOROUGH), the gentleman from California (Mr. WAXMAN), the gentlewoman from the District of Columbia (Ms. NORTON), the gentleman from Maine (Mr. ALLEN) and the gentlewoman from Maryland (Mrs. MORELLA), our congressional staff, the Office of Personnel Management, and the long-term care industry culminated in H.R. 4040, the Long-term Care Security Act.

I am pleased that the framework proposed in H.R. 110, my long-term care proposal, allowing OPM to contract with a single carrier or consortia to provide long-term care insurance to Federal employees in permitting OPM to negotiate premiums and benefits on behalf of Federal employees is adopted in H.R. 4040.

This employer group model will allow Federal employees to realize from 15 percent to 20 percent in premium savings. In addition to establishing a program to provide long-term care insurance to Federal employees and military personnel, the Senate amended H.R. 4044 with the text of S. 2420, which included the Federal Erroneous Retirement Coverage Corrections Act.

S. 2420 provides relief to those Federal employees who were placed in the wrong retirement system during transition to the Federal employment retirement system from the civil service retirement system during the 1980s. Under current law, Federal agencies are required to correct a retirement coverage error by forcing the affected employers into FERS.

The Federal Erroneous Coverage Corrections Act will permit the employees who had been victims of an enrollment error to remain in the retirement system they were erroneously placed in.

CSRS ought to be covered by the system they should have been in, in most cases FERS.

Unlike the House retirement corrections bill, if the employee chooses to be placed in FERS, he or she will be responsible for the lost contributions to his or her thrift savings account. The House bill sought to achieve accountability by holding those agencies guilty of making enrollment errors responsible for the lost contributions to the employee's TSP account.

Mr. Speaker, though we would have preferred the House bill, we worked with the Senate to reach consensus on a bill that would result in some, if not optimal relief for employees placed in the wrong retirement system. H.R. 4040 is a lesson in how the legislative process through bipartisanship and compromise can work to better the lives of the American people. I enthusiastically support this legislation and urge my colleagues to do the same.

Mr. Speaker, I withdraw my reservation of objection.

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

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I do not object, but I do want to celebrate this time when we in this House accept this bill, H.R. 4040, as amended, and send it back for the clarification from the Senate. This long-term care insurance bill has taken a lot of time. It has been long term, but it has been worth it.

I introduced legislation; my colleagues introduced legislation. We all worked together on it. The legislation I introduced was H.R. 1111, and it included not only Federal employees and annuitants, but it included also the military employees and retirees, which made the pool 20 million, which will allow OPM, the Office of Personnel Management, to be able to negotiate to get the very best plan that will have consumer protections and will also have choices within it.

Mr. Speaker, a lot of groups helped out with it, my colleagues; the gentleman from Florida (Mr. SCARBOROUGH), who chaired the committee; the gentleman from Maryland (Mr. CUMMINGS), the ranking member; others on the committee worked on it also, as well as organizations, like the National Association of Retired Federal Employees, the Postal Workers, Alzheimer's, retired military, and OPM was engaged also in the process, so all of us will be able to gain from this, the United States will be able to gain from it.

We hope that the premiums would be reduced 15 percent to 20 percent, and people will be able to plan for their futures through this bill. So I urge this bill's approval as amended, H.R. 4040.

Mr. SCARBOROUGH. Mr. Speaker, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Florida.

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentlewoman from Maryland (Mrs. MORELLA) and also certainly thank the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the committee, he and the gentlewoman from Maryland have both worked diligently on their own versions of this bill, both believed very much that their versions were the best versions of the bill, as did I on mine. Both of them worked around the clock.

The great thing is, I think we have got the best of all worlds from every bill. And I know there are so many people in my district that have a better long-term health care insurance plan because of what the gentleman from Maryland (Mr. CUMMINGS) did, and obviously because of what the gentlewoman from Maryland (Mrs. MORELLA) did.

I have so many Federal retirees, military retirees, in my district that are grateful for the hard work they have done, work they did before I even became chairman of this committee, the work that the gentleman from Florida (Mr. MICA) did. The gentleman from Indiana (Chairman BURTON) certainly helped; the gentleman from California (Mr. WAXMAN), the ranking member, helped a great deal; the gentleman from Virginia (Mr. DAVIS); the gentleman from Texas (Chairman ARCHER).

I would also like to thank our staffs that worked for a very, very long time on this bill, on my staff in particular, Gary Ewing and Jennifer Hemingway, but it is going to help everybody.

Long-term care security is a consensus bill. It is reflective of the hard work of Members on both sides of the aisle, and it is going to provide really assurance to Federal employees and retirees and military retirees, and so many others that they are going to be taken care of, and they are going to be able to get long-term health care insurance. It is important for all us.

The Senate language on long-term care is identical to the language that the House passed just last May. The bill also contains provisions to correct a long-standing inequity for Federal employees who, through no fault of their own, were erroneously placed in the wrong retirement system.

The amendments make several technical changes to the retirement corrections portion of this bill. And, in addition, in consultation, with Senator THOMPSON, I am pleased to include employees of the Tennessee Valley Authority, among the list of those eligible to purchase long-term care insurance. It is not only good for them, it is not only good for Federal employees that work here and throughout Washington, the country, it is good for all of America.

Mr. Speaker, I am confident that this bill is going to be landmark legislation that the private sector will be able to follow and we will be able to provide long-term health care to all Americans.

Mr. Speaker, I urge Members to support H.R. 4040, as amended.

Mrs. MORELLA. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregen, one of its clerks, announced that the Senate has passed a bill and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 2869. An act to protect religious liberty, and for other purposes.

S. Con. Res. 132. Concurrent resolution providing for a conditional adjournment or recess of the Senate and conditional adjournment of the House of Representatives.

PERMISSION FOR COMMITTEE ON SCIENCE TO HAVE UNTIL MIDNIGHT AUGUST 31, 2000 TO FILE A REPORT ON H.R. 4271, NATIONAL SCIENCE EDUCATION ACT

Mr. SCARBOROUGH. Mr. Speaker, I ask unanimous consent that the Committee on Science may have until midnight on August 31, 2000 to file a report to accompany H.R. 4271.

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

There was no objection.

SENSE OF CONGRESS REGARDING ESTABLISHMENT OF NATIONAL HEALTH CENTER WEEK

Mr. SCARBOROUGH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 381) expressing the sense of the Congress that there should be established a National Health Center Week to raise awareness of health services provided by community, migrant, and homeless health centers, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, reserving the right to object, actually, I stand not to object, but to end up praising those who have come forth. As the sponsor of this resolution, I want to, first of all commend and thank the gentleman from Illinois (Mr. SHIMKUS); the gentleman from Massachusetts (Mr. CAPUANO), cochair of the Health Center Caucus; the gentleman from Texas (Mr. BONILLA), cochair of the Health Center Caucus; the gentleman from Florida (Mr. BILIRAKIS), who is also a cochair of the Health Center Caucus; the gentleman from Texas (Mr. HALL); the gentleman from Alabama (Mr. CRAMER); the gentleman from Illinois (Mr. EVANS); the gentleman from

California (Mr. BERMAN); and the gentleman from Illinois (Mr. LAHOOD).

Mr. Speaker, this resolution draws attention to the tremendous service that has been provided by the community health centers for the last 35 years. As a matter of fact, these centers have stood in the gap between crisis and health care delivery for hundreds of thousands of individuals over that period of time, especially individuals from low-income, from inner city, from migrant, from rural, individuals who were homeless, individuals who otherwise would have had no health care services that they could have been recipients of.

I believe that we ought to establish a National Health Center Week so that we can point out how important these centers have truly been. I happen to know, Mr. Speaker, that there are several Members of this Congress who themselves have either worked as staff, for example, or board members of these centers, the gentlewoman from North Carolina (Mrs. CLAYTON) at Soul City; the gentleman from Mississippi (Mr. THOMPSON) at the Jackson Heinz Health Center in Jackson, Mississippi, and I have had the good fortune and pleasure to work as a training director at the Martin Luther King Center in Chicago and as a special assistant to the president of the Miles Square Center in Chicago.

So the history and legacy of these programs, they bring economic development to their communities. Right now, they have operating budgets of more than $4 billion. They generate more than $14 billion in economic development for the communities where they are. They are a real testament to what can happen, what has happened and what we look forward to them in the future.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. SHIMKUS. Mr. Speaker, reserving the right to object, I also want to congratulate the gentleman from Illinois (Mr. DAVIS), my colleague, he is from the Chicago area, I am a downstater, for helping bring this important resolution to the floor.

Community migrant and homeless health care centers provide cost effective quality care to our country's poor and medically underserved. They act as a vital safety net for our health delivery systems, reduce health disparities that large portions of our population experience.

These centers are nonprofit, community-owned and operated and serve all 50 States. They provide health care to those who otherwise would not have access to health care, serving 1 in 12 rural citizens, 1 in 8 low-income Americans and 1 in 10 uninsured Americans. I represent a rural area and much of my district has limited access to health care.

The center operating in Springfield, Illinois has made vital health services available to the community. By serving a specific area, the centers can tailor their services to specific needs of the community and work together with schools, businesses, churches, and community organizations to provide the best care possible.

The establishment of a national community health center week will help raise awareness of the wonderful services that these centers provide our Nation. And I urge my colleagues to vote for this legislation. Again, I commend the gentleman from Illinois (Mr. DAVIS), my colleague and friend.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 381

Whereas community, migrant, and homeless health centers are nonprofit, community owned and operated health providers and are vital to the Nation's communities;

Whereas there are more than 1,029 such health centers serving more than 11,000,000 people at 3,200 health delivery sites, spanning urban and rural communities in all 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands;

Whereas such health centers have provided cost-effective, quality health care to the Nation's poor and medically underserved (including the working poor, the uninsured, and many high-risk and vulnerable populations), acting as a vital safety net in the Nation's health delivery system, meeting escalating health needs, and reducing health disparities;

Whereas these health centers provide care to 1 of every 10 uninsured Americans, 1 of every 8 low-income Americans, and 1 of every 12 rural Americans, and these Americans would otherwise lack access to health care;

Whereas these health centers and other innovative programs in primary and preventive care reach out to more than 500,000 homeless persons and 600,000 farm workers;

Whereas these health centers make health care responsive and cost effective by integrating the delivery of primary care with aggressive outreach, patient education, translation, and enabling support services;

Whereas these health centers increase the use of preventive health services such as immunizations, Pap smears, mammograms, and glaucoma screenings;

Whereas in communities served by these health centers, infant mortality rates have been reduced between 10 and 40 percent;

Whereas these health centers are built by community initiative;

Whereas Federal grants provide seed money empowering communities to find partners and resources and to recruit doctors and needed health professionals;

Whereas Federal grants on average contribute 28 percent of such a health center's budget, with the remainder provided by State and local governments, medicare, medicaid, private contributions, private insurance, and patient fees;

Whereas these health centers are community oriented and patient focused;

Whereas these health centers tailor their services to fit the special needs and priorities of communities, working together with schools, businesses, churches, community organizations, foundations, and State and local governments;

Whereas these health centers contribute to the health and well-being of their communities by keeping children healthy and in school and helping adults remain productive and on the job;

Whereas these health centers, with a total operating budget of $4,000,000,000, bolster and stabilize communities by stimulating development and investment, generating more than $14,000,000,000 in community economic development each year;

Whereas these health centers engage citizen participation and provide jobs for 50,000 community residents; and

Whereas the establishment of a National Community Health Center Week for the week beginning on August 20, 2000, would raise awareness of the health services provided by these health centers: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, and homeless health centers; and

(2) the President should issue a proclamation calling on the people of the United States and interested organizations to observe such a week with appropriate programs and activities.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Without objection, the Chair lays before the House the following Senate concurrent resolution (S. Con. Res. 132), providing for a conditional adjournment or recess of the Senate and conditional adjournment of the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 132

Resolved by the Senate (the House of Representatives concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the Senate recesses or adjourns at the close of business on Thursday, July 27, 2000, Friday, July 28, 2000, or on Saturday, July 29, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 5, 2000, or until noon on Wednesday, September 6, 2000, or until such time on either day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, July 27, 2000, or Friday, July 28, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Wednesday, September 6, 2000, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly

after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

□ 1815

The SPEAKER pro tempore (Mr. PEASE). Without objection, the concurrent resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, House Resolution 567 is laid on the table.

There was no objection.

SENSE OF HOUSE THAT PRESIDENT AND ADMINISTRATION FOCUS APPROPRIATE ATTENTION ON ISSUE OF NEIGHBORHOOD CRIME

Mr. SCARBOROUGH. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the resolution (H. Res. 561) expressing the sense of the House of Representatives that the President should focus appropriate attention on the issue of neighborhood crime prevention, community policing and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

Mr. STUPAK. Mr. Speaker, reserving the right to object, but I shall not object, as I have introduced this resolution to emphasize the importance of crime prevention at the local level and to recognize the efforts of National Night Out.

I am pleased to say that this bipartisan resolution has more than 75 cosponsors. I would like to specifically thank the chairman and ranking member of the Committee on the Judiciary and the chairman and ranking member of the Subcommittee on Crime for their help in bringing this bill to the floor, and the gentleman from Minnesota, Mr. RAMSTAD, the cochair of the Law Enforcement Caucus, who has worked tirelessly with me on these important law enforcement issues.

My resolution calls upon the President to focus on neighborhood crime prevention programs, community policing programs, and reducing school crime. It also highlights National Night Out, which is coming up on August 1, as a successful national program, which exemplifies the goals of crime reduction through neighborhood and community efforts.

National Night Out is a nationwide event which combines a nationally coordinated crime prevention campaign with local communities and law enforcement organizations to take a stand against crime.

This year's National Night Out is the 107th annual event in the campaign by the National Association of Town Watch to fight crime. National Night Out has grown year after year, and now includes citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials from 9,500 communities from all 50 states, the District of Columbia, U.S. territories, Canadian citizens and military bases worldwide.

In 1999, 32.5 million people participated in National Night Out. Those 32 million people joined together and sent a message, loud and clear, that they do not want crime in our neighborhoods and streets and that they want to keep working together until our communities are safe.

I firmly believe that a focus on neighborhood and community crime prevention is essential. It is for this reason that I have long supported the COPS Program in the Department of Justice, and I am a strong supporter of National Night Out.

As a former police officer who used to fight crime on the local and State level, I can tell you these programs work. Personal involvement in one's community, individual attention to our youth, taking responsibility for ourselves and others, these things make a difference.

Each of us will be returning next week to our districts for the August recess. I hope that each of us will take the opportunity to participate in National Night Out events in our communities, and show the strength of our national commitment to stop crime and keep our communities safe.

I also take this opportunity to urge President Clinton to continue to focus national attention on reducing crime and to continue his efforts to promote neighborhood crime prevention and community policing. It is true that crime has been going down under his watch, but we can and must do more.

National Night Out community events need not only happen once a year. I would like to see a time come when our communities get together with the same unity and spirit on these parades, youth events and cookouts, not because they are fighting crime, but because their communities are safe enough, close enough, and involved enough that their cooperation and unity is an everyday occurrence. That is the America of the past, and it can be the America of the future.

Mr. Speaker, I urge unanimous consent of this House resolution.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 561

Whereas neighborhood crime is of continuing concern to the American people;

Whereas the fight against neighborhood crime requires people to work together in cooperation with law enforcement officials;

Whereas neighborhood crime watch organizations are effective at promoting awareness about, and the participation of volunteers in, crime prevention activities at the local level;

Whereas neighborhood crime watch groups can contribute to the Nation's war on drugs by helping to prevent their communities from becoming markets for drug dealers;

Whereas crime and violence in schools is of continuing concern to the American people due to the recent high-profile incidents that have resulted in fatalities at several schools across the United States;

Whereas community-based programs involving law enforcement, school administrators, teachers, parents, and local communities work effectively to reduce school violence and crime;

Whereas citizens across America will soon take part in a ''National Night Out'', a unique crime prevention event which will demonstrate the importance and effectiveness of community participation in crime prevention efforts by having people spend the period from 7 to 10 o'clock P.M. on August 1, 2000, with their neighbors in front of their homes with their lights on; and

Whereas schools that turn their lights on from 7 to 10 o'clock P.M. on August 1, 2000, would send a positive message to the participants of ''National Night Out'' and would show their commitment to reduce crime and violence in schools: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President should focus appropriate attention on the issue of neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority.

The SPEAKER pro tempore. Without objection, the resolution was agreed to.

There was no objection.

A motion to reconsider was laid on the table.

RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2869) to protect religious liberty, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. NADLER. Mr. Speaker, reserving the right to object, and I will not object; but I ask the gentleman from Florida (Mr. CANADY) to explain the bill.

Mr. CANADY of Florida. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Florida.

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman from New York for yielding.

The Religious Land Use and Institutionalized Persons Act is a bill designed to protect the free exercise of religion from unnecessary governmental interference. The legislation

uses the recognized constitutional authority of the Congress to protect one of the most fundamental aspects of religious freedom, the right to gather and worship, and to protect the religious exercise of a class of people particularly vulnerable to government regulation, and that is institutionalized persons.

While this bill does not fill the gap in the legal protections available to people of faith in every circumstance, it will provide critical protection in two important areas where the right to religious exercise is frequently infringed.

I want to express my gratitude, especially to Senator HATCH and Senator KENNEDY for their great effort over the last months in bringing this bill forward to passage today in the United States Senate. Without their efforts, obviously, we would have been unsuccessful in our ongoing efforts to protect religious liberty in America.

This does not solve all of the problems that we had attempted to solve with the legislation that the House previously passed, but this is a very important step forward in the protection of religious liberty for all Americans.

I must also express my deep gratitude to the gentleman from New York (Mr. NADLER) for his cooperation and work on this piece of legislation. Without his effort we would not have been able to succeed in bringing this forward. I also wish to thank the gentleman from Texas (Mr. EDWARDS) for his outstanding work on this important legislation.

Finally, I would like to thank a member of the staff of the Subcommittee on the Constitution, Cathy Cleaver, for her long hours of hard work on this legislation.

I would urge that the House proceed to passage of this bill.

Mr. NADLER. Mr. Speaker, further reserving the right to object, I am very glad to join my good friend from Florida in urging support for this bill.

This is the third in a series of bills we have considered on the floor in the last 7 years to deal with some Supreme Court decisions from the early nineties. It is extremely important for the preservation of some of the free exercise protections of the Constitution, for the free exercise of religion. It is different, more narrow, than the Religious Liberty Protection Act we considered on the floor last year.

That bill, as you may recall, had some people concerned with some civil rights implications. Those concerns have been allayed. They are not present in this bill. The Leadership Conference on Civil Rights and the American Civil Liberties Union, both of which had concerns about last year's bill, both support this bill. Every religious group that I am aware of supports this bill. I am aware of no opposition from any religious or civil rights or civil liberties group, and I am very glad to participate finally in passing this bill and sending it on to the President.

I want to join the gentleman from Florida (Mr. CANADY) in thanking Senators KENNEDY and HATCH for their work. I want to thank the gentleman from Florida (Mr. CANADY) for his valuable work and leadership in bringing this bill to the floor. I want to thank the staff of the Committee on the Judiciary. I want to thank the gentleman from Texas, (Mr. EDWARDS), who joins me as the lead Democratic sponsor of the bill and has been a staunch supporter of religious liberty.

I particularly want to thank a member of the committee staff on the minority side, David Lachmann, who worked on this issue when he was on my staff, when he was on Congressman Solarz' staff before I was here, and since he has been on the committee staff, and without whose efforts we probably would not be here today.

So I am very glad this is here today. I am glad one of the last things we do before our recess is to reaffirm the commitment of the Congress to religious liberty and send this on to the President. Again, I thank the gentleman.

Mr. Speaker, I certainly am very happy to withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2869

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 ''Religious Land Use and Institutionalized Persons Act of 2000''.

SEC. 2. PROTECTION OF LAND USE AS RELIGIOUS EXERCISE.

(a) SUBSTANTIAL BURDENS.—

(1) GENERAL RULE.—No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution—

(A) is in furtherance of a compelling governmental interest; and

(B) is the least restrictive means of furthering that compelling governmental interest.

(2) SCOPE OF APPLICATION.—This subsection applies in any case in which—

(A) the substantial burden is imposed in a program or activity that receives Federal financial assistance, even if the burden results from a rule of general applicability;

(B) the substantial burden affects, or removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, even if the burden results from a rule of general applicability; or

(C) the substantial burden is imposed in the implementation of a land use regulation or system of land use regulations, under which a government makes, or has in place formal or informal procedures or practices that permit the government to make, individualized assessments of the proposed uses for the property involved.

(b) DISCRIMINATION AND EXCLUSION.—

(1) EQUAL TERMS.—No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.

(2) NONDISCRIMINATION.—No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination.

(3) EXCLUSIONS AND LIMITS.—No government shall impose or implement a land use regulation that—

(A) totally excludes religious assemblies from a jurisdiction; or

(B) unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

SEC. 3. PROTECTION OF RELIGIOUS EXERCISE OF INSTITUTIONALIZED PERSONS.

(a) GENERAL RULE.—No government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in section 2 of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997), even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person—

(1) is in furtherance of a compelling governmental interest; and

(2) is the least restrictive means of furthering that compelling governmental interest.

(b) SCOPE OF APPLICATION.—This section applies in any case in which—

(1) the substantial burden is imposed in a program or activity that receives Federal financial assistance; or

(2) the substantial burden affects, or removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes.

SEC. 4. JUDICIAL RELIEF.

(a) CAUSE OF ACTION.—A person may assert a violation of this Act as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under article III of the Constitution.

(b) BURDEN OF PERSUASION.—If a plaintiff produces prima facie evidence to support a claim alleging a violation of the Free Exercise Clause or a violation of section 2, the government shall bear the burden of persuasion on any element of the claim, except that the plaintiff shall bear the burden of persuasion on whether the law (including a regulation) or government practice that is challenged by the claim substantially burdens the plaintiff's exercise of religion.

(c) FULL FAITH AND CREDIT.—Adjudication of a claim of a violation of section 2 in a non-Federal forum shall not be entitled to full faith and credit in a Federal court unless the claimant had a full and fair adjudication of that claim in the non-Federal forum.

(d) ATTORNEYS' FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended—

(1) by inserting ''the Religious Land Use and Institutionalized Persons Act of 2000,'' after ''Religious Freedom Restoration Act of 1993,''; and

(2) by striking the comma that follows a comma.

(e) PRISONERS.—Nothing in this Act shall be construed to amend or repeal the Prison Litigation Reform Act of 1995 (including provisions of law amended by that Act).

(f) AUTHORITY OF UNITED STATES TO ENFORCE THIS ACT.—The United States may bring an action for injunctive or declaratory relief to enforce compliance with this Act.

Nothing in this subsection shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the United States, or any agency, officer, or employee of the United States, acting under any law other than this subsection, to institute or intervene in any proceeding.

(g) LIMITATION.—If the only jurisdictional basis for applying a provision of this Act is a claim that a substantial burden by a government on religious exercise affects, or that removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, the provision shall not apply if the government demonstrates that all substantial burdens on, or the removal of all substantial burdens from, similar religious exercise throughout the Nation would not lead in the aggregate to a substantial effect on commerce with foreign nations, among the several States, or with Indian tribes.

SEC. 5. RULES OF CONSTRUCTION.

(a) RELIGIOUS BELIEF UNAFFECTED.—Nothing in this Act shall be construed to authorize any government to burden any religious belief.

(b) RELIGIOUS EXERCISE NOT REGULATED.—Nothing in this Act shall create any basis for restricting or burdening religious exercise or for claims against a religious organization including any religiously affiliated school or university, not acting under color of law.

(c) CLAIMS TO FUNDING UNAFFECTED.—Nothing in this Act shall create or preclude a right of any religious organization to receive funding or other assistance from a government, or of any person to receive government funding for a religious activity, but this Act may require a government to incur expenses in its own operations to avoid imposing a substantial burden on religious exercise.

(d) OTHER AUTHORITY TO IMPOSE CONDITIONS ON FUNDING UNAFFECTED.—Nothing in this Act shall—

(1) authorize a government to regulate or affect, directly or indirectly, the activities or policies of a person other than a government as a condition of receiving funding or other assistance; or

(2) restrict any authority that may exist under other law to so regulate or affect, except as provided in this Act.

(e) GOVERNMENTAL DISCRETION IN ALLEVIATING BURDENS ON RELIGIOUS EXERCISE.—A government may avoid the preemptive force of any provision of this Act by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

(f) EFFECT ON OTHER LAW.—With respect to a claim brought under this Act, proof that a substantial burden on a person's religious exercise affects, or removal of that burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, shall not establish any inference or presumption that Congress intends that any religious exercise is, or is not, subject to any law other than this Act.

(g) BROAD CONSTRUCTION.—This Act shall be construed in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of this Act and the Constitution.

(h) NO PREEMPTION OR REPEAL.—Nothing in this Act shall be construed to preempt State law, or repeal Federal law, that is equally as protective of religious exercise as, or more protective of religious exercise than, this Act.

(i) SEVERABILITY.—If any provision of this Act or of an amendment made by this Act, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provision to any other person or circumstance shall not be affected.

SEC. 6. ESTABLISHMENT CLAUSE UNAFFECTED.

Nothing in this Act shall be construed to affect, interpret, or in any way address that portion of the first amendment to the Constitution prohibiting laws respecting an establishment of religion (referred to in this section as the ''Establishment Clause''). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. In this section, the term ''granting'', used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.

SEC. 7. AMENDMENTS TO RELIGIOUS FREEDOM RESTORATION ACT.

(a) DEFINITIONS.—Section 5 of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb–2) is amended—

(1) in paragraph (1), by striking ''a State, or a subdivision of a State'' and inserting ''or of a covered entity'';

(2) in paragraph (2), by striking ''term'' and all that follows through ''includes'' and inserting ''term 'covered entity' means''; and

(3) in paragraph (4), by striking all after ''means'' and inserting ''religious exercise, as defined in section 8 of the Religious Land Use and Institutionalized Persons Act of 2000.''.

(b) CONFORMING AMENDMENT.—Section 6(a) of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb–3(a)) is amended by striking ''and State''.

SEC. 8. DEFINITIONS.

In this Act:

(1) CLAIMANT.—The term ''claimant'' means a person raising a claim or defense under this Act.

(2) DEMONSTRATES.—The term ''demonstrates'' means meets the burdens of going forward with the evidence and of persuasion.

(3) FREE EXERCISE CLAUSE.—The term ''Free Exercise Clause'' means that portion of the first amendment to the Constitution that proscribes laws prohibiting the free exercise of religion.

(4) GOVERNMENT.—The term ''government''—

(A) means—

(i) a State, county, municipality, or other governmental entity created under the authority of a State;

(ii) any branch, department, agency, instrumentality, or official of an entity listed in clause (i); and

(iii) any other person acting under color of State law; and

(B) for the purposes of sections 4(b) and 5, includes the United States, a branch, department, agency, instrumentality, or official of the United States, and any other person acting under color of Federal law.

(5) LAND USE REGULATION.—The term ''land use regulation'' means a zoning or landmarking law, or the application of such a law, that limits or restricts a claimant's use or development of land (including a structure affixed to land), if the claimant has an ownership, leasehold, easement, servitude, or other property interest in the regulated land or a contract or option to acquire such an interest.

(6) PROGRAM OR ACTIVITY.—The term ''program or activity'' means all of the operations of any entity as described in paragraph (1) or (2) of section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a).

(7) RELIGIOUS EXERCISE.—

(A) IN GENERAL.—The term ''religious exercise'' includes any exercise of religion, whether or not compelled by, or central to, a system of religious belief.

(B) RULE.—The use, building, or conversion of real property for the purpose of religious exercise shall be considered to be religious exercise of the person or entity that uses or intends to use the property for that purpose.

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

TEXAS NATIONAL FORESTS IMPROVEMENT ACT OF 1999

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (H.R. 4285) to authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes, 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 Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4285

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 ''Texas National Forests Improvement Act of 1999''.

SEC. 2. CONVEYANCE OF ADMINISTRATIVE SITES, TEXAS NATIONAL FOREST SYSTEM LANDS.

(a) AUTHORITY TO SELL OR EXCHANGE.—The Secretary of Agriculture may convey, by sale or exchange, under such terms and conditions as the Secretary may prescribe, any and all right, title, and interest of the United States in and to the following parcels of National Forest System land (including improvements thereon) located in the State of Texas:

(1) Davy Crockett National Forest, Trinity Ranger Quarters #066310 (Tract K–2D), located at State Highway 94, Groveton, Texas, consisting of approximately 3.0 acres, as depicted on the map entitled ''Trinity Ranger Quarters, Tract K–2D'', dated September 1, 1999.

(2) Davy Crockett National Forest quarters #066380 (Tract K–604), located at 514 Devine Street, Groveton, Texas, consisting of approximately 0.5 acre, as depicted on the map entitled ''Davy Crockett National Forest Quarters, Tract K–604'', dated September 1, 1999.

(3) Sabine National Forest quarters #055250 (Tract S–1391), located at 706 Cartwright Drive, San Augustine, Texas, consisting of approximately 0.5 acre, as depicted on the map entitled ''Sabine National Forest Quarters, Tract S–1391'', dated September 1, 1999.

(4) Sabine National Forest quarters #055400 (Tract S–1389), located at 507 Planter Drive, San Augustine, Texas, consisting of approximately 1.5 acres, as depicted on the map entitled ''Sabine National Forest Quarters, Tract S–1389'', dated September 1, 1999.

(5) Sabine National Forest quarters #077070 (Tract S–1388), located at State Highway 87,

Hemphill, Texas, consisting of approximately 1.0 acre, as depicted on the map entitled ''Sabine National Forest Quarters, Tract S–1388'', dated September 1, 1999.

(6) Sabine National Forest quarters #077430 (Tract S–1390), located at FM Road 944, Hemphill, Texas, consisting of approximately 2.0 acres, as depicted on the map entitled ''Sabine National Forest Quarters, Tract S–1390'', dated September 1, 1999.

(7) Old Yellowpine Work Center site, within the Sabine National Forest, consisting of approximately 1.0 acre, as depicted on the map entitled ''Old Yellowpine Work Center'', dated September 1, 1999.

(8) Yellowpine Work Center site, within the Sabine National Forest, consisting of approximately 9.0 acres, as depicted on the map entitled ''Yellowpine Work Center'', dated September 1, 1999.

(9) Zavalla Work Center site, within the Angelina National Forest, consisting of approximately 19.0 acres, as depicted on the map entitled ''Zavalla Work Center'', dated September 1, 1999.

(b) AUTHORIZED CONSIDERATION.—As consideration for a conveyance of land under subsection (a), the recipient of the land, with the consent of the Secretary, may convey to the Secretary other land, existing improvements, or improvements constructed to specifications of the Secretary.

(c) APPLICABLE LAW.—Except as otherwise provided in this section, any conveyance of land under subsection (a) shall be subject to the laws and regulations applicable to the conveyance and acquisition of land for the National Forest System.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of any parcel of land exchanged under subsection (a).

(e) SOLICITATION OF OFFERS.—The Secretary may solicit offers for the conveyance of land under this section on such terms and conditions as the Secretary may prescribe. The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

SEC. 3. CONVEYANCE OF TEXAS NATIONAL FOREST SYSTEM LAND TO NEW WAVERLY GULF COAST TRADES CENTER.

(a) CONVEYANCE AUTHORITY.—Subject to the terms and conditions specified in this section, the Secretary of Agriculture may convey to the New Waverly Gulf Coast Trades Center (referred to in this section as the ''Center''), all right, title, and interest of the United States in and to a parcel of real property (including improvements thereon) consisting of approximately 57 acres of land located within the Sam Houston National Forest, Walker County, Texas, as depicted on the map entitled ''New Waverly Gulf Coast Trades Center'', dated September 15, 1999. A complete legal description of the property to be conveyed shall be available for public inspection at an appropriate office of the Sam Houston National Forest and in the Office of the Chief of the Forest Service.

(b) CONSIDERATION.—

(1) FAIR MARKET VALUE.—As consideration for the conveyance authorized by this section, the Center shall pay to the Secretary an amount equal to the fair market value of the property, as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition published by the Department of Justice.

(2) APPRAISAL COST.—The Center shall pay the cost of the appraisal of the property.

(3) TIME FOR PAYMENT.—The consideration determined under paragraph (1) shall be paid, at the option of the Center—

(A) in full not later than 180 days after the date of conveyance of the property; or

(B) in 7 equal annual installments commencing on January 1 of the first year beginning after the conveyance and annually thereafter until the total amount has been paid.

(4) INTEREST.—Any payment due for the conveyance of property under this section shall accrue interest, beginning on the date of the conveyance, at an annual rate of 3 percent on the unpaid balance.

(c) RELEASE.—Subject to compliance with all Federal environmental laws prior to conveyance, the Center, upon acquisition of the property under this section, shall agree in writing to hold the United States harmless from any and all claims to the property, including all claims resulting from hazardous materials conveyed on the lands.

(d) RIGHT OF REENTRY.—At any time before full payment is made for the conveyance of the property under this section, the conveyance shall be subject to a right of reentry in the United States if the Secretary determines that—

(1) the Center has not complied with the requirements of this section or the conditions prescribed by the Secretary in the deed of conveyance; or

(2) the conveyed land is converted to a noneducational or for profit use.

(e) ALTERNATIVE PROPERTY DISPOSAL AUTHORITY.—In the event that the Center does not contract with the Secretary to acquire the property described in this section within 18 months of the date of the enactment of this Act, the Secretary may dispose of the property in the manner provided in section 2.

SEC. 4. DISPOSITION OF FUNDS.

(a) DEPOSIT IN SISK ACT FUND.—The Secretary shall deposit the proceeds of a sale or exchange under this Act in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act).

(b) USE OF PROCEEDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further appropriation, for—

(1) the acquisition, construction, or improvement of administrative facilities for units of the National Forest System in the State of Texas; or

(2) the acquisition of lands or interests in lands in the State of Texas.

Mr. STENHOLM. Mr. Speaker, I rise in support of H.R. 4285, ''Texas National Forest Improvement Act of 1999.''

Mr. Speaker, this legislation gives the Secretary of Agriculture the authority to sell or exchange nine parcels of land located in the state of Texas.

The parcels listed in this legislation cost the National Forest Service thousands of dollars to maintain and would be better utilized if transferred to private ownership.

More specifically Mr. Speaker, this bill gives the Secretary of Agriculture the authority to convey 57 acres of land located within the Sam Houston National Forest to the New Waverly Gulf Coast Trades Center.

The trade center is doing a great job of training at-risk youth in various construction related occupations. The trade center is using the existing forest service work site as a job-training center, which provides these youth an opportunity to gain a useful skill.

Mr. Speaker, this transfer is supported by the USDA and would comply with all environmental regulations as required by law. In addition, this transfer will be transacted at fair market value.

I want to commend my colleague, Mr. TURNER, for his work on this legislation. And I ask all of my colleagues to support passage.

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.

APPOINTMENT OF HONORABLE CONSTANCE A. MORELLA OR HONORABLE WAYNE T. GILCHREST TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH SEPTEMBER 6, 2000

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 27, 2000.

I hereby appoint the Honorable CONSTANCE A. MORELLA or, if not available to perform this duty, the Honorable WAYNE T. GILCHREST to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 6, 2000.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

SIX MONTH REPORT ON NATIONAL EMERGENCY WITH RESPECT TO LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986.

WILLIAM J. CLINTON.
THE WHITE HOUSE, *July 27, 2000.*

AUTHORIZING THE SPEAKER, THE MAJORITY LEADER, AND THE MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. GOSS. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Wednesday, September 6, 2000, the Speaker, majority leader, and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, SEPTEMBER 6, 2000

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, September 6, 2000.

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

There was no objection.

PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO TERRORISTS WHO THREATEN MIDDLE EAST PEACE PROCESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 27, 2000.*

ANNUAL REPORT OF NATIONAL INSTITUTE OF BUILDING SCIENCES FOR FISCAL YEAR 1998—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking and Financial Services:

To The Congress of the United States:

In accordance with the requirements of section 809 of the Housing and Community Development Act of 1974, as amended (12 U.S.C. 1701j–2(j)), I transmit herewith the annual report of the National Institute of Building Sciences for fiscal year 1998.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 27, 2000.*

REPORT ON PROGRESS MADE TOWARD ACHIEVING BENCHMARKS FOR SUSTAINABLE PEACE PROCESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations, the Committee on Appropriations and the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

As required by the Levin Amendment to the 1998 Supplemental Appropriations and Rescissions Act (section 7 of Public Law 105–174) and section 1203 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261), I transmit herewith a report on progress made toward achieving benchmarks for a sustainable peace process.

In April 2000, I sent the third semiannual report to the Congress under Public Law 105–174, detailing progress towards achieving the ten benchmarks adopted by the Peace Implementation Council and the North Atlantic Council for evaluating implementation of the Dayton Accords. This report provides an updated assessment of progress on the benchmarks, covering the period January 1 through June 30, 2000.

In addition to the semiannual reporting requirements of Public Law 105–174, this report fulfills the requirements of section 1203 in connection with my Administration's request for funds for FY 2001.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 27, 2000.*

□ 1830

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE SITUATION IN HAITI IS DESPERATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GOSS) is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, nobody in the Clinton-Gore administration talks much about the situation in Haiti anymore, even though the situation there is very desperate. I find this regrettable because any reasonable observer will say that the Clinton-Gore policy has failed badly, that there is no democracy in Haiti, and that Haiti's leaders have returned to the old ways of solving problems through violence and intimidation, fear, repression, and even murder.

The Haitian parliament has been shuttered since President Preval dissolved it in 1998. A few weeks ago, Haiti held elections that were supposed to have seated a new parliament and provided a road map out of the government crisis that has been going on so long; but Aristide partisans perverted the election process, producing election count results that no international observer is able to certify as legitimate.

Haiti's friends around the world have weighed in with concern and condemnation, whether it is the OAS, CARICOM, the U.N., Japan, France, and so forth. But to illustrate what is really going on in Haiti, I want to tell the story of Mr. Leon Manus. Mr. Manus is the president of Haiti's provisional electoral council. That is the body that oversaw the recent balloting. It is a body that is meant to ensure full, fair, free, democratic, transparent elections; but one will not find President Manus in Port-au-Prince or anywhere else in Haiti, for that matter.

The fact is that Mr. Manus was chased out of his country in fear of his life and his family's lives. He is here in the United States seeking political asylum.

How did this happen? Why did this happen? According to an accurate report in the Los Angeles Times, Mr. Manus' relatives say that Manus was summoned to the presidential palace after the elections, where President Preval and former President Aristide pressured him to certify the recent fraudulent election count as valid, but Mr. Manus steadfastly refused.

He would not be a party to corruption, and he left the presidential palace and began what turned out to be a several-day flight in fear of his life that eventually led him to the safety here in the United States of America.

I recently had the opportunity to meet with Mr. Manus. I can say he is an absolutely committed man, committed to democracy and to a deep love for his family and his country. I think he wants nothing more than to return to his country and build a true democracy, but he cannot do so as long as the power in Haiti remains usurped by the new dictators there, and these are the very same folks the United States returned to power just a few years ago.

Make no mistake about what is going on in Haiti. Certainly factions of the country have been slowly and deliberately silencing their enemies and laying the groundwork for totalitarian rule, which we witnessed today. These people are not interested in democracy. They are not interested in helping their people find a better life, and they desperately need one in Haiti. They are only interested in preserving their own power; and as all of this has gone on, the Clinton and Gore administration has been inept and in denial.

Time and time again they have passed up opportunity to make clear to the Haitian leadership what it means to practice democracy, to build democratic institutions. I cannot fathom

why they continue to defend the situation in Haiti or aid and abet the activities of the Aristide crowd. They are not Democrats.

Given this total failure, Congress must act to help stop the move toward dictatorship in Haiti. In this year's foreign operations bill, the House voted to prohibit any aid to the government of Haiti with a few exceptions such as counterdrug assistance and humanitarian food aid for the people and medicine for the sick. This is a good first step, but there is plenty more to be done.

Another good and logical step would be for the United States to revoke visas issued to corrupt Haitian government officials who are credibly alleged to be involved in narcotics trafficking, money laundering, and other crimes. Haiti's leaders have turned their backs on democracy and, saddest of all, have turned their backs on their own people.

The Clinton administration has fumbled U.S. policy toward Haiti at a cost of billions to the American taxpayer and immeasurable suffering to the Haitian people.

Mr. Speaker, I challenge the Clinton-Gore administration to publicly admit their failure in Haiti, and I invite them to join in a policy that supports democracy rather than Aristide and his cronies.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DEMINT) is recognized for 5 minutes.

(Mr. DEMINT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL FAMILY FARM DAIRY EQUITY ACT OF 2000

The SPEAKER pro tempore (Mr. WHITFIELD). Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

Mr. KIND. Mr. Speaker, today I am pleased to join the gentleman from New York (Mr. HOUGHTON), the gentleman from Vermont (Mr. SANDERS), and the gentleman from Maine (Mr. BALDACCI) in introducing the National Family Farm Dairy Equity Act of 2000. This legislation will provide countercyclical dairy payments to our Nation's hard-pressed area farmers when the market price falls below $12.50 per hundredweight for milk. As we all know, dairy has been a highly controversial political issue in this Chamber, oftentimes pitting region against region and farmer against farmer regardless of where they are producing in this country. It is time we end this political regional fight and bring our family farmers together with a national approach.

Despite the well-intentioned regional disputes, one thing is clear and indisputable: family dairy farms across the Nation are hurting with prices at over 20-year lows. Thousands of family farmers are forced out of business each year and our rural communities in all regions suffer as well. We are losing four to five family dairy farms a day in the State of Wisconsin alone under these conditions.

In fact, the price for Class III milk, milk manufactured for cheese, has been less than $10 per hundredweight since the beginning of this year. This rock-bottom price has had a devastating effect on family farmers in my home State of Wisconsin, America's dairyland. Despite the disastrously low prices that are plaguing our family farmers, dairy is a stepsister to the other agriculture commodity programs. Unlike wheat and feed grains, which received the lion's share of the $22 billion of emergency relief over the past two years, dairy has received a paltry 1.5 percent of this sum, or roughly $325 million.

While this assistance has been appreciated by many within our dairy industry, it is far from a panacea. Instead of being constant, these payments are subject to political pressure and the whims and demands of the appropriators in Congress.

The legislation we have introduced today is quite simple. It provides for greater income from dairy production by creating a $12.50 per-hundredweight target price for all classes of milk. But this legislation is market reflecting; it is not market distorting. Moreover, this legislation makes the dairy program more consistent with Federal programs for other commodities, similar to the loan deficiency payment which is currently applied to wheat and feed grains, which is strongly supported by Members from both political parties.

Dairy farmers will receive payments only when the market price falls below this certain target price. Hence, in good times when the prices are greater than $12.50 per hundredweight, producers will not receive any payment. In times of poor prices, the size of the payment will be linked to the difference between the target price and the market price. Payments would be made monthly, not annually, as is the case under the dairy transition payment.

This legislation targets Federal assistance to medium-size family farms. Specifically, under this tripartisan national bill, producers would receive assistance up to the first 2.6 million pounds of milk produced annually, reflective of milk produced by approximately 150 cows on a farm. Unlike past and current agricultural programs, producers would not receive financial assistance if they increased production. Also, new entrants would be eligible to participate.

Healthy, vibrant family dairy farms are vital economic, social, and cultural resources that we have but are now at risk. Sadly, this Nation takes this resource for granted and fails to fully appreciate the vital role that dairy farmers play in every consumer's daily life. Dairy is an important part of our economy. If we fail to safeguard this vital resource entering the new century, America risks losing the family dairy farms that have made us strong. My legislation safeguards this precious resource and this honorable way of life.

Mr. Speaker, as Congress begins to consider alternatives for its next farm bill, I believe the National Family Farm Dairy Equity Act is a right step to provide a safety net for America's dairy families who have experienced so much financial hardship due to misguided Federal policies.

I look forward to working with my colleagues on efforts to assist our Nation's hard-working dairy farmers.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New Mexico (Mrs. WILSON) is recognized for 5 minutes.

(Mrs. WILSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

FIFTIETH ANNIVERSARY OF GUAM ORGANIC ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 60 minutes as the designee of the minority leader.

Mr. UNDERWOOD. Mr. Speaker, I yield to our friend and colleague, the gentleman from Wisconsin (Mr. KIND).

RECOGNIZING THE OUTSTANDING CAREER AND CONTRIBUTIONS OF ADMIRAL JAY JOHNSON

Mr. KIND. Mr. Speaker, I thank my friend, the gentleman from Guam (Mr. UNDERWOOD), for yielding me the beginning portion of his 1-hour special order.

Mr. Speaker, I wanted to rise this evening to pay tribute and to express

the Nation's gratitude to a man who has served his country with valor and distinction over 30 years, one of the great patriots of our time, Admiral Jay Johnson.

Last weekend in Annapolis, Admiral Jay Johnson retired as Chief of Naval Operations of the United States Navy. In that capacity, Admiral Johnson has firmly led the world's largest Navy through challenges and responsibilities rarely experienced by a peacetime military force.

A comparable Navy of such complexity and capability has never before plowed the seas, and Admiral Johnson has been at its helm through tensions in Asia, action in the Persian Gulf and the Balkans, and the humanitarian relief around the world.

Admiral Johnson was raised in West Salem, Wisconsin, a small town in my congressional district, and I know the folks back home are immensely proud of their local hero. After graduating from the United States Naval Academy in 1968, Admiral Johnson flew combat missions in the F–8 Crusader over Vietnam, including missions with Senator JOHN MCCAIN.

After transitioning his flying skills to the now venerable F–14 Tomcat, Admiral Johnson went on to command a carrier airwing, a carrier battle group, and a Navy fleet.

During his long and distinguished career, he also served on shore at the Armed Forces Staff College and the Chief of Naval Operations Strategic Studies Group and received numerous decorations, citations and accolades.

I believe one of the most impressive aspects of Admiral Johnson's service as CNO has been his unwavering commitment to the men and women who serve in the uniform of the United States Navy. During Admiral Johnson's term with the Joint Chiefs of Staff, his Navy served in 45 operations around the world. Yet even while guiding the Navy through extremely complex operations during a period of heightened operational tempo, Admiral Johnson maintained undaunting support for his sailors and tirelessly advocated on their behalf at the Pentagon, the White House, and here in Congress. He has made it clear that military readiness depends greatly on the resources this country brings to bear on the training, pay and benefits and quality of life of its servicemen and women.

I believe his message has been heard loud and clear here in Congress.

At the birth of our Nation, President George Washington once said, and I quote, ''Without a decisive Naval force we can do nothing definitive and with it everything honorable and glorious.''

In 1961, Admiral George Anderson, then CNO of the Navy, stated, quote, ''The Navy has been a tradition and a future and we look with pride and confidence in both directions,'' end quote.

Mr. Speaker, Admiral Jay Johnson has proven both men right. Admiral Johnson has led the U.S. Navy through incredible trials with great honor. He has upheld the finest traditions of the Navy and our Nation while ensuring the bright future for the men and women who chose to follow the bold course he has set.

Mr. Speaker, throughout his life and his career in the Navy, Admiral Johnson has set a fine example of spirit, dedication, fortitude, and leadership for all Americans, young and old. I urge all Americans to take to heart the vision set out by Admiral Johnson during his confirmation hearing when he said, and I quote, ''We will steer by the stars and not by the wake.''

On behalf of the residents of western Wisconsin, I proudly commend Admiral Jay Johnson for his illustrious career in the service of our country.

I also commend his wife, Garland, for her loyalty, patience, and steadfastness in the face of the challenges a life in the military poses to every family, and I am sure my colleagues join with me here tonight in wishing them all a very long and happy retirement.

□ 1845

Mr. UNDERWOOD. Mr. Speaker, I, too, would like to add my words of congratulations to Admiral Johnson for very excellent career in the Navy and upon his retirement and his last tour of duty as chief of naval operations.

We in Guam had the opportunity to work with him on a number of issues. I always found him to be supportive. More importantly, he served at a time when the Navy was being asked to do many things. He was able to carry that out successfully with grace and always before Congress and before the Committee on Armed Services making a great case for the Navy.

Mr. Speaker, tonight I take the opportunity to do a special order on the anniversary of something that is very important to the people of Guam and something that will be commemorated next week. I want to take this opportunity to explain a little bit about it to provide the historical background for this event.

August 1, 1950 was the signing of the Guam Organic Act. Next Tuesday on Guam, there will be a commemoration of the 50th anniversary of the Organic Act. Many times, unless one lives in a territory, perhaps the term organic does not really mean much, but Organic Act means it is an organizing act, an act that organizes the local government pursuant to an act of Congress.

So it was that on August 1950, President Harry Truman signed the Guam Organic Act, creating and making permanent a local civilian government providing for a locally elected legislature and providing for an independent judicial system that had a direct linkage into the Federal court system and, most importantly, providing U.S. citizenship for the people of Guam, the people that I represent.

This is the 50th anniversary of Congressional action which brought an end to military government in Guam, a measure of real democracy to a group of loyal people, of loyalty that had been just tested during a horrific occupation by enemy forces during World War II and were, therefore, granted U.S. citizenship.

The Organic Act was preceded by a very sustained effort on the part of the people of Guam, the Island's leaders, and many friends of Guam and supportive persons in the United States here in Congress and in the administration of President Truman, as well as President Roosevelt, and in the national media, who at the time in the late 1940s, people who took a direct interest of the affairs of what were to happen to dependent territories coming out of World War II.

The Organic Act formally ended although it had ended a few months earlier by Presidential action. The Congressional Act, entitled the Organic Act, put an end to military government in Guam, a form of government meant to be temporary but which lasted some 50 years, a military government, a clearly un-American form of government, clearly undemocratic form of government in which the people of Guam basically lived under the control of military officers, whose primary duties were military in nature and whose secondary duties included the civil administration of a people that they saw as a dependent people as wards of the state, clearly untenable and undemocratic form of government.

Unfortunately, many people in the military had continued to justify the continuing nature of this government by saying that Guam had very strong strategic value for the United States and that, therefore, the people of Guam should not enjoy too many civil and political rights.

Under military government, the people of Guam were called U.S. nationals. Under a military government, government was created by fiats mandated by the Naval Governor of Guam called General Orders. Every time he wanted to make a law, he simply called in a scribe. They numbered these laws in consecutive order, ranging from General Order No. 1, first promulgated in 1899, right up until the very end of Naval rule some 50 years later.

One of those rules encapsulated the civil status of the people of Guam, and it was called General Court Martial Order No. 1923 held while the people of Guam owed perpetual allegiance to the United States. They are not citizens thereof, nor is there any mechanism through which they could become citizens.

So as far as the Navy was concerned, the people of Guam owed perpetual allegiance to the United States, but they were not U.S. citizens; and, more importantly, there was no way that they could become U.S. citizens. That is probably the most outrageous General Order in the whole series of General Orders that were prosecuted on the people of Guam throughout naval government.

That led to a citizenship movement. This movement for U.S. citizenship was seen in Guam as the way to eliminate the vestiges of military government. If one wanted to get rid of military government, it was assumed that, if people were declared U.S. citizens, that it would simply be untenable to continue to have military officers run the life of the island.

This citizenship movement was led originally by two men, B.J. Bordallo and F.B. Leon Guerrero. During the 1930s, they made a trip here into Washington, D.C., met with the President, met with a number of congressional leaders to argue for a U.S. citizenship for the people of Guam.

The way that they funded their trip was to go through the villages of Guam with a blanket that was carried at all four points, and citizens and children would throw pennies and dimes and nickels into the blanket. After doing this for a few months, they were able to secure enough funds to fly the then China Clipper to come here and spend several months making their case in Washington, D.C.

They were able to a meet with President Roosevelt, and they were able to prevail upon two Senators, Senator Tydings from Maryland and Senator Gibson from Vermont who subsequently introduced a bill granting the people of Guam U.S. citizenship, and it passed the Senate. That bill went to the House where it died on the basis of a congressional testimony made by Secretary of the Navy Claud Swanson that said the people of Guam were living on too strategic a piece of real estate to be concerned with such things as civil and political rights.

Subsequent to that, of course, the people of Guam endured an occupation by the Japanese during World War II. Coming out of World War II, there was a renewed spirit. Here one had a war that was essentially fought to end tyranny and, at the conclusion of the war, there were a number of territories and dependencies that existed throughout the world.

So the United States and Great Britain and France and other countries that were on the victorious side of World War II had then created the United Nations in order to ensure a peaceful and stable world and introduced as part of the UN Charter Article 73, which was meant to deal with nonself-governing territories, that the countries that were responsible for these areas had a distinct responsibility to promote self-government and self-determination for these nonself-governing territories.

The United States voluntarily placed a number of territories on those lists of nonself-governing territories to dramatize to the world how sincere the commitment was to end the whole nature of colonial government in the world.

Also, commensurate with this effort, which was in the national consciousness and with the local citizenship movement, there was an effort by citizens of the United States who were very friendly to the idea of civilian government for Guam and citizenship for the people of Guam. These people were led by an anthropologist by the name of Dr. Laura Thompson who founded the Institute of Ethnic Affairs. She worked very closely with her husband John Collier and former Secretary of the Interior Harold Ickes, and a couple of people in the media, one was Foster Hailey with the New York Times, and Richard Wells, an attorney who had formerly been stationed in Guam right at the end of World War II.

These people, in turn, worked towards generating media stories that appeared in Collier's magazine, Saturday Evening Post, a lot of very popular magazines at the time about what the exact conditions were in the territories, both American Samoa and Guam. But Guam offered the more dramatic story.

In the meantime, the Navy tried to counteract this effort by instituting their own, by assigning a number of officials to point out the blessings of military government. All of this came to a head when the Naval Governor of Guam, the last Naval Governor by the name of Admiral Pownall, was presiding over then a bicameral what was called the Guam Congress, the House of Council and the House of Assembly.

There was a provision in the law at the time that said that, in order to run a business on Guam, 50 percent of the ownership had to be of Guamanian origin so that the people of Guam would not be at the time subjected to undue competition from foreign sources.

But there was a civil service employee who was surreptitiously running a dress shop. The Assembly subpoenaed this individual by the name of Abe Goldstein. He ran a dress shop called the Guam Style Center. They subpoenaed him to appear in front of the House of Assembly. Mr. Goldstein conferred with the Admiral, and the Admiral told him he did not have to appear in front of the Assembly, that the Assembly had no power to subpoena anyone.

So the Assembly became very upset and walked out and adjourned and said that they would not reconvene until it was made clear by the Naval Governor what the extent of their authority was.

Information on this particular walkout was front page news in several newspapers, including in San Fancisco and Honolulu, and attracted a lot of attention. This effort was coordinated by a man by the name of Carlos Taitano who is still very much with us today and who will be the principal celebrant of the Guam Organic Act celebration next week. Carlos Taitano at the time was a member of the Guam Assembly.

The leader of the walkout was a man by the name of Antonio Borja Won Pat, who also had spent several months in Washington after World War II advocating U.S. citizenship for Guam. He was the speaker of the Assembly, the author of the walkout, the speaker of the subsequent Guam legislature after the institution of the Organic Act, and eventually the first delegate to the U.S. House of Representatives from Guam. So Mr. Won Pat is probably the single most important political figure in the history of Guam in the 20th Century.

In November of 1949, there was a hearing in Guam on legislation introduced. This is pursuant to this walkout in March 1949. It was seen that something had to be done. Legislation was introduced in the House. The Public Lands Committee went to Guam in November of 1949, had a hearing; and in that hearing, the main concern presented by the people of Guam, interestingly, was land.

During the intervening time from the reinstitution of the Navy military government of Guam after World War II, the Navy had acquired over a third of the island, probably about 40 percent of the island, closer to 40 percent; and people were told that they were going to get their land back. We have had this difficulty ever since, and we are trying to resolve this in a comprehensive way. That issue is still very much alive today and was part of a bill that was passed in the House earlier this week, H.R. 2462, the Guam Omnibus Opportunities Act.

Now, the actual act that passed Congress, passed both the House and the Senate, was based on H.R. 7273, which was a modified form of the earlier version, and it was introduced by Congressman Hardin Peterson of Florida.

In this final act, it set up a system of government which we would call clearly undemocratic in today's terms but seemed very democratic at the time. One, it provided for a unicameral legislature of 21 Members elected by the people of Guam and limited to two 30-day sessions a year within the Organic Act.

It provided for a local court system. But if one had a felony case or a case involving more than $5,000 in a civil suit, one had to go to a Federal court. So it established a Federal district court. So the scope of the local courts was limited, even though it established a kind of independent judiciary.

Of course the main feature of this Organic Act passed in 1950 was it did not have an elected governor. What we had at the time was a governor that was appointed by the President. So even though it was a civilian and was not a person in uniform, and even though we had disestablished the naval military government of Guam, clearly there was much progress to be made.

But for 1950, now we are talking about 1950, this Organic Act of Guam was seen as very progressive in the entire Pacific compared to all the other territories which France and Great Britain had, and some of the other islands in the Pacific. This looked like a very progressive step.

□ 1900

So indeed the Organic Act of Guam in 1950 was highly regarded at the time

and widely supported. And, of course, the good feature, the unique feature, about it was the acquisition of U.S. citizenship.

The first civilian governor of Guam that was appointed by President Harry Truman was Carlton Skinner, who was a young, progressive governor, who made a very skillful transition from military to civilian government. He was a very important figure in the development of the Organic Act and the move from military to civilian government, and he also will be joining us in Guam on August 1 to commemorate the Organic Act.

But the politics of the environment changed along with elections to president, and in 1952, with the election of President Eisenhower, a new governor was selected for Guam, a man by the name of Ford Q. Elvidge, who wrote an article, after he finished his term, in the Saturday Evening Post entitled ''I Ruled Uncle Sam's Problem Child.'' It was a very uncomfortable article to read. Nevertheless, Ford Q. Elvidge allegedly had an experience which indicated how strong the military still was in Guam.

He was appointed to be governor of Guam, but up until the year 1962, people could not go to Guam and people could not leave Guam unless the Navy allowed them to leave or unless the Navy allowed them to come in. This was called military security clearance. Unless an individual had security clearance. This act lasted all the way until 1962. It was started right at the beginning of 1940, as the situation between Japan and the United States started to darken. So this military security clearance executive order was declared by President Franklin Roosevelt.

Well, Ford Q. Elvidge, as he boarded a plane to leave Honolulu to come to Guam to take over as governor was stopped by military officials who refused to let him go on the plane because he did not have the appropriate security clearance from Naval authorities, only pointing out how deeply rooted military authority was in the lives of the people. After some discussion on the matter, they finally relented and they allowed the governor of Guam actually to go to Guam.

So this situation existed in Guam for another 20 years. Finally, in 1968, an elective governorship bill passed the Congress allowing the people of Guam to elect a new governor. The judicial system was simultaneously changed to expand the scope of the authority of the local court system, and later on in 1970 and 1971, there were laws passed in the House of Representatives to create the office of the delegate for the Virgin Islands and a delegate for the people of Guam.

So after the completion of those elements it sort of completed the cycle and it certainly gave the sense that there was complete local self-government in Guam. The people of Guam elected their governor, but this was still 20 years after the original Organic Act. The people of Guam elected a delegate to Congress, which gave them some opportunity to participate in the affairs of the House, although, of course, in the final analysis, there is no voting representation.

An interesting story. When Mr. Won Pat first came as the first delegate, there was some discussion in the initial House rules as to whether to pay him a full salary or not. There was some discussion about that. Fortunately for all the successors to this office, they agreed that they would pay the same salary as they pay other Members of Congress. But it shows, in a way, the kind of step-by-step process.

But there was still something fundamentally incomplete about the Organic Act, and that is that at the end of the day the Organic Act is not a local self constitution. The Organic Act is an act of Congress. And every time we need to change portions of that act, we have to come back to Congress. There is a provision that allows the people of Guam to create a local constitution, but to date that has only been exercised once, and the proposed constitution was defeated because the people of Guam felt strongly that there was still a more fundamental issue even than the creation of a local constitution, and that is the exercise of self-determination.

As I indicated earlier, the United Nations system, which was organized by the victorious powers coming out of World War II, in order to demonstrate that they were on the right side of democracy and to show that they meant democracy for everyone, created a system called the nonself-governing territory system inside the United Nations. To this date, Guam and American Samoa and the Virgin Islands remain on those lists of nonself- governing territories because there has not been a full exercise of self-determination to decide in what direction they wish to go and what directions are made available to them by what is termed, in the United Nations language of this relationship, the administering power.

So Guam continues to be a nonself-governing territory. It remains a nonself-governing territory because it does not have any voting participation in the laws that are applicable to them in any respect. So an individual living in a territory and a law is passed here on the Endangered Species Act or a law regarding the regulation of land or the law regarding taxation, and that law has some applicability to that person, it violates the very first tenet of the American creed, which is government by the consent of the governed. And there is no consent to governance.

Now, one can argue that there is a sense of participation; that there is some level of involvement, but at the end of the day there is no real consent of the governed. And of course people in the territories do not vote for the President, though, of course, he is our President as much as he is the President of any other American, and we go off to war just like we go off to war with other Americans as well, and he is our Commander in Chief.

Today, at the end of the day and some 50 years having elapsed since the passage of the Organic Act, many see the Organic Act in Guam as reflective of past events and, to some extent, past political traumas; as seen as evidence of continued Federal control of Guam; as seen as passe at worst, maybe transitional at best. But I believe that that is looking backward, forgetting the sweet victory that the Organic Act represented in 1950.

It was the kind of progress that was possible at the time, and it was progress that many people worked hard to achieve. It took many people to get us to that point, and we must not forget the efforts of those very hard working, sincere persons from Guam, as well as their friends here in Washington, D.C. who brought genuine political progress to Guam. We must not forget that they slain real dragons, they overcame real barriers, and they brought down a system of military government that, in the final analysis, did not really want to leave.

So the Organic Act, while it is properly seen in its historical development for the island I represent is certainly not the Magna Carta for Guam or the declaration for Guam or not even the constitution for Guam, but it is an important document that embodied a fundamental shift of government from people in uniform to people in civilian clothes; a document that embodied the principle that there should be some consent of the governed over laws that are made locally; that embodied and most importantly recognized the loyalty of the people of Guam through an horrific occupation and finally declared them to be U.S. citizens en masse.

At this time that we recognize this very important anniversary for the people of Guam, we must be mindful of the fact that there are still many tasks ahead of us. But at least let us remember August 1, 1950, and on August 1, 2000 take time and reflect upon our past history, the work of such great people in my own island's history, like Antonio Borja Won Pat, F. B. Leon Guerrero, and B. J. Bordallo, and take the time to honor and pay tribute to those men.

VIOLENCE AGAINST WOMEN ACT AND NIH FUNDING

The SPEAKER pro tempore (Mr. WHITFIELD). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 60 minutes as the designee of the majority leader.

Mrs. MORELLA. Mr. Speaker, I appear before this House in the hopes that we will make a resolution when we return from our district work period, a resolution that adds on to the commitment that we made in 1994 to

recognize and fight back against domestic violence and sexual assault by passing the Violence Against Women Act as part of the Crime Bill. That is what happened in 1994.

Now, over the past 5 years, over a billion dollars of Federal money has funded law enforcement training, shelters, counseling for victims, and prevention programs for batterers and children. With so little time left in the 106th Congress, we really must focus on reauthorizing the Violence Against Women Act. H.R. 1248, which I introduced, currently has 215 cosponsors, and it recently passed the Committee on the Judiciary by unanimous consent. Indeed, it should be considered in the full House just as soon as we return. The progress made by thousands of victims and advocates in every State and district could be in jeopardy if we do not.

Now, Mr. Speaker, I want to take this opportunity to talk about the National Institutes of Health, which is in my district, and again the commitment that we in Congress have made to double the funding for the National Institutes of Health over a 5-year period.

Over the last 6 years, we have been very fortunate to have the House appropriations subcommittee that deals with the National Institutes of Health chaired by my very good friend, the gentleman from Illinois (Mr. PORTER), who will not be seeking reelection for the next Congress. We indeed will miss him, his support, his interest in the health and the welfare of our Nation's citizens, and his commitment to doubling the funding of NIH over 5 years.

This objective, to which I am committed, to double this budget, began in 1998 when we successfully enacted a 15 percent increase in the NIH appropriation for fiscal year 1999. We succeeded again with another 15 percent increase for fiscal year 2000. And we are now at the third step in achieving our goal of doubling the NIH budget by 2003. I urge the conference committee on the appropriations for the Labor HHS bill to continue this commitment and fund NIH $20.5 billion, which is the full 15 percent increase of $2.7 billion. There is clearly no better time than now to recommit our pledge to doubling this funding.

Recent analyses by the Congressional Budget Office shows that this year's budget surplus is a record surplus of $232 billion. This is a $53 billion increase from the April projection. And over the next decade the CBO expects the surplus to grow between $4.5 trillion and $5.7 trillion, significantly more than what was expected just 3 months ago.

Mr. Speaker, Albert Einstein is quoted as having once said, ''The only justifiable purpose of political institutions is to ensure the unhindered development of the individual.'' As a political institution, we must do just that, to ensure the pursuit of science and unraveling the mysteries of mankind.

□ 1915

By way of science and knowledge, we are ensuring the unhindered development of the individual. The National Institutes of Health is a world renowned institution located in Montgomery County, Maryland. It is considered the leading force in mankind's continued war against all forms of cancer, HIV/AIDS, blindness, autoimmune diseases, mental illness, and so many life-threatening and debilitating diseases.

I doubt if there is one person in this Congress whose life or family is not affected by a disease that depends on the research being funded by NIH.

It is not by chance that the United States is the undisputed world leader in high-tech medical science and drug development. It is in large part because the Federal Government has made a commitment to fund basic biomedical research for over 50 years and create a strong partnership with the private sector to bring new life-saving treatments to patients throughout the world.

The Federal commitment to biomedical, behavioral, and population-based research is responsible for the continued development of an ever-expanding base that has contributed to medical advances that have profoundly improved the length and the quality of life for all Americans.

These are remarkable times, Mr. Speaker. Never before in the history of mankind have we experienced such an explosion of discoveries. Information gained from NIH research is revolutionizing the practice of medicine and the future direction of scientific inquiry.

Recently, the international Human Genome Project partners and Celera Genomics Corporation jointly announced that they have completed a working draft assembly of the human genome. This is a truly significant milestone for science and medicine.

For the first time in our history, researchers have available with just a few clicks on their computer the nearly 3.1 billion letters that make up the human instruction book. All of the sequence data produced by the publicly supported human genome project is deposited daily in GenBank, a freely available sequence database maintained by the NIH's National Center for Biotechnology Information.

Public consortium centers produce far more sequence data than expected. In a matter of about 15 months, 22 billion bases, or letters, of raw sequence data was produced, providing sevenfold coverage of the human genome. As a result, the working draft is substantially closer to the ultimate finished form than the consortium expected at this stage.

This is an NIH success story. Reaching this milestone is just the beginning. The project now turns more of its energy and resources to the development of tools to understand the instructions encoded in the billions of bases of DNA sequence. Alterations in our genes are responsible for an estimated 5,000 clearly hereditary diseases, such as Huntington's disease, cystic fibrosis, and sickle-cell anemia.

They are also believed to influence the development of thousands of others more common diseases, such as schizophrenia, Alzheimer's disease, cancers, heart disease, diabetes, and arthritis.

As a result, decoding this information is expected to lead to powerful new ways to prevent, diagnose, treat and cure disease. This will occupy the time and energy of biomedical scientists for decades to come.

When will there be a better time to invest in biomedical research than now? I do not know of one.

Yesterday, July 26, 2000, was the 10th anniversary of the Americans With Disabilities Act. Fifty-four million Americans have a disability. That is 20 percent of our population.

We have a dire need in this country to focus our efforts on the health of our citizens. The number of Americans over age 65 will double in the next 30 years to more than 69 million. A significant portion will develop some form of a disability.

Research is needed. It is needed to help reduce the enormous economic and social burdens that are posed by chronic diseases such as osteoporosis, arthritis, Parkinson's, and Alzheimer's disease, cancer, heart disease, and stroke.

With so many of these diseases that are debilitating or life-threatening, we are so close, so close to the finish line in finding a cure and being able to provide for a treatment or a cure. We now talk of finding cures for so many diseases in 5 years in our lifetime.

NIH-funded research enter many of these diseases, and that is the foundation underlying the search for answers. Without the essential role that the NIH is playing in our health care equation, we as a Nation will fail to achieve the goal of a healthier, more productive Nation.

The American people want increased funding for medical research. Many polls have shown that the majority of Americans support Federal investment in medical research. With this research, we have learned that disease is a complex and evolving enemy.

Despite the extraordinary progress that has been made in the fight against many diseases, serious challenges still exist. I want to mention several examples of a new preventive strategy against disease which is changing the lives of millions of Americans.

This month, NIH announced a new clinical trial of 10 research centers which will soon begin testing a promising technique for transplanting insulin-producing pancreas cells that may one day allow people with type-one diabetes to stop their insulin shots.

This year a team of researchers funded by the National Institute of Child Health and Human Development has found that infants who die of Sudden Infant Death Syndrome suffer from abnormalities in certain regions of the brain stem. This brings us closer to

finding a preventive treatment for SIDS.

In a ground-breaking, NIH-funded study published in the July issue of the proceedings of the National Academy of Sciences, researchers rapidly restored lost vision in a mouse model of Leber's. Leber's is a group of severe, early-onset, retinal degenerative diseases causing rapid vision loss at birth or during very early childhood.

This finding represents the first time researchers have restored vision in an animal model of retinal degeneration. The researchers are now moving toward doing human clinical trials.

Mr. Speaker, scientific advances resulting from NIH-supported research mean improved health and reduced suffering, job creation, biomedical research, and biotechnology, and far-reaching economic benefits touching every State through major universities, government laboratories, and research institutes.

In global competition, biomedical research and biotechnology are areas of strong American leadership and commitment. Continued support for the National Institutes of Health will ensure that American scientific excellence continues as we move through this century. We can afford to do no less for this generation and for generations to come.

I urge my colleagues to continue with our objective of doubling the budget for the National Institutes of Health.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GILMAN (at the request of Mr. ARMEY) for July 24 and the balance of the week on account of medical reasons.

Mr. WOLF (at the request of Mr. ARMEY) for today until 1:00 p.m. on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KIND) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. DEMINT, for 5 minutes, today.

Mr. GOSS, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mrs. WILSON, for 5 minutes, today.

REPRINTED WITH CORRECTED TEXT AND TITLE, AS PASSED BY THE HOUSE ON JULY 19, 2000.

H.R. 2634

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 ''Drug Addiction Treatment Act of 2000''.

SEC. 2. AMENDMENT TO CONTROLLED SUBSTANCES ACT.

(a) IN GENERAL.—Section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended—

(1) in paragraph (2), by striking ''(A) security'' and inserting ''(i) security'', and by striking ''(B) the maintenance'' and inserting ''(ii) the maintenance'';

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by inserting ''(1)'' after ''(g)'';

(4) by striking ''Practitioners who dispense'' and inserting ''Except as provided in paragraph (2), practitioners who dispense''; and

(5) by adding at the end the following paragraph:

''(2)(A) Subject to subparagraphs (D) and (J), the requirements of paragraph (1) are waived in the case of the dispensing (including the prescribing), by a practitioner, of narcotic drugs in schedule III, IV, or V or combinations of such drugs if the practitioner meets the conditions specified in subparagraph (B) and the narcotic drugs or combinations of such drugs meet the conditions specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to a practitioner are that, before the initial dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, the practitioner submit to the Secretary a notification of the intent of the practitioner to begin dispensing the drugs or combinations for such purpose, and that the notification contain the following certifications by the practitioner:

''(i) The practitioner is a qualifying physician (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity to refer the patients for appropriate counseling and other appropriate ancillary services.

''(iii) In any case in which the practitioner is not in a group practice, the total number of such patients of the practitioner at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number.

''(iv) In any case in which the practitioner is in a group practice, the total number of such patients of the group practice at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number, and the Secretary for such purposes may by regulation establish different categories on the basis of the number of practitioners in a group practice and establish for the various categories different numerical limitations on the number of such patients that the group practice may have.

''(C) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to narcotic drugs in schedule III, IV, or V or combinations of such drugs are as follows:

''(i) The drugs or combinations of drugs have, under the Federal Food, Drug, and Cosmetic Act or section 351 of the Public Health Service Act, been approved for use in maintenance or detoxification treatment.

''(ii) The drugs or combinations of drugs have not been the subject of an adverse determination. For purposes of this clause, an adverse determination is a determination published in the Federal Register and made by the Secretary, after consultation with the Attorney General, that the use of the drugs or combinations of drugs for maintenance or detoxification treatment requires additional standards respecting the qualifications of practitioners to provide such treatment, or requires standards respecting the quantities of the drugs that may be provided for unsupervised use.

''(D)(i) A waiver under subparagraph (A) with respect to a practitioner is not in effect unless (in addition to conditions under subparagraphs (B) and (C)) the following conditions are met:

''(I) The notification under subparagraph (B) is in writing and states the name of the practitioner.

''(II) The notification identifies the registration issued for the practitioner pursuant to subsection (f).

''(III) If the practitioner is a member of a group practice, the notification states the names of the other practitioners in the practice and identifies the registrations issued for the other practitioners pursuant to subsection (f).

''(ii) Upon receiving a notification under subparagraph (B), the Attorney General shall assign the practitioner involved an identification number under this paragraph for inclusion with the registration issued for the practitioner pursuant to subsection (f). The identification number so assigned clause shall be appropriate to preserve the confidentiality of patients for whom the practitioner has dispensed narcotic drugs under a waiver under subparagraph (A).

''(iii) Not later than 45 days after the date on which the Secretary receives a notification under subparagraph (B), the Secretary shall make a determination of whether the practitioner involved meets all requirements for a waiver under subparagraph (B). If the Secretary fails to make such determination by the end of the such 45-day period, the Attorney General shall assign the physician an identification number described in clause (ii) at the end of such period.

''(E)(i) If a practitioner is not registered under paragraph (1) and, in violation of the conditions specified in subparagraphs (B) through (D), dispenses narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, the Attorney General may, for purposes of section 304(a)(4), consider the practitioner to have committed an act that renders the registration of the practitioner pursuant to subsection (f) to be inconsistent with the public interest.

''(ii)(I) A practitioner who in good faith submits a notification under subparagraph (B) and reasonably believes that the conditions specified in subparagraphs (B) through (D) have been met shall, in dispensing narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, be considered to have a waiver under subparagraph (A) until notified otherwise by the Secretary.

''(II) For purposes of subclause (I), the publication in the Federal Register of an adverse determination by the Secretary pursuant to subparagraph (C)(ii) shall (with respect to the narcotic drug or combination involved) be considered to be a notification provided by the Secretary to practitioners, effective

upon the expiration of the 30-day period beginning on the date on which the adverse determination is so published.

''(F)(i) With respect to the dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, a practitioner may, in his or her discretion, dispense such drugs or combinations for such treatment under a registration under paragraph (1) or a waiver under subparagraph (A) (subject to meeting the applicable conditions).

''(ii) This paragraph may not be construed as having any legal effect on the conditions for obtaining a registration under paragraph (1), including with respect to the number of patients who may be served under such a registration.

''(G) For purposes of this paragraph:

''(i) The term 'group practice' has the meaning given such term in section 1877(h)(4) of the Social Security Act.

''(ii) The term 'qualifying physician' means a physician who is licensed under State law and who meets one or more of the following conditions:

''(I) The physician holds a subspecialty board certification in addiction psychiatry from the American Board of Medical Specialties.

''(II) The physician holds an addiction certification from the American Society of Addiction Medicine.

''(III) The physician holds a subspecialty board certification in addiction medicine from the American Osteopathic Association.

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than eight hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause.

''(V) The physician has participated as an investigator in one or more clinical trials leading to the approval of a narcotic drug in schedule III, IV, or V for maintenance or detoxification treatment, as demonstrated by a statement submitted to the Secretary by the sponsor of such approved drug.

''(VI) The physician has such other training or experience as the State medical licensing board (of the State in which the physician will provide maintenance or detoxification treatment) considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients.

''(VII) The physician has such other training or experience as the Secretary considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients. Any criteria of the Secretary under this subclause shall be established by regulation. Any such criteria are effective only for 3 years after the date on which the criteria are promulgated, but may be extended for such additional discrete 3-year periods as the Secretary considers appropriate for purposes of this subclause. Such an extension of criteria may only be effectuated through a statement published in the Federal Register by the Secretary during the 30-day period preceding the end of the 3-year period involved.

''(H)(i) In consultation with the Administrator of the Drug Enforcement Administration, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the Center for Substance Abuse Treatment, the Director of the National Institute on Drug Abuse, and the Commissioner of Food and Drugs, the Secretary shall issue regulations (through notice and comment rulemaking) or issue practice guidelines to address the following:

''(I) Approval of additional credentialing bodies and the responsibilities of additional credentialing bodies.

''(II) Additional exemptions from the requirements of this paragraph and any regulations under this paragraph.

Nothing in such regulations or practice guidelines may authorize any Federal official or employee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided.

''(ii) Not later than 120 days after the date of the enactment of the Drug Addiction Treatment Act of 2000, the Secretary shall issue a treatment improvement protocol containing best practice guidelines for the treatment and maintenance of opiate-dependent patients. The Secretary shall develop the protocol in consultation with the Director of the National Institute on Drug Abuse, the Director of the Center for Substance Abuse Treatment, the Administrator of the Drug Enforcement Administration, the Commissioner of Food and Drugs, the Administrator of the Substance Abuse and Mental Health Services Administration, and other substance abuse disorder professionals. The protocol shall be guided by science.

''(I) During the 3-year period beginning on the date of the enactment of the Drug Addiction Treatment Act of 2000, a State may not preclude a practitioner from dispensing or prescribing drugs in schedule III, IV, or V, or combinations of such drugs, to patients for maintenance of detoxification treatment in accordance with this paragraph unless, before the expiration of that 3-year period, the State enacts a law prohibiting a practitioner from dispensing such drugs or combinations of drug.

''(J)(i) This paragraph takes effect on the date of the enactment of the Drug Addiction Treatment Act of 2000, and remains in effect thereafter except as provided in clause (iii) (relating to a decision by the Secretary or the Attorney General that this paragraph should not remain in effect).

''(ii) For purposes relating to clause (iii), the Secretary and the Attorney General may, during the 3-year period beginning on the date of the enactment of the Drug Addiction Treatment Act of 2000, make determinations in accordance with the following:

''(I) The Secretary may make a determination of whether treatments provided under waivers under subparagraph (A) have been effective forms of maintenance treatment and detoxification treatment in clinical settings; may make a determination of whether such waivers have significantly increased (relative to the beginning of such period) the availability of maintenance treatment and detoxification treatment; and may make a determination of whether such waivers have adverse consequences for the public health.

''(II) The Attorney General may make a determination of the extent to which there have been violations of the numerical limitations established under subparagraph (B) for the number of individuals to whom a practitioner may provide treatment; may make a determination of whether waivers under subparagraph (A) have increased (relative to the beginning of such period) the extent to which narcotic drugs in schedule III, IV, or V or combinations of such drugs are being dispensed or possessed in violation of this Act; and may make a determination of whether such waivers have adverse consequences for the public health.

''(iii) If, before the expiration of the period specified in clause (ii), the Secretary or the Attorney General publishes in the Federal Register a decision, made on the basis of determinations under such clause, that this paragraph should not remain in effect, this paragraph ceases to be in effect 60 days after the date on which the decision is so published. The Secretary shall in making any such decision consult with the Attorney General, and shall in publishing the decision in the Federal Register include any comments received from the Attorney General for inclusion in the publication. The Attorney General shall in making any such decision consult with the Secretary, and shall in publishing the decision in the Federal Register include any comments received from the Secretary for inclusion in the publication.''.

(b) CONFORMING AMENDMENTS.—Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) in subsection (a), in the matter after and below paragraph (5), by striking ''section 303(g)'' each place such term appears and inserting ''section 303(g)(1)''; and

(2) in subsection (d), by striking ''section 303(g)'' and inserting ''section 303(g)(1)''.

SEC. 3. ADDITIONAL AUTHORIZATION OF APPROPRIATIONS REGARDING DEPARTMENT OF HEALTH AND HUMAN SERVICES.

For the purpose of assisting the Secretary of Health and Human Services with the additional duties established for the Secretary pursuant to the amendments made by section 2, there are authorized to be appropriated, in addition to other authorizations of appropriations that are available for such purpose, such sums as may be necessary for fiscal year 2000 and each subsequent fiscal year.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4437. An act to grant the United States Postal Service the authority to issue semipostals, and for other purposes.

H.R. 4576. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4810. An act to provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1629. An act to provide for the exchange of certain land in the State of Oregon.

S. 1910. An act to amend the Act establishing Women's Rights National Historical Park to permit the Secretary of the Interior to acquire title in fee simple to the Hunt House located in Waterloo, New York.

S. 2327. An act to establish a Commission on Ocean Policy, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following dates present to the President,

for his approval, bills of the House of the following titles:

On July 21, 2000:

H.R. 1791. To amend title 18, United States Code, to provide penalties for harming animals used in Federal law enforcement.

H.R. 4249. To foster cross-border cooperation and environmental cleanup in Northern Europe.

On July 27, 2000:

H.R. 4810. To provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution on the budget for fiscal year 2001.

ADJOURNMENT

Mrs. MORELLA. Mr. Speaker, pursuant to Senate Concurrent Resolution 132 of the 106th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. WHITFIELD). Pursuant to Senate Concurrent Resolution 132 of the 106th Congress, the House stands adjourned until 2 p.m., Wednesday, September 6, 2000.

Thereupon, (at 7 o'clock and 24 minutes p.m.), pursuant to Senate Concurrent Resolution 132, the House adjourned until Wednesday, September 6, 2000, at 2 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for official foreign travel during the first and second quarters of 2000, by Committees of the House of Representatives, as well as a consolidated report of foreign currencies and U.S. dollars utilized for speaker-authorized official travel during the second quarter of 2000, pursuant to Public Law 95–384, are as follows:

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1, AND MAR. 31, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Jerry Moran	1/9	1/10	Panama		224.00		1,553.79				1,777.79
	1/10	1/12	Mexico		494.00		254.99				748.99
Committee total					718.00		1,808.78				2,526.78

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

LARRY COMBEST, Chairman, June 22, 2000.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1, AND JUNE 30, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Amo Houghton	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/20	Morocco		0		(3)				0
Hon. Nancy Johnson	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/20	Morocco		434.00		(3)				434.00
Hon. John Tanner	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/20	Morocco		434.00		(3)				434.00
Hon. Phil English	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/20	Morocco		434.00		(3)				434.00
Hon. Rob Portman	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/20	Morocco		434.00		(3)				434.00
Hon. Jim McDermott	4/15	4/17	Czech Repbublic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				
Hon. Jennifer Dunn	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				434.00
Janice Mays	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				434.00
Angela Ellard	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				434.00
Karen Humbel	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				434.00
Donna Thessen	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/17	Morocco		434.00		(3)				434.00
Tim Rief	4/15	4/17	Czech Republic		660.00		(3)				660.00
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				434.00
Hon. Bill Archer	4/15	4/17	Czech Republic		660.00		(3)		6,510.00		7,170
	4/17	4/19	Egypt		446.00		(3)				446.00
	4/19	4/21	Morocco		434.00		(3)				434.00
Committee total					18,806.00				6,510.00		25,316.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

Bill Archer, Chairman, July 25, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1, AND JUNE 30, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Sam Johnson	4/21	4/22	Croatia		206.00		(3)				
	4/22	4/22	Sarajevo		206.00		(3)				206.00
	4/22	4/23	Tuzla		206.00		(3)				
Hon. Mac Collins	4/24	4/25	Brazil		415.00		(3)				415.00
	4/25	4/27	Chile		570.00		(3)				570.00
	4/27	4/30	Argentina		1,184.00		(3)				1,184.00
	4/30	5/1	Panama		224.00		[4] 528.40			224.00	415.00
Committee total					2,599.00		528.40				3,127.40

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Military air transportation and commercial airfare.

BILL ARCHER, Chairman, July 5, 2000.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HOUSE OF REPRESENTATIVES, TRAVEL TO JORDAN, EXPENDED BETWEEN APR. 14, AND APR. 22, 2000

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Robert G. Zachritz	4/15	4/22	Jordan		928.00		5,268.03				6,146.03
Committee total					928.00		5,268.03				6,146.03

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ROBERT G. ZACHRITZ, June 14, 2000.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record of July 25, 2000]

9357. A letter from the General Counsel, Department of the Treasury, transmitting a draft bill entitled, the ''Collateral Modernization Act of 2000''; to the Committee on the Judiciary.

9358. A letter from the Director, Policy Directives and Instructions Branch, Department of Justice, transmitting the Department's final rule—Delegation of the Adjudication of Certain Temporary Agricultural Worker (H–2A) Petitions, Appellate and Revocation Authority for Those Petitions to the Secretary of Labor [INS No. 1946–98, AG Order No. 2313–2000] (RIN:1115–AF29) received July 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9359. A letter from the Director, Policy Directives and Instructions Branch, Department of Justice, transmitting the Department's final rule—Implementation of Hernandez v. Reno Settlement Agreement; Certain Aliens Eligible for Family Unity Benefits After Sponsoring Family Member's Naturalization; Additional Class of Aliens Ineligible for Family Unity Benefits [INS No. 1823–96] (RIN:1115–AE72) received July 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9360. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the 1999 Annual Report of the Office of the Police Corps and Law Enforcement Education; to the Committee on the Judiciary.

9361. A letter from the Deputy Administrator, National Highway Traffic Safety Administration, Department of Transportation, transmitting a report entitled, ''Update on the Status of Splash and Spray Suppression Technology for Large Trucks''; to the Committee on Transportation and Infrastructure.

9362. A letter from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting the Agency's final rule—FY2001 Wetlands Program Development Grants [FRL–6838–7] received July 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9363. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Acquisition Planning—received July 18, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

9364. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Increase in Rates Payable Under the Montgomery GI Bill—Active Duty (RIN: 2900–AJ89) received July 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

9365. A letter from the Administrator, Office of Workforce Security, Department of Labor, transmitting the Department's final rule—Unemployment Insurance Program Letter 41–98, change 1—Application of the Prevailing Conditions of Work Requirement-Questions and Answers—received July 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9366. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Rescission of Social Security Acquiesance Ruling 93–2(2) and 87–4(8)—received July 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9367. A letter from the Chairman, Federal Reserve System, transmitting the Board's Monetary Policy Report, pursuant to 12 U.S.C. 225a; jointly to the Committees on Banking and Financial Services and Education and the Workforce.

9368. A letter from the Secretary of Energy, transmitting the Twelfth Annual Report entitled, ''Comprehensive Environmental Response, Compensation and Liability Act''; jointly to the Committees on Commerce and Transportation and Infrastructure.

9369. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Progress made toward opening the United States Embassy in Jerusalem and notification of Suspension of Limitations Under the Jerusalem Embassy Act [Presidental Determination No. 2000–24], pursuant to Public Law 104–45, section 6 (109 Stat. 400); jointly to the Committees on International Relations and Appropriations.

9370. A letter from the Administrator, U.S. Agency for International Development, transmitting the quarterly update of the report required by Section 653(a) of the Foreign Assistance Act of 1961, as amended, entitled ''Development Assistance and Child Surval/Diseases Program Allocations-FY 2000''; jointly to the Committees on International Relations and Appropriations.

9371. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's ''CERTIFICATION TO THE CONGRESS: Regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations,'' pursuant to Public Law 101–162, section 609(b)(2) (103 Sat. 1038); jointly to the Committees on Resources and Appropriations.

9372. A letter from the Comptroller General of the United States, transmitting final certification of the Trans-Alaska Pipeline Liability Fund's payment of claims and administrative expenses, pursuant to 43 U.S.C. 1653(c)(4); jointly to the Committees on Transportation and Infrastructure and Resources.

9373. A letter from the Board Members, Railroad Retirement Board, transmitting a copy of the 21st Actuarial Valuation of the Assets and Liabilities Under the Railroad Retirement Acts, pursuant to 45 U.S.C. 231f–1; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

9374. A letter from the Commissioner of Social Security, transmitting a draft bill to make amendments to the Supplemental Security Income (SSI) program in support of the President's fiscal year 2001 budget with respect to the Social Security Administration; jointly to the Committees on Ways and Means, the Judiciary, Commerce, Veterans' Affairs, and the Budget.

[Submitted July 27, 2000]

9432. A letter from the Associate Administrator, Tobacco Programs, Department of Agricutlure, transmitting the Department's final rule—Tobacco Inspection [Docket No. TB–99–02] (RIN: 0581–AB75) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9433. A letter from the Secretary of Agriculture, transmitting a draft bill, ''To expand eligibility for emergency farm loans''; to the Committee on Agriculture.

9434. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule -Defense Federal Acquisition Regulation Supplement; Streamlined Payment Practices [DFARS Case 98–D026] received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9435. A letter from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—DOE Limited Standard: Hazard Analysis Reports For Nuclear Explosive Operations [DOE–DP–STD–3016–99] received June 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9436. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of lieutenant general on the retired list of Lieutenant General William H. Campbell, United States Army; to the Committee on Armed Services.

9437. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of lieutenant general on the retired list of Lieutentant General Roger G. Thompson, Jr; to the Committee on Armed Services.

9438. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Inspection of Insured Structures by Communities (RIN: 3067–AC79) received July 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9439. A letter from the Director, Office of Wage Determination, Employment Standards Administration, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Service Contract Act; Labor Standards for Federal Service Contracts (RIN: 1215–AB26) received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9440. A letter from the Secretary of Education, transmitting a legislative proposal entitled, ''National Education Research and Statistics Act of 2000''; to the Committee on Education and the Workforce.

9441. A letter from the Assistant General Counsel for Regulatory Law, Office of Information Management, Department of Energy, transmitting the Department's final rule—Forms Management Guide [DOE G 242.1–1] received June 15, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9442. A letter from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting the Department's final rule—Safety of Magnetic Fusion Facilities: Guidance [DOE–STD–6003–96] received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9443. A letter from the Assistant General Counsel for Regulatory Law, Office of Environmental Management, Department of Energy, transmitting the Department's final rule—Operations Assessments [DOE–EM–STD–5505–96] received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9444. A letter from the Deputy Executive Secretary, CMSO, Department of Health and Human Services, transmitting the Department's ''Major'' rule—Medicaid Program; State Allotments for Paymment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2000 [HCFA–2063–N] (RIN: 0938–AJ72) received July 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9445. A letter from the Deputy Executive Secretary, CMSO, Department of Health and Human Services, transmitting the Department's final rule—State Child Health; State Children's Health Insurance Program Allotments and Payments to States [HCFA–2114–F] (RIN: 0938–AI65) received July 12, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9446. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Establishment of Freight Forwarding Facilities for DEA Distributing Registrants [DEA–143F] (RIN: 1117–AA36) received July 19, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9447. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Child Restraint Anchorage Systems [Docket No. NHTSA–7648] (RIN: 2127–AH 86) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9448. A letter from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Oklahoma; Revised Format for Materals Being Incorporated by Refernce [OK–14–1–7367; FRL–6727–1] received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9449. A letter from the Small Business Advocacy Chair, Environmental Protection Agency, transmitting the Agency's final rule—Redefinition of the Glycol Ethers Catagory Under Section 112 (b) (1) of the Clean Air Act and Section 101 of the Comprehensive Environmental Response, Compensation, and Liablility Act [FRL–6843–3] (RIN: 2060–AI08) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9450. A letter from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission's final rule—Exemption from Section 101(c)(1) of the Electronic Signitures in Global and National Commerce Act for Registered Investment Companies (RIN: 3235–AH93) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9451. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Presidential Determination on Assistance for Peacekeeping in Sierra Leone [Presidental Determination No. 2000–20], pursuant to 22 U.S.C. 287e nt.; to the Committee on International Relations.

9452. A letter from the Director, Office of Personnel Management, transmitting a report entitled, ''Physicians Comparability Allowances,'' pursuant to 5 U.S.C. 5948(j)(1); to the Committee on Government Reform.

9453. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List: Additions—received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9454. A letter from the Director, Workforce Compensation Performance Services, Office of Personnel Management, transmitting the Office's final rule—Sick Leave for Family Care Purposes (RIN: 3206–AI76) received July 21, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9455. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Pretax Allotments for Health Insurance Premiums (RIN: 3206–AJ16) received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9456. A letter from the Director, Office of Insurance Programs, Office of Personnel Management, transmitting the Office's final rule—Health Insurance Premium Conversion (RIN: 3206–AJ17) received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9457. A letter from the Director, Office of General Counsel, Office of Personnel Management, transmitting the Office's final rule—Administrative Claims Under the Federal Tort Claims Act (RIN: 3206–AI70) received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9458. A letter from the Director, Department of the Interior, transmitting a report entitled ''Impact of the Compacts of Free Association on the United States Territories and Commonwealths and on the State of Hawaii,'' pursuant to 48 U.S.C. 1904 (e)(2); to the Committee on Resources.

9459. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Short-tailed Albatross as Endangered in the United States (RIN: 1018–AE91) received July 26, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9460. A letter from the Chairperson, National Council on Disability, transmitting a report entitled, ''Promises to Keep: A Decade of Federal Enforcement of the Americans with Disabilities Act''; to the Committee on the Judiciary.

9461. A letter from the Chief, Division of General and International Law, Maritime Administration, Department of Transportation, transmitting the Department's final rule—Eligibilty of U.S.-Flag Vessels of 100 Feet or Greater In Registered Length to Obtain a Fishery Endorsement to the Vessel's Documentation [Docket No. MARAD–99–5609] (RIN: 2133–AB38) received July 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9462. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Incentive Grants for Alcohol-Impaired Driving Prevention Programs [Docket No. NHTSA–00–7476] (RIN: 2127–AH42) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9463. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–200 and –300 Series Airplanes [Docket No. 2000–NM–216–AD; Amendment 39–11826; AD 2000–13–51] (RIN: 2120–AA64) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9464. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes [Docket No. 99–NM–246–AD; Amendment 39–11822; AD 2000–14–12] (RIN: 2120–AA64) received July 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9465. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BFGoodrich Main

Brake Assemblies as Installed on Airbus Model A319 and A320 Series Airplanes [Docket No. 2000–NM–210–AD; Amendment 39–11824; AD 2000–14–14] (RIN: 2120–AA64) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9466. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, A321 Series Airplanes [Docket No. 2000–NM–55–AD; Amendment 39–11825; AD 2000–14–15] (RIN: 2120–AA64) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9467. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes Equipped with Pratt & Whitney PW4000 Series Engines [Docket No. 99–NM–66–AD; Amendment 39–11799; AD 2000–12–21] (RIN: 2120–AA64) received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9468. A letter from the Vice Admiral, USCG, Acting Commandant, Department of Transportation, transmitting a report pursuant to Section 307 of the Coast Guard Authorization Act of 1988, Public Law 105–383 Subsection 307(b); to the Committee on Transportation and Infrastructure.

9469. A letter from the Chairman, Interagency Coordination Committee on Oil Pollution Research, Department of Transportation, transmitting the biennial report of the Interagency Coordinating Committee on Oil Spill Pollution Research, pursuant to 33 U.S.C. 2761(e); to the Committee on Science.

9470. A letter from the Commissioner of Social Security, transmitting a draft bill, ''Social Security Amendments of 2000''; to the Committee on Ways and Means.

9471. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Losses Claimed on Certain Intangible Assets [Notice 2000–34] received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9472. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 2000–32] received July 27, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9473. A letter from the Secertary of Health and Human Services, transmitting the draft bill entitled, ''Assests for Independence Act Amendments Act of 2000''; to the Committee on Ways and Means.

9474. A letter from the Secretary of Energy, transmitting proposed revisions to the FY 2001 budget request for the Savannah River Site; jointly to the Committees on Armed Services and Appropriations.

9475. A letter from the Secretary of Energy, transmitting a revised fiscal year 2001 budget request for the Department of Energy; jointly to the Committees on Armed Services and Appropriations.

9476. A letter from the Secretary of Health and Human Services, transmitting a notification that the Department of Health and Human Services is alloting emergency funds made available under section 2602(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(g)); jointly to the Committees on Commerce and Education and the Workforce.

9477. A letter from the Chairman, Commission on Civil Rights, transmitting the Commission's report entitled ''Toward An Understanding of Percentage Plans in Higher Education: Are They Effective Substitutes for Affirmative Action?'', pursuant to 42 U.S.C. 1975a(c); jointly to the Committees on the Judiciary and Education and the Workforce.

9478. A letter from the Secretary of Energy, transmitting a request for revision to the FY 2001 budget submission for the U.S. Department of Energy's Office of Science; jointly to the Committees on Science and Appropriations.

9479. A letter from the Secretary of the Interior, transmitting a draft legislation for changes in law pursuant to the Covenant, approved in Public Law 94–241, by which the Northern Mariana Islands (NMI) joined the American political family; jointly to the Committees on Resources, Ways and Means, and the Judiciary.

9480. A letter from the Co-Chair, CENR, National Science and Technology Council, transmitting the Integrated Assessment of Hypoxia in the Northern Gulf of Mexico; jointly to the Committees on Science, Resources, and Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. H. Res. 565. Resolution waiving points of order against the Conference report to accompany H.R. 4516, the Legislative Branch Appropriations Act, 2001 (Rept. 106–797). Referred to the House Calendar and ordered to be printed.

Ms. PRYCE: Committee on Rules. H. Res. 566. Resolution providing for the consideration of H.R. 4678, Child Support Distribution Act of 2000 (Rept. 106–798). Referred to the House Calendar and ordered to be printed.

Mr. DIAZ-BALART: Committee on Rules. H. Res. 567. Resolution providing for the consideration of a concurrent resolution for the adjournment of the House and Senate for the summer district work period (Rept. 106–799). Referred to the House Calendar and ordered to be printed.

Mr. HYDE: Committee on the Judiciary. H.R. 2059. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependent children of Federal, State, and local law enforcement officers who are killed in the line of duty; with an amendment (Rept. 106–800). Referred to the Committee of the Whole House on the state of the Union.

Mr. YOUNG of Alaska: Committee on Resources. Contempt of Congress Report on the Refusals to Comply with Subpoenas Issued by the Committee on Resources (Rept. 106–801). Referred to the House Calendar, and ordered to be printed.

Mr. BURTON: Committee on Government Reform. Making the Federal Government Accountable: Enforcing the Mandate for Effective Financial Management (Rept. 106–802). Referred to the Committee of the Whole House on the State of the Union.

Mr. GILMAN: Committee on International Relations. H.R. 3673. A bill to provide certain benefits to Panama if Panama agrees to permit the United States to maintain a presence there sufficient to carry out counternarcotics and related missions (Rept. 106–803 Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[Omitted from the Record of July 20, 2000]

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than September 22, 2000.

[Submitted July 27, 2000]

H.R. 3673. Referral to the Committee on Ways and Means extended for a period ending not later than September 22, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ARCHER:

H.R. 4986. A bill to amend the Internal Revenue Code of 1986 to repeal the provisions relating to foreign sales corporations (FSCs) and to exclude extraterritorial income from gross income; to the Committee on Ways and Means.

By Mr. BARR of Georgia (for himself and Mrs. EMERSON):

H.R. 4987. A bill to amend title 18, United States Code, with respect to electronic eavesdropping, and for other purposes; to the Committee on the Judiciary.

By Mr. BATEMAN:

H.R. 4988. A bill to expand the boundary of the George Washington Birthplace National Monument, and for other purposes; to the Committee on Resources.

By Mr. COOK:

H.R. 4989. A bill to amend the Federal Election Campaign Act of 1971 to require candidates for election for Federal office who sell personal assets to report information on the sale of the assets to the Federal Election Commission; to the Committee on House Administration.

By Mr. MALONEY of Connecticut:

H.R. 4990. A bill to make appropriations for fiscal year 2001 for the Federal share of certain construction costs of a sewage treatment facility in Waterbury, Connecticut; to the Committee on Appropriations.

By Mr. SCHAFFER:

H.R. 4991. A bill to authorize the Secretary of the Interior to enter into contracts with the city of Loveland, Colorado, to use Colorado-Big THOMPSON Project facilities for the impounding, storage, and carriage of non-project water for domestic, municipal, industrial, and other beneficial purposes; to the Committee on Resources.

By Ms. BALDWIN (for herself and Mr. OBEY):

H.R. 4992. A bill to guarantee for all Americans quality, affordable, and comprehensive health insurance coverage; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNOLLENBERG (for himself, Mr. HORN, Mr. MCHUGH, and Mr. CAMP):

H.R. 4993. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain from the sale of securities which are used to pay for higher education expenses; to the Committee on Ways and Means.

By Mr. KILDEE (by request):

H.R. 4994. A bill to reauthorize and improve the educational research and statistical programs of the Department of Education, including the National Institute for Education

Research, the National Center for Education Statistics, the National Assessment of Educational Progress, the National Assessment Governing Board, and America's Tests in Reading and Mathematics, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PETERSON of Pennsylvania (for himself and Mrs. EMERSON):

H.R. 4995. A bill to amend title XVIII of the Social Security Act to provide for equity in the amount of disproportionate share payment adjustments under the Medicare Program between urban and rural hospitals; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania (for himself and Mrs. EMERSON):

H.R. 4996. A bill to amend title XVIII of the Social Security Act to eliminate the reduction in the market basket percentage increase under the prospective payment system under the Medicare Program for payments to small rural hospitals; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania (for himself and Mrs. EMERSON):

H.R. 4997. A bill to amend title XVIII of the Social Security Act to revise and improve the Medicare-dependent, small rural hospital program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania (for himself and Mrs. EMERSON):

H.R. 4998. A bill to amend title XVIII of the Social Security Act to provide for a minimum adjustment to payments to hospitals under the Medicare Program for costs attributable to wages; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOLLUM (for himself and Mr. FLETCHER):

H.R. 4999. A bill to control crime by providing law enforcement block grants; to the Committee on the Judiciary.

By Mr. MCCOLLUM:

H.R. 5000. A bill to provide for post-conviction DNA testing, to make grants to States for carying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain Federal, District of Columbia, and military offenders for use in such system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WILSON (for herself, Mr. LUTHER, Mr. RYAN of Wisconsin, Ms. HOOLEY of Oregon, Mr. SABO, and Mr. MINGE):

H.R. 5001. A bill to amend title XVIII of the Social Security Act to provide for equitable payments to providers of services under the Medicare Program, and to amend title XIX of such Act to provide for coverage of additional children under the Medicaid Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Pennsylvania (for himself, Mrs. JOHNSON of Connecticut, and Mr. POMEROY):

H.R. 5002. A bill to amend title XIX of the Social Security Act to permit additional States to enter into long-term care partnerships under the Medicaid Program in order to promote the use of long-term care insurance; to the Committee on Commerce.

By Mr. HULSHOF:

H.R. 5003. A bill to amend part B of title XVIII of the Social Security Act to improve payments under the Medicare outpatient prospective payment system; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELLER (for himself, Mr. MORAN of Virginia, Mr. COX, Mr. TAUZIN, Mr. DAVIS of Virginia, Mr. SALMON, Mr. SMITH of Washington, Mrs. TAUSCHER, and Mr. DREIER):

H.R. 5004. A bill to amend the Internal Revenue Code of 1986 to allow credit against income tax for information technology training expenses, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Mr. CUNNINGHAM, Mr. HUNTER, and Mr. PACKARD):

H.R. 5005. A bill to amend title XVIII of the Social Security Act to provide for more equitable payments for direct graduate medical education under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. SAXTON, Mr. WEINER, Mr. LAZIO, Mr. LANTOS, Mr. PORTER, Mr. DEUTSCH, Mr. WEXLER, Mr. KING, Mr. ENGEL, Mr. PALLONE, Mr. HALL of Texas, Mr. NADLER, Mr. FROST, Mr. CROWLEY, Ms. SCHAKOWSKY, and Mrs. LOWEY):

H.R. 5006. A bill to encourage respect for the rights of religious and ethnic minorities in Iran, and to deter Iran from supporting international terrorism, and from furthering its weapons of mass destruction programs; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALLEN:

H.R. 5007. A bill to amend title II of the Social Security Act to provide an exception to the nine-month duration of marriage requirement for widows and widowers in cases in which the marriage was postponed by legal impediments to the marriage caused by State restrictions on divorce from a prior spouse institutionalized due to mental incompetence or similar incapacity; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 5008. A bill to direct the National Highway Transportation Safety Administration to issue standards for the use of motorized skate boards; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 5009. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for host families of foreign exchange and other students from $50 per month to $200 per month; to the Committee on Ways and Means.

By Mr. BACHUS (for himself, Mr. LEACH, Ms. NORTON, Ms. WATERS, Mr. LAFALCE, Mr. FALEOMAVAEGA, Mr. UNDERWOOD, Mrs. CHRISTENSEN, Mr. ROMERO-BARCELO, and Mr. CASTLE):

H.R. 5010. A bill to provide for a circulating quarter dollar coin program to commemorate the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. BALDACCI:

H.R. 5011. A bill to amend title XVIII of the Social Security Act to extend the option to use rebased target amounts to all sole community hospitals; to the Committee on Ways and Means.

By Mr. BARR of Georgia:

H.R. 5012. A bill to amend the Internal Revenue Code of 1986 to provide an enhanced research credit for the development of smart gun technologies; to the Committee on Ways and Means.

By Mr. BEREUTER:

H.R. 5013. A bill to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes; to the Committee on Resources.

By Mr. BEREUTER:

H.R. 5014. A bill to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; to the Committee on Resources.

By Ms. BERKLEY:

H.R. 5015. A bill to amend the Elementary and Secondary Education Act of 1965 to establish the model school dropout prevention grant program and the national school dropout prevention grant program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BLAGOJEVICH (for himself, Mr. HYDE, Mr. DAVIS of Illinois, Mr. RUSH, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. CRANE, Ms. SCHAKOWSKY, Mr. PORTER, Mr. WELLER, Mr. COSTELLO, Mrs. BIGGERT, Mr. HASTERT, Mr. EWING, Mr. MANZULLO, Mr. EVANS, Mr. LAHOOD, Mr. PHELPS, and Mr. SHIMKUS):

H.R. 5016. A bill to redesignate the facility of the United States Postal Service located at 514 Express Center Drive in Chicago, Illinois, as the ''J. T. Weeker Service Center''; to the Committee on Government Reform.

By Mr. BROWN of Ohio (for himself and Mr. BILBRAY):

H.R. 5017. A bill to amend part B of title XVIII of the Social Security Act to expand coverage of durable medical equipment to include physician prescribed equipment necessary so unpaid caregivers can effectively and safely care for patients; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CANADY of Florida (for himself and Mr. HUTCHINSON):

H.R. 5018. A bill to amend title 18, United States Code, to modify certain provisions of

law relating to the interception of communications, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H.R. 5019. A bill to convey certain submerged lands to the Government of the Virgin Islands; to the Committee on Resources.

By Mr. CONYERS (for himself and Mr. CANNON):

H.R. 5020. A bill to prohibit Internet gambling; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Ms. BALDWIN, Mrs. MALONEY of New York, Mr. GEPHARDT, Mrs. MORELLA, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. BOUCHER, Mr. NADLER, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Mr. DELAHUNT, Mr. WEINER, Mr. CROWLEY, Ms. SLAUGHTER, Mr. POMEROY, Mr. WU, Ms. SCHAKOWSKY, Ms. RIVERS, Mr. ANDREWS, Mr. INSLEE, Mrs. LOWEY, Mrs. JONES of Ohio, Mr. SANDERS, Mr. HINCHEY, Mr. WYNN, Mr. STARK, Mr. ABERCROMBIE, Mr. BACA, Mr. BLAGOJEVICH, Mr. STUPAK, Ms. ROYBAL-ALLARD, Ms. CARSON, Mr. FROST, Mr. BRADY of Pennsylvania, Mr. KIND, Ms. DELAURO, Mr. FOLEY, Mr. DEFAZIO, Mr. ETHERIDGE, Mrs. MEEK of Florida, Mr. MOORE, Mr. THOMPSON of California, and Mr. TIERNEY):

H.R. 5021. A bill to restore the Federal civil remedy for crimes of violence motivated by gender; to the Committee on the Judiciary.

By Mr. COX:

H.R. 5022. A bill to improve health care choice by providing for the tax deductibility of medical expenses by individuals; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself and Mrs. LOWEY):

H.R. 5023. A bill to promote Israel's role in the international community; to the Committee on International Relations.

By Mr. DAVIS of Virginia:

H.R. 5024. A bill to provide for the coordination of Federal information policy through the establishment of a Federal Chief Information Officer and an Office of Information Policy in the Executive Office of the President, and to otherwise strengthen Federal information resources management; to the Committee on Government Reform.

By Mr. DEFAZIO:

H.R. 5025. A bill to amend title 46, United States Code, to require the adoption of response plans for nontank vessels; to the Committee on Transportation and Infrastructure.

By Mr. DEMINT (for himself, Mr. STENHOLM, Mr. GOODLING, Mr. BALLENGER, and Mr. HOEKSTRA):

H.R. 5026. A bill to amend the Fair Labor Standards Act of 1938; to the Committee on Education and the Workforce.

By Mr. DEMINT (for himself and Mr. PORTMAN):

H.R. 5027. A bill to provide for the establishment of a commission to review and make recommendations to Congress on the reform and simplification of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. DEMINT (for himself, Mr. SUNUNU, Mr. WELLER, Mrs. BIGGERT, Mr. FLETCHER, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. ISAKSON, Mr. KUYKENDALL, Mr. GARY MILLER of California, Mr. OSE, Mr. REYNOLDS, Mr. RYAN of Wisconsin, Mr. SIMPSON, Mr. SWEENEY, Mr. TANCREDO, Mr. TERRY, Mr. TOOMEY, Mr. VITTER, and Mr. WALDEN of Oregon):

H.R. 5028. A bill to amend title XI of the Social Security Act to include additional information in Social Security account statements; to the Committee on Ways and Means.

By Mr. DOOLITTLE:

H.R. 5029. A bill to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials; to the Committee on the Judiciary.

By Mr. DOYLE (for himself and Mr. COYNE):

H.R. 5030. A bill to establish the Steel Industry National Historic Park in the State of Pennsylvania and to provide for the extension of the Potomac Heritage National Scenic Trail between Cumberland, Maryland, and Pittsburgh, Pennsylvania; to the Committee on Resources.

By Mr. ENGEL (for himself, Mr. BARRETT of Wisconsin, and Mr. MARKEY):

H.R. 5031. A bill to amend the Consumer Product Safety Act to confirm the Consumer Product Safety Commission's jurisdiction over child safety devices for handguns, and for other purposes; to the Committee on Commerce.

By Mr. ENGEL (for himself and Mr. OWENS):

H.R. 5032. A bill to amend the Immigration and Nationality Act in regard to Caribbean-born immigrants; to the Committee on the Judiciary.

By Mr. GONZALEZ (for himself and Mr. RODRIGUEZ):

H.R. 5033. A bill to prohibit offering homebuilding purchase contracts that contain in a single document both a mandatory arbitration agreement and other contract provisions and to prohibit requiring purchasers to consent to a mandatory arbitration agreement as a condition precedent to entering into a homebuilding purchase contract; to the Committee on Banking and Financial Services.

By Mr. GRAHAM (for himself, Mr. DEMINT, Mr. MCKEON, Mr. BURR of North Carolina, Mr. SPENCE, Mr. GREEN of Texas, Mr. PETERSON of Pennsylvania, Mr. HILLEARY, Mr. ROGERS, Mr. FLETCHER, Mrs. EMERSON, Mr. MCDERMOTT, Mr. MCHUGH, Mr. FROST, and Mr. HASTINGS of Washington):

H.R. 5034. A bill to expand loan forgiveness for teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GUTIERREZ (for himself, Mr. SERRANO, Mr. PASTOR, and Mr. GONZALEZ):

H.R. 5035. A bill to reduce fraud in connection with the provision of legal advice and other services to individuals applying for immigration benefits or otherwise involved in immigration proceedings by requiring paid immigration consultants to be licensed and otherwise provide services in a satisfactory manner; to the Committee on the Judiciary.

By Mr. HALL of Ohio (for himself and Mr. HOBSON):

H.R. 5036. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park; to the Committee on Resources.

By Mr. HALL of Texas (for himself and Mr. TAUZIN):

H.R. 5037. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. HALL of Texas (for himself and Mr. TAUZIN):

H.R. 5038. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. HAYWORTH:

H.R. 5039. A bill to amend part C of title XVIII of the Social Security Act to revise and improve the MedicareChoice Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER (for himself, Mrs. THURMAN, Mr. HAYWORTH, Ms. DUNN, Mr. TANNER, Mr. CAMP, Mr. MCCRERY, Mr. ENGLISH, and Mr. FOLEY):

H.R. 5040. A bill to amend the Internal Revenue Code of 1986 to ensure that income averaging for farmers not increase a farmer's liability for the alternative minimum tax; to the Committee on Ways and Means.

By Mr. HILL of Montana:

H.R. 5041. A bill to establish the boundaries and classification of a segment of the Missouri River in Montana under the Wild and Scenic Rivers Act; to the Committee on Resources.

By Mr. HOBSON (for himself and Ms. PRYCE of Ohio):

H.R. 5042. A bill to amend title XVIII of the Social Security Act to protect the right of a Medicare beneficiary enrolled in a MedicareChoice plan to receive services at a skilled nursing facility selected by that individual; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself, Mr. UPTON, Mr. ANDREWS, Mr. GEORGE MILLER of California, Mr. OWENS, Mr. PAYNE, Mr. ROMERO-BARCELO, Mr. WU, Mrs. MCCARTHY of New York, Mrs. MORELLA, Mr. KILDEE, Ms. ESHOO, Ms. SCHAKOWSKY, Mrs. MALONEY of New York, and Mr. KIND):

H.R. 5043. A bill to establish a program to promote child literacy by making books available through early learning and other child care programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself and Mr. SAM JOHNSON of Texas):

H.R. 5044. A bill to amend the Internal Revenue Code of 1986 to clarify the confidentiality of certain documents relating to closing agreements and agreements with foreign governments; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. DEMINT, Mr. ADERHOLT, Mr. BRADY of Texas, Mr. OXLEY, Mr. STUMP, Mr. GOODLING, Mr. BALLENGER, Mr. SOUDER, Mr. GIBBONS, and Mr. PITTS):

H.R. 5045. A bill to provide a civil action for a minor injured by exposure to an entertainment product containing material that is harmful to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. JONES of North Carolina:

H.R. 5046. A bill to provide that pay for prevailing rate employees in Pasquotank County, North Carolina, be determined by applying the same pay schedules and rates as apply with respect to prevailing rate employees in the local wage area that includes Carteret County, North Carolina; to the Committee on Government Reform.

By Mr. JONES of North Carolina:

H.R. 5047. A bill to impose restrictions on the use of amounts collected as fees at Cape Hatteras National Seashore under the Recreational Fee Demonstration Program; to the Committee on Resources.

By Mr. KANJORSKI:

H.R. 5048. A bill to amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 5049. A bill to amend the Fderal Water Pollution Control Act to increase efforts to prevent and reduce contamination of navigable waters by methyl tertiary butyl ether, tetrachloroethylene, and trichloroethylene, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. KELLY (for herself, Mr. UDALL of New Mexico, and Mr. MALONEY of Connecticut):

H.R. 5050. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the Medicare Program of vaccinations for Lyme disease; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself, Mr. OBEY, Ms. BALDWIN, Mr. HOUGHTON, Mr. SANDERS, and Mr. BALDACCI):

H.R. 5051. A bill to provide direct payments to dairy producers for any month in which the prices received by milk producers for milk for the preceding three months is less than a target price of $12.50 per hundredweight; to the Committee on Agriculture.

By Mr. KLINK (for himself, Mr. HOLDEN, Mr. LATOURETTE, Mr. KANJORSKI, Mr. DOYLE, Mr. HINCHEY, Mr. BALDACCI, and Mr. MURTHA):

H.R. 5052. A bill to ensure that milk producers in the United States receive a fair price for milk marketed for domestic consumption based on the cost of production and other appropriate marketing factors and to establish a National Milk Pricing Board consisting of industry and farmer representatives to assist the Secretary of Agriculture in determining production costs and milk prices; to the Committee on Agriculture.

By Mr. KLINK:

H.R. 5053. A bill to offer States an incentive to improve decisions in contested adoption cases; to the Committee on the Judiciary.

By Mr. KLINK (for himself and Mr. HOEFFEL):

H.R. 5054. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale or exchange of qualified conservation easements; to the Committee on Ways and Means.

By Mr. LAMPSON (for himself, Mr. PAUL, Ms. JACKSON-LEE of Texas, Mr. BENTSEN, Mr. GREEN of Texas, Mr. STRICKLAND, Mr. TURNER, Mr. BAIRD, and Mr. RANGEL):

H.R. 5055. A bill to amend the Social Security Act and the Public Health Service Act with respect to qualifications for community mental health centers, to postpone for 1 year the application of the Medicare hospital outpatient prospective payment system to partial hospitalization services, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Mr. GILMAN, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. SANDERS, Mr. EVANS, Mr. PORTER, and Mr. WAXMAN):

H.R. 5056. A bill to amend the Nazi War Crimes Disclosure Act to clarify that activities of the Imperial Government of Japan are included, and for other purposes; to the Committee on Government Reform.

By Mr. LANTOS (for himself, Mr. SHAYS, Ms. RIVERS, Mrs. MORELLA, Mr. NEAL of Massachusetts, Mr. PORTER, Mr. MORAN of Virginia, Mr. KASICH, Mr. KUCINICH, Mr. GALLEGLY, Mr. FARR of California, Mr. FILNER, Mr. PALLONE, Mrs. LOWEY, and Mr. STARK):

H.R. 5057. A bill to amend the Animal Welfare Act to regulate the personal possession of certain wild animals and to amend title 18 of the United States Code, to prohibit the transport or possession of certain wild animals for purposes of hunting them; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEACH:

H.R. 5058. A bill to amend the Internal Revenue Code of 1986 to reduce the estate and gift tax rates to 30 percent and to increase the exclusion equivalent of the unified credit to $10,000,000; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. HASTERT, Mrs. BIGGERT, Mr. BLAGOJEVICH, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. EWING, Mr. HYDE, Mr. LAHOOD, Mr. PHELPS, Mr. PORTER, Mr. RUSH, Mr. SHIMKUS, Mr. WELLER, and Mr. ROEMER):

H.R. 5059. A bill to provide for a delayed effective date for the implementation of regulations requiring audible warnings at highway-rail grade crossings, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LOFGREN:

H.R. 5060. A bill to amend title 49, United States Code, to waive federal preemption of State law providing for the awarding of punitive damages against motor carriers for engaging in unfair or deceptive trade practices in the processing of claims relating to loss, damage, injury, or delay in connection with transportation of property in interstate commerce; to the Committee on Transportation and Infrastructure.

By Mr. MCCOLLUM (for himself, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. FOLEY, Mr. SHADEGG, and Mr. SMITH of New Jersey):

H.R. 5061. A bill to provide for the appointment of a guardian ad litem to protect the interests under Federal immigration law of certain alien minor children present in the United States without a parent or other legal guardian; to the Committee on the Judiciary.

By Mr. MCCOLLUM (for himself, Mr. FRANK of Massachusetts, Mr. SMITH of Texas, Mr. FROST, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. FILNER, Mr. BILBRAY, Mr. ROGAN, and Mr. OSE):

H.R. 5062. A bill to establish the eligibility of certain aliens lawfully admitted for permanent residence for cancellation of removal under section 240A of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. MCCRERY:

H.R. 5063. A bill to amend the Internal Revenue Code of 1986 to enhance the competitiveness of the United States leasing industry; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 5064. A bill to amend the Internal Revenue Code of 1986 to allow employees and self-employed individuals to deduct taxes paid for Social Security and Medicare; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Mr. HORN, and Mr. WAXMAN):

H.R. 5065. A bill to amend the Nazi War Crimes Disclosure Act to extend the authority of the Nazi War Crimes Records Interagency Working Group for 2 years, to express the sense of Congress regarding the cooperation of foreign nations with such Group in carrying out its duties under such Act, and for other purposes; to the Committee on Government Reform.

By Mr. MARKEY:

H.R. 5066. A bill to provide deployment criteria for the National Missile Defense system, and to provide for operationally realitic testing of the National Defense system against counter-measures; to the Committee on Armed Services, and in addition to the Committees on Rules, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Mr. SMITH of New Jersey, Mr. WAXMAN, Mr. RILEY, Mr. STARK, Mr. KING, Mr. MATSUI, Mr. FRANKS of New Jersey, Mr. DOYLE, Mr. SAXTON, Mr. GREEN of Texas, Mr. LOBIONDO, Mr. HOLT, Mr. DELAHUNT, Mr. RAHALL, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Mr. LARSON, Mr. WEYGAND, Mr. PASCRELL, Mr. ALLEN, and Mr. CARDIN):

H.R. 5067. A bill to amend title XVIII of the Social Security Act to clarify the definition of homebound with respect to home health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MEEK of Florida (for herself, Ms. ROS-LEHTINEN, Ms. BROWN of Florida, Mrs. FOWLER, Mr. WELDON of Florida, Mr. DIAZ-BALART, Mr. GOSS, and Mr. SHAW):

H.R. 5068. A bill to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''; to the Committee on Government Reform.

By Mr. MINGE (for himself, Ms. HOOLEY of Oregon, Mr. BAIRD, Mr. RODRIGUEZ, Mr. UDALL of New Mexico, Mr. BOSWELL, Ms. KAPTUR, Mr. OLVER, Mr. BISHOP, Mr. LUCAS of Kentucky, Mr. THOMPSON of California, Mr. DEFAZIO, and Ms. BALDWIN):

H.R. 5069. A bill to encourage the deployment of broadband telecommunications in rural America, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINGE (for himself, Mr. BAIRD, Ms. HOOLEY of Oregon, Mr. KIND, Mr. MCINTYRE, Mr. LUTHER, Mr. KANJORSKI, Ms. BALDWIN, Mr. KOLBE, and Mr. SABO):

H.R. 5070. A bill to amend title XVIII of the Social Security Act to improve geographic fairness in MedicareChoice payments and hospital payments under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MINK of Hawaii:

H.R. 5071. A bill to establish comprehensive early childhood education programs, early childhood education staff development programs, model Federal Government early childhood education programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MOLLOHAN:

H.R. 5072. A bill to extend the deadline for commencement of construction of certain hydroelectric projects located in the State of West Virginia; to the Committee on Commerce.

By Mr. MORAN of Virginia:

H.R. 5073. A bill to extend Federal recognition to the Chickahominy Tribe, the Chickahominy Indian Tribe- Eastern Division, the Mattaponi Tribe, the Upper Mattaponi Tribe, the Pamunkey Tribe, the Rappahannock Tribe, Inc., the Monacan Tribe, and the Nansemond Tribe; to the Committee on Resources.

By Mr. NETHERCUTT (for himself and Ms. DEGETTE):

H.R. 5074. A bill to amend title XVIII of the Social Security Act to provide for State accreditation of diabetes self-management training programs under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORWOOD:

H.R. 5075. A bill to provide for the conveyance of certain real property at the Carl Vinson Department of Veterans Affairs Medical Center, Dublin, Georgia; to the Committee on Veterans' Affairs.

By Mr. NUSSLE (for himself and Mr. RAMSTAD):

H.R. 5076. A bill to amend the Internal Revenue Code of 1986 to clarify the exemption from tax for small property and casualty insurance companies, and for other purposes; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 5077. A bill to provide for the assessment of an increased civil penalty in a case in which a person or entity that is the subject of a civil environmental enforcement action has previously violated an environmental law or in a case in which a violation of an environmental law results in a catastrophic event; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 5078. A bill to restore first amendment protections of religion and speech; to the Committee on the Judiciary.

By Mr. RAMSTAD:

H.R. 5079. A bill to amend section 502 of the Housing Act of 1949 to provide for the prepayment of loans for rural multifamily housing and for the preservation of such housing as affordable for low-income families, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. RAMSTAD (for himself, Mr. RANGEL, and Mr. KOLBE):

H.R. 5080. A bill to revise and extend the Medicare community nursing organization (CNO) demonstration project; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. STARK, Mr. CARDIN, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. COYNE, and Mrs. THURMAN):

H.R. 5081. A bill to amend part B of title IV of the Social Security Act to create a grant program to promote joint activities among Federal, State, and local public child welfare and alcohol and drug abuse prevention and treatment agencies; to the Committee on Ways and Means.

By Mr. ROTHMAN:

H.R. 5082. A bill to improve the quality of life and safety of persons living and working near railroad tracks; to the Committee on Transportation and Infrastructure.

By Ms. ROYBAL-ALLARD:

H.R. 5083. A bill to extend the authority of the Los Angeles Unified School District to use certain park lands in the city of South Gate, California, which were acquired with amounts provided from the land and water conservation fund, for elementary school purposes; to the Committee on Resources.

By Ms. ROYBAL-ALLARD (for herself, Mr. CAPUANO, Ms. CARSON, Mrs. CLAYTON, Mr. CLYBURN, Mr. DEFAZIO, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. HINCHEY, Ms. LEE, Mr. MARTINEZ, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. PASTOR, Mr. PRICE of North Carolina, and Mrs. THURMAN):

H.R. 5084. A bill to amend the Internal Revenue Code of 1986 to provide a credit to promote home ownership among low-income individuals; to the Committee on Ways and Means.

By Mr. SANDERS (for himself, Mr. CAMPBELL, Mr. DEFAZIO, and Mr. KUCINICH):

H.R. 5085. A bill to reduce the long-term lending activities of the IMF and its role in developing countries, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. SAXTON (for himself and Mr. FARR of California):

H.R. 5086. A bill to amend the National Marine Sanctuaries Act to honor Dr. Nancy Foster; to the Committee on Resources.

By Ms. SCHAKOWSKY:

H.R. 5087. A bill to amend title XIX of the Social Security Act to increase the personal needs allowance applied to institutionalized individuals under the Medicare Program; to the Committee on Commerce.

By Mr. SHAW:

H.R. 5088. A bill to amend title XVIII of the Social Security Act to ensure the adequacy of Medicare payment for digital mammography; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW (for himself and Mr. BACHUS):

H.R. 5089. A bill to amend title XVIII of the Social Security Act to increase the per resident payment floor for direct graduate medical education payments under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUDER (for himself, Mr. HEFLEY, and Mr. SHADEGG):

H.R. 5090. A bill to amend the Internal Revenue Code of 1986 to increase the standard mileage rates during 2000 for certain deductions for use of a passenger automobile to 50 cents per mile; to the Committee on Ways and Means.

By Mr. STRICKLAND (for himself, Mrs. WILSON, Mr. WAXMAN, Mr. HORN, Mrs. CAPPS, Mrs. ROUKEMA, and Ms. KAPTUR):

H.R. 5091. A bill to amend the Public Health Service Act to provide programs for the treatment of mental illness; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY:

H.R. 5092. A bill to provide for health care liability reform; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 5093. A bill to amend title XVIII of the Social Security Act and the Internal Revenue Code of 1986 to improve the ability of medical professionals to practice medicine and provide quality care to patients by providing reimbursement and a tax deduction for patient bad debt; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H.R. 5094. A bill to reduce the amount of paperwork and improve payment policies for health care services, to prevent fraud and abuse through health care provider education, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself and Mr. HINCHEY):

H.R. 5095. A bill to require the Secretary of Agriculture to complete a report regarding the safety and monitoring of genetically engineered foods, and for other purposes; to the Committee on Agriculture.

By Mr. TIERNEY (for himself, Mr. NADLER, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. SCOTT, and Mrs. MCCARTHY of New York):

H.R. 5096. A bill to amend the Individuals with Disablilities Education Act to provide that certain funds treated as local funds under that Act shall be used to provide additional funding for programs under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. UDALL of Colorado:

H.R. 5097. A bill to provide interim protection for certain lands in the Arapaho and Roosevelt National Forests in Colorado, to study other management options for some lands, and for other purposes; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself and Mr. HEFLEY):

H.R. 5098. A bill to provide incentives for collaborative forest restoration and wildland fire hazard mitigation projects on National Forest System land and other public and private lands in Colorado, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of New Mexico:

H.R. 5099. A bill to amend title XVIII of the Social Security Act to make improvements to the MedicareChoice Program under part C of the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VITTER (for himself, Mr. COBLE, and Mr. CLEMENT):

H.R. 5100. A bill to clarify that certain penalties provided for in the Oil Pollution Act of 1990 are the exclusive criminal penalties for any action or activity that may arise or occur in connection with certain discharges of oil or a hazardous substance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Ms. LEE, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Mrs. CHRISTENSEN, Mr. BROWN of Ohio, Mr. WYNN, Ms. MCKINNEY, Mr. SANDERS, Mr. ABERCROMBIE, Mr. FROST, and Mr. SERRANO):

H.R. 5101. A bill to require certain actions with respect to the availability of HIV/AIDS pharmaceuticals and medical technologies in developing countries, including sub-Saharan African countries; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MANZULLO (for himself, Mr. CAMP, Mr. PRICE of North Carolina, Mr. FROST, Mrs. MEEK of Florida, and Mr. WISE):

H. Con. Res. 383. Concurrent resolution expressing the sense of the Congress that environmentally sound processes for dry and wet cleaning should be accepted by financial institutions as safe investments; to the Committee on Banking and Financial Services.

By Mr. BUYER:

H. Con. Res. 384. Concurrent resolution recognizing the Boy Scouts of America for the public service it performs through its contributions to the lives of the Nation's boys and young men; to the Committee on the Judiciary.

By Mr. COLLINS:

H. Con. Res. 385. Concurrent resolution expressing the sense of the Congress that the House of Heroes project in Columbus, Georgia, should serve as a model for public service support for the Nation's veterans; to the Committee on Veterans' Affairs.

By Mr. CROWLEY:

H. Con. Res. 386. Concurrent resolution supporting the use of child safety seat occupancy identification programs; to the Committee on Commerce.

By Mr. DAVIS of Illinois (for himself, Mr. SHIMKUS, Mr. CAPUANO, Mr. BONILLA, Mr. BILIRAKIS, Mr. HALL of Texas, Mr. CRAMER, Mr. EVANS, Mr. BERMAN, and Mr. LAHOOD):

H. Con. Res. 387. Concurrent resolution promoting latex allergy awareness, research, and treatment; to the Committee on Commerce.

By Mrs. JONES of Ohio (for herself, Mr. BOEHNER, Mr. BROWN of Ohio, Mr. CHABOT, Mr. GILLMOR, Mr. HALL of Ohio, Mr. HOBSON, Ms. KAPTUR, Mr. KUCINICH, Mr. KASICH, Mr. LATOURETTE, Mr. NEY, Mr. OXLEY, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. REGULA, Mr. SAWYER, Mr. STRICKLAND, and Mr. TRAFICANT):

H. Con. Res. 388. Concurrent resolution recognizing the historic significance of the 100th anniversary of the AAA Ohio Motorists Association, and extending best wishes for the continued success of the organization; to the Committee on Transportation and Infrastructure.

By Mrs. MORELLA (for herself, Mrs. MCCARTHY of New York, Mr. DAVIS of Virginia, Mr. JACKSON of Illinois, Ms. BALDWIN, Mr. JEFFERSON, Mr. BLAGOJEVICH, Mr. TAUZIN, Mr. COSTELLO, Mr. FROST, Mr. PASTOR, Mr. KLECZKA, Mr. GUTIERREZ, Ms. CARSON, Mr. MCGOVERN, Mr. LANTOS, Mr. KENNEDY of Rhode Island, Mr. MORAN of Kansas, Mr. CUMMINGS, Mrs. JONES of Ohio, Mrs. BIGGERT, Mr. BONIOR, Ms. MCKINNEY, Mrs. MALONEY of New York, Mrs. CAPPS, Mr. MCKEON, Mr. CASTLE, Mr. MALONEY of Connecticut, Ms. SLAUGHTER, Mr. ENGEL, Ms. WOOLSEY, Mr. BOEHLERT, Mr. DICKS, and Mr. GILMAN):

H. Con. Res. 389. Concurrent resolution supporting the goals and ideas of National Take Your Kids to Vote Day; to the Committee on Government Reform.

By Mr. ARCHER:

H. Res. 568. Resolution raising a question of the privilege of the House pursuant to Article I, Section 7, of the U.S. Constitution.

By Mrs. BIGGERT:

H. Res. 569. Resolution designating majority membership on certain standing committees of the House.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

449. The SPEAKER presented a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 553 memorializing the United States Congress to acknowledge the differences between the hallucinogenic drug known as marijuana and the agricultural crop known as hemp; and to assist United States' producers by clearly authorizing the commercial production of industrial hemp; to the Committee on Agriculture.

450. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 3 memorializing Congress to support an amendment to Title X of the Elementary and Secondary Education Act of 1965 establishing the Physical Education for Progress Act; to the Committee on Education and the Workforce.

451. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 192 memorializing the United States Congress to initiate a study to determine the causes of the recent gasoline price surge; to the Committee on Commerce.

452. Also, a memorial of the Senate of the State of New York, relative to Resolution No. 3697 memorializing the New York State Congressional Delegation to effectuate an amendment in the Boundry Waters Treaty Act to prohibit bulk water withdrawls from the Great Lakes to preserve the integrity and environmental stability of the Great Lakes; to the Committee on International Relations.

453. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 106 memorializing the federal government to provide additional funding to assist in the purchase and preservation of certain portions of Sterling Forest in the State of New York; to the Committee on Resources.

454. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 368 memorializing the President of the United States to grant clemency to Veteran Alejandro T.B. Lizama, that his sentence be communted and that he be released and returned to Guam; to the Committee on the Judiciary.

455. Also, a memorial of the General Assembly of the State of New Jersey, relative to Resolution No. 90 memorializing the United States Congress to acknowledge the Year 2000 as the 35th anniversary of the passage of the Voting Rights Act of 1965; to the Committee on the Judiciary.

456. Also, a memorial of the Legislature of the State of New Hampshire, relative to House Concurrent Resolution No. 24 supporting the integration requirement of the Americans with Disabilities Act; to the Committee on the Judiciary.

457. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 40 memorializing the Congress of the United States to provide funds under the River and Harbor Act for the U.S. Army Corps of Engineers' Aquatic Plant Control Program; to the Committee on Transportation and Infrastructure.

458. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 316 memorializing the United States Congress to appropriate thirty-five million dollars for the purpose of paying for the Earned Income Tax Credit owed to Guam's working poor; and to appropriate funds annually for continuing funding of the Earned Income Tax Credit Program; to the Committee on Ways and Means.

459. Also, a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Senate Resolution No. 3459 memorializing the President and the Congress of the United States to approve a Permanent Normal Trade Relations (''PNTR'') agreement with China at the earliest possible date in order to promote security and prosperity for American farmers, workers and industries by providing substantially greater access to the Chinese market; and for other related purposes; to the Committee on Ways and Means.

460. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 200 memorializing the President, the Congress of the United States, and the Federal Emergency Management Agency to take all available steps to expeditiously provide relief to New Jersey's flood areas and flood victims; to the Committee on Ways and Means.

461. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution 53 memorializing the Congress of the United States to enact H.R. 3462, The Wealth through the Workplace Act, to expand employee shareholding opportunities and to provide additional encouragement to employers to offer stock options for the benefit of all employees; jointly to the Committees on Education and the Workforce and Ways and Means.

462. Also, a memorial of the Legislature of the State of Louisiana, relative to House Resolution No. 6 memorializing the United States Congress to pass a multiyear reauthorization of the Coastal Wetlands Planning, Protection, and Restoration Act; jointly to the Committees on Resources and Transportation and Infrastructure.

463. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 9 memorializing the United States House of Representatives to pass a multiyear reauthorization of the Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA); jointly to the Committees on Resources and Transportation and Infrastructure.

464. Also, a memorial of the General Assembly of the State of New Jersey, relative to Resolution No. 54 memorializing the Congress of the United States to enact legislation prohibiting the importation into the United States, or sale, of domestic dog or cat fur or any product made in whole or part therefrom; jointly to the Committees on Ways and Means and Commerce.

465. Also, a memorial of the House of Representatives of the State of Illinois, relative

to House Resolution No. 564 memorializing the Congress and the Executive Branch of the United States to work together to reform the financial structure of the Coal Act and to ensure that retired coal miners continue to receive health care benefits; jointly to the Committees on Ways and Means and Education and the Workforce.

466. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 60 memorializing the Congress of the United States to mandate that the Health Care Financing Administration implement a single statewide reimbursement rate for Medicare managed care plans throughout the Louisiana; jointly to the Committees on Ways and Means and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OWENS:

H.R. 5102. A bill for the relief of Javed Iqbal; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 5103. A bill for the relief of Pierre Lyn Ladouceur; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 5104. A bill for the relief of Derrick Leslie; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 5105. A bill for the relief of Regina SMITH; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Ms. MCCARTHY of Missouri.

H.R. 148: Mr. PASCRELL.

H.R. 175: Mr. MOLLOHAN.

H.R. 284: Ms. MCKINNEY, Mr. KIND, Mr. WELLER, and Mr. HANSEN.

H.R. 303: Mr. THOMPSON of California and Mr. KUYKENDALL.

H.R. 362: Mr. RUSH.

H.R. 380: Mr. BLUMENAUER.

H.R. 403: Mr. BONIOR.

H.R. 460: Mr. HINOJOSA, Mr. GREEN of Texas, and Ms. SLAUGHTER.

H.R. 531: Mr. GALLEGLY, Mr. COMBEST, and Mr. BRADY of Texas.

H.R. 534: Ms. BROWN of Florida.

H.R. 555: Mr. NADLER.

H.R. 714: Mr. BONIOR and Mr. BACA.

H.R. 762: Ms. HOOLEY of Oregon.

H.R. 860: Mr. DAVIS of Illinois.

H.R. 870: Mr. CRAMER.

H.R. 900: Ms. DELAURO.

H.R. 960: Mrs. MALONEY of New York and Mr. SERRANO.

H.R. 979: Mr. WISE and Mr. MOLLOHAN.

H.R. 1046: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1073: Mrs. TAUSCHER.

H.R. 1116: Mr. DUNCAN.

H.R. 1139: Mr. HOLT.

H.R. 1159: Mr. KUYKENDALL.

H.R. 1187: Mr. CALVERT and Mr. SHAW.

H.R. 1248: Mr. BEREUTER, Ms. MCCARTHY of Missouri, Mr. MOAKLEY, Mr. THOMPSON of Mississippi, Mr. OSE, Mr. UPTON, Mr. HOUGHTON, Mr. GANSKE, and Mr. HALL of Ohio.

H.R. 1303: Ms. DEGETTE.

H.R. 1354: Mr. EVERETT.

H.R. 1396: Ms. SLAUGHTER and Mr. FATTAH.

H.R. 1560: Mr. EHRLICH.

H.R. 1590: Mr. BOSWELL.

H.R. 1595: Mr. BLUMENAUER.

H.R. 1621: Mr. DICKS, Mr. SPENCE, Mrs. MCCARTHY of New York, Mr. CONDIT, Mr. MARKEY, Mr. ALLEN, and Mr. MEEKS of New York.

H.R. 1622: Mr. GOODE.

H.R. 1640: Mr. DINGELL and Mrs. LOWEY.

H.R. 1644: Mr. HASTINGS of Florida, Mr. FLETCHER, Mr. HOLDEN, Ms. BROWN of Florida, Mr. KUCINICH, Mr. BONIOR, and Mr. LARSON.

H.R. 1795: Mr. MCHUGH, Mr. PASCRELL, and Mrs. KELLY.

H.R. 1824: Mr. RANGEL.

H.R. 1850: Mr. TOOMEY.

H.R. 1865: Mr. CLEMENT and Mr. WELDON of Florida.

H.R. 1871: Mr. CLEMENT.

H.R. 2060: Mr. MANZULLO.

H.R. 2100: Mr. SMITH of Texas.

H.R. 2129: Mr. GANSKE and Mr. PETERSON of Pennsylvania.

H.R. 2200: Mr. GILMAN and Mr. KING.

H.R. 2242: Mr. PETRI.

H.R. 2341: Mr. WEINER, Mr. BOEHNER, Mrs. MORELLA, and Mr. GREEN of Texas.

H.R. 2362: Mr. GIBBONS, Mr. HILL of Montana, Mr. SHADEGG, Mr. HANSEN, Mr. LARGENT, and Mr. SALMON.

H.R. 2457: Mr. SPRATT.

H.R. 2511: Mr. PETRI.

H.R. 2562: Mr. WEXLER, Mr. INSLEE, and Mr. WU.

H.R. 2620: Mr. DAVIS of Illinois, Mr. BISHOP, Mr. QUINN, and Mr. UDALL of New Mexico.

H.R. 2667: Mr. HOEFFEL.

H.R. 2696: Mr. LANTOS.

H.R. 2710: Mrs. THURMAN and Ms. MCCARTHY of Missouri.

H.R. 2720: Mr. MCINTOSH and Mr. LOBIONDO.

H.R. 2741: Mr. ROTHMAN, Mr. HASTINGS of Florida, and Mr. CAPUANO.

H.R. 2749: Mr. COOK.

H.R. 2780: Ms. ROS-LEHTINEN.

H.R. 2892: Mr. ROMERO-BARCELO.

H.R. 2894: Mr. WELDON of Florida.

H.R. 2899: Mr. OWENS.

H.R. 2902: Ms. DEGETTE, Mr. PASCRELL, and Ms. SLAUGHTER.

H.R. 3003: Mrs. MINK of Hawaii, Mr. KUCINICH, and Mr. BLUMENAUER.

H.R. 3004: Mr. HOLDEN, Mr. CAPUANO, Ms. KILPATRICK, and Mr. EVANS.

H.R. 3044: Ms. MILLENDER-MCDONALD.

H.R. 3082: Ms. DUNN.

H.R. 3105: Mr. MATSUI, Mr. FILNER, Mr. TOWNS, Mr. LAZIO, Ms. PELOSI, Mr. OWENS, Ms. KILPATRICK, and Mr. DEUTSCH.

H.R. 3192: Mrs. THURMAN, Mr. BOUCHER, and Mr. ORTIZ.

H.R. 3249: Mr. COOKSEY.

H.R. 3250: Mr. ENGEL.

H.R. 3263: Mr. KUCINICH, Mrs. THURMAN, Ms. MCKINNEY, Mr. NORWOOD, Mr. LEWIS of Georgia, Mr. CHAMBLISS, Mr. COLLINS, Mr. ADERHOLT, Mrs. CLAYTON, Mrs. MEEK of Florida, Mr. GRAHAM, Mr. BERRY, Mr. RILEY, and Mr. CLYBURN.

H.R. 3270: Mr. KUYKENDALL.

H.R. 3302: Mr. MCINTOSH, Mrs. CHENOWETH-HAGE, Mr. HAYES, Mr. ADERHOLT, Mr. DOOLITTLE, Mr. HYDE, Mr. SALMON, Mr. SHIMKUS, Mr. TANCREDO, Mr. RILEY, Mr. NORWOOD, Mr. MCCOLLUM, Mr. PICKERING, Mr. HILL of Montana, Mrs. EMERSON, Mr. ARCHER, Mr. COOK, Mr. METCALF, Mr. WAMP, Mr. BALLENGER, Mr. GREEN of Wisconsin, Mr. HOEKSTRA, Mr. CAMP, Mr. HILLEARY, Mr. WICKER, Mr. CRANE, Mr. HUNTER, Mr. EVERETT, Mr. BACHUS, Mr. GRAHAM, Mr. SCARBOROUGH, Mr. HAYWORTH, Mr. CANADY of Florida, Mr. BRYANT, and Mr. LAHOOD.

H.R. 3433: Mr. ABERCROMBIE, Ms. HOOLEY of Oregon, and Mr. REYES.

H.R. 3449: Mrs. KELLY.

H.R. 3462: Ms. ESHOO.

H.R. 3463: Mr. LANTOS, Ms. BROWN of Florida, and Mr. FOLEY.

H.R. 3573: Mrs. LOWEY.

H.R. 3580: Mr. REYES and Mr. HALL of Ohio.

H.R. 3584: Mr. BRADY of Texas and Mrs. THURMAN.

H.R. 3610: Mr. OLVER and Ms. KAPTUR.

H.R. 3677: Mr. PALLONE.

H.R. 3679: Mr. BAIRD, Mrs. BIGGERT, Mr. BRADY of Texas, Mr. CAMPBELL, Mr. CANADY of Florida, Mr. CHABOT, Mrs. CHENOWETH-HAGE, Mr. COBLE, Mrs. CUBIN, Mr. DELAHUNT, Mr. DOOLEY of California, Mr. GILCHREST, Mr. GOODLATTE, Mr. GREEN of Wisconsin, Mr. HALL of Texas, Mr. HOEFFEL, Mr. KNOLLENBERG, Mr. KUYKENDALL, Mr. MARKEY, Mr. MEEHAN, Mr. GARY MILLER of California, Mr. PALLONE, Mr. ROGAN, Mr. ROHRABACHER, Mr. SAXTON, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. TAYLOR of Mississippi, Mr. VITTER, Mr. WALDEN of Oregon, Mr. WEINER, and Mr. WISE.

H.R. 3700: Mr. EHLERS, Mr. BARR of Georgia, Mr. BRADY of Pennsylvania, Mr. DEAL of Georgia, Mr. TOWNS, Mr. LANTOS, Mr. KNCINICH, Mr. SMITH of Washington, Mr. GOODLATTE, and Mr. INSLEE.

H.R. 3703: Mr. LINDER, Mr. SESSIONS, Mr. TOOMEY, Mr. RYAN of Wisconsin, Mr. PAUL, Mr. JONES of North Carolina, Mr. MANZULLO, Mr. OSE, Mr. RILEY, Mr. METCALF, Mrs. BIGGERT, Mr. COOK, and Mr. HILL of Montana.

H.R. 3710: Mr. MALONEY of Connecticut, Mr. ETHERIDGE, and Mr. SAWYER.

H.R. 3825: Mr. OLVER.

H.R. 3842: Ms. NORTON, Mr. DOOLITTLE, Mr. BAIRD, Mr. SPRATT, Mr. ETHERIDGE, Mr. PAYNE, Mr. WEINER, Mr. BEREUTER, Mr. BISHOP, Mr. CRANE, Mr. SNYDER, Mr. PRICE of North Carolina, Mrs. MALONEY of New York, Mr. TRAFICANT, Mr. HOLT, Ms. DEGEETE, Ms. SANCHEZ, Mr. DEUTSCH, Ms. MCCARTHY of Missouri, and Ms. STABENOW.

H.R. 3850: Mr. GOODLATTE.

H.R. 3872: Mr. LARSON and Mr. GONZALEZ.

H.R. 3896: Mr. FOLEY.

H.R. 3905: Mr. LARSON.

H.R. 3983: Mr. LATOURETTE, Mr. WALSH, Mrs. JOHNSON of Connecticut, and Mr. FRANKS of New Jersey.

H.R. 4001: Mr. BONIOR.

H.R. 4013: Mr. DEFAZIO and Mr. KENNEDY of Rhode Island.

H.R. 4035: Mr. LATOURETTE.

H.R. 4046: Mr. KUCINICH, Mr. CLYBURN, and Mr. FALEOMAVAEGA.

H.R. 4056: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4061: Mr. LUCAS of Kentucky and Mr. WEXLER.

H.R. 4094: Mr. RAMSTAD and Mr. DIAZ-BALART.

H.R. 4113: Mr. WELDON of Pennsylvania.

H.R. 4145: Mr. MOORE.

H.R. 4162: Mr. WYNN, Mr. TOWNS, Mrs. CHRISTENSEN, and Mr. WATT of North Carolina.

H.R. 4167: Mr. RAHALL, Mr. HOEFFEL, Ms. ESHOO, Mr. WATT of North Carolina, and Mr. COYNE.

H.R. 4213: Mr. RAMSTAD, Mr. KING, and Mr. RUSH.

H.R. 4219: Mr. CHAMBLISS, Mr. KLINK, Mr. LEACH, Mr. CONDIT, Ms. WOOLSEY, Mr. RUSH, and Mr. THUNE.

H.R. 4239: Mr. SAWYER and Mr. MOORE.

H.R. 4274: Mr. FROST.

H.R. 4277: Mr. TRAFICANT.

H.R. 4289: Mr. MARKEY, Mr. MATSUI, Mr. GONZALEZ, Mr. NADLER, Mr. BROWN of Ohio, Mr. KLECZKA, and Mr. BLUMENAUER.

H.R. 4292: Mr. RAHALL, Mr. SALMON, and Mr. HAYES.

H.R. 4334: Ms. HOOLEY of Oregon and Mr. SANDERS.

H.R. 4353: Mr. BLAGOJEVICH.

H.R. 4359: Mr. THOMPSON of Mississippi and Mr. CLAY.

H.R. 4375: Mr. FORST and Mr. DAVIS of Illinois.

H.R. 4380: Mr. EVANS and Mr. FILNER.
H.R. 4384: Mr. BEREUTER.
H.R. 4428: Mr. FROST and Mr. LUTHER.
H.R. 4434: Mrs. THURMAN, Mr. GORDON, Mr. HINCHEY, and Mr. WEINER.
H.R. 4443: Mr. BROWN of Ohio and Mr. HOLDEN.
H.R. 4453: Mr. CAPUANO and Mr. WEXLER.
H.R. 4465: Mr. NEY and Mr. BALLENGER.
H.R. 4481: Mr. HOUGHTON, Mr. GONZALEZ, Mr. MORAN of Kansas, Mr. SAXTON, Mr. SANDLIN, Mr. LAFALCE, Mr. HOEFFEL, Mr. BERMAN, Ms. WOOLSEY, and Mr. EVANS.
H.R. 4487: Ms. CARSON.
H.R. 4492: Mr. BEREUTER.
H.R. 4493: Mr. CLEMENT and Mr. MORAN of Virginia.
H.R. 4495: Mr. PITTS.
H.R. 4505: Mr. HERGER, Mr. GREEN of Wisconsin, Mr. CLEMENT, and Mr. CHAMBLISS.
H.R. 4507: Mr. JEFFERSON.
H.R. 4511: Mr. JONES of North Carolina and Mrs. FOWLER.
H.R. 4514: Mr. MINGE.
H.R. 4543: Mr. CONDIT, Mr. PETERSON of Pennsylvania Mr. MCCRERY, Mr. TERRY, Mr. KING, Mr. VITTER, Mr. SCARBOROUGH, Mr. THOMPSON of California, Mr. GOODLATTE, Mr. LEWIS of Kentucky, Mr. HALL of Texas, Mr. REYES, Mr. NEY, Mr. HULSHOF, Ms. LEE, Mr. GALLEGLY, and Mr. GONZALEZ.
H.R. 4547: Mr. GUTKNECHT, Mr. SMITH of New Jersey and Mr. GILLMOR.
H.R. 4548: Mr. FLETCHER and Mrs. JOHNSON of Connecticut.
H.R. 4550: Mr. HILLEARY.
H.R. 4565: Mr. WAXMAN, Mrs. MALONEY of New York, Ms. MCKINNEY, Mr. BARRETT of Wisconsin, Mr. BONIOR, Mr. COOK, Mr. MCGOVERN, Mrs. THURMAN, and Mrs. FOWLER.
H.R. 4570: Mr. LEVIN and Mr. NEAL of Massachusetts.
H.R. 4571: Ms. DELAURO, Mr. ENGLISH, and Ms. DUNN.
H.R. 4598: Mr. HERGER.
H.R. 4600: Mr. OXLEY.
H.R. 4611: Mr. LAFALCE and Ms. RIVERS.
H.R. 4623: Mr. EVANS.
H.R. 4624: Mr. MEEKS of New York.
H.R. 4636: Mr. FROST.
H.R. 4643: Mr. UDALL of New Mexico, Mr. DOOLEY of California, Mr. COX, Mr. FOLEY, Mr. THOMAS, Mr. HANSEN, Mr. CUNNINGHAM, Mr. DAVIS of Virginia, Mr. HAYWORTH, Mr. YOUNG of Alaska, Mr. LEWIS of California, Mr. TAYLOR of Mississippi, and Mr. SNYDER.
H.R. 4649: Mr. STRICKLAND and Mr. BARRETT of Wisconsin.
H.R. 4653: Mr. GEJDENSON.
H.R. 4677: Mr. BALLENGER.
H.R. 4707: Mrs. MINK of Hawaii, Ms. KILPATRICK, Mr. ROMERO-BARCELO, Mr. UNDERWOOD, Mr. GUTIERREZ, Mr. DEUTSCH, Mr. BROWN of Ohio, Mr. LEVIN, Mr. MATSUI, Mr. REYES, Mr. HINOJOSA, and Mr. GEORGE MILLER of California.
H.R. 4715: Mr. HERGER and Mr. CARDIN.
H.R. 4716: Mr. REYES, Mrs. EMERSON, Ms. KAPTUR, Mr. UPTON, and Mr. HINOJOSA.
H.R. 4727: Mr. DEFAZIO, Mr. ABERCROMBIE, and Mr. ALLEN.
H.R. 4730: Mr. DEAL of Georgia.
H.R. 4735: Mr. CAMPBELL.
H.R. 4745: Mrs. MORELLA and Mr. HORN.
H.R. 4756: Mr. LEWIS of Georgia and Mr. CLAY.
H.R. 4757: Mrs. THURMAN.
H.R. 4759: Mr. LEACH.
H.R. 4760: Mr. GREEN of Texas.
H.R. 4766: Mr. HORN and Mr. KUYKENDALL.
H.R. 4772: Mr. BRADY of Pennsylvania and Mr. PAYNE.
H.R. 4781: Mr. HILLEARY.
H.R. 4791: Mr. FALEOMAVAEGA, Mr. SANDLIN, Mr. SISISKY, Mr. MCGOVERN, Mr. RAHALL, and Mr. NEY.
H.R. 4793: Mrs. FOWLER.
H.R. 4795: Mr. LEACH, Mr. MCCOLLUM, Mrs. ROUKEMA, Mr. BEREUTER, Mr. BAKER, Mrs. KELLY, Mr. BACHUS, Mr. JONES of North Carolina, Mr. LATOURETTE, Mr. GREEN of Wisconsin, Mr. SWEENEY, and Mr. TERRY.
H.R. 4798: Mr. PASTOR and Mrs. LOWEY.
H.R. 4803: Mr. KUCINICH and Mrs. THURMAN.
H.R. 4816: Mr. TANNER.
H.R. 4817: Mr. CROWLEY.
H.R. 4825: Mr. BALDACCI, Mr. DUNCAN, Mrs. MORELLA, Mr. ISAKSON, Mr. CHABOT, Mr. TANCREDO, Mr. GREEN of Texas, Mr. PALLONE, Mr. DEFAZIO, Mr. GEORGE MILLER of California, Mr. RUSH, Mr. MCNULTY, Mr. MARKEY, Ms. LEE, Mr. FRANKS of New Jersey, and Mr. DEUTSCH.
H.R. 4829: Mr. JONES of North Carolina, Mr. PALLONE, Mr. HORN, Mr. ROHRABACHER, Mr. RYUN of Kansas, Mr. DIAZ-BALART, Ms. KAPTUR, Mr. DOYLE, Mr. STARK, Mr. GOODLING, Ms. MCKINNEY, and Mr. ROTHMAN.
H.R. 4830: Mrs. BIGGERT, Mr. CRANE, Mr. DAVIS of Illinois, Mr. HASTERT, Mr. LAHOOD, Mr. LIPINSKI, Mr. MANZULLO, Mr. PHELPS, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. WELLER, Mr. COSTELLO, Mr. EWING, Mr. BLAGOJEVICH, and Mr. EVANS.
H.R. 4831: Mrs. BIGGERT, Mr. CRANE, Mr. DAVIS of Illinois, Mr. HASTERT, Mr. LAHOOD, Mr. LIPINSKI, Mr. MANZULLO, Mr. PHELPS, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. WELLER, Mr. COSTELLO, Mr. EWING, Mr. BLAGOJEVICH, and Mr. EVANS.
H.R. 4848: Ms. STABENOW, Mr. MEEHAN, Mr. MCNULTY, Mr. WU, Mr. MCGOVERN, Mr. PASTOR, Mr. MCDERMOTT, Mr. GILMAN, Mr. ANDREWS, Mr. COYNE, Mr. GUTIERREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEVIN, Mr. LANTOS, Mr. BECERRA, Mr. BLUMENAUER, Mr. PALLONE, Mr. WEXLER, Mr. PASCRELL, and Mr. ALLEN.
H.R. 4857: Mr. WISE, Mr. BACHUS, Mr. FROST, Mr. EHLERS, Ms. BALDWIN, Mr. BERMAN, Mr. JEFFERSON, Mr. NEAL of Massachusetts, Mr. KUYKENDALL, Mr. REYNOLDS, Mr. SKELTON, Mrs. TAUSCHER, Mr. BUYER, Mr. NETHERCUTT, and Ms. RIVERS.
H.R. 4858: Mr. FRANK of Massachusetts.
H.R. 4862: Mr. COOK, Mr. TERRY, Mr. BISHOP, and Mr. WEXLER.
H.R. 4880: Mr. MORAN of Virginia.
H.R. 4883: Mr. PHELPS and Mr. GREEN of Texas.
H.R. 4893: Mr. KUCINICH.
H.R. 4897: Ms. KILPATRICK, Ms. MCKINNEY, Ms. SLAUGHTER, and Ms. KAPTUR.
H.R. 4907: Mr. BLILEY, Mr. SISISKY, and Mr. GOODLATTE.
H.R. 4922: Mr. HOSTETTLER, Mr. JOHN, Mr. JONES of North Carolina, Mr. PHELPS, Mr. NETHERCUTT, Ms. DANNER, Mr. CRAMER, Mr. MCCRERY, Mr. MCHUGH, Mr. SWEENEY, Mr. VITTER, Mr. STUPAK, Mr. COOKSEY, Mr. BAKER, Mr. BONILLA, Mr. GOODE, Mr. REYNOLDS, Mr. PETERSON of Pennsylvania, Mr. SIMPSON, Mr. MINGE, Mr. LEWIS of Kentucky, Mr. WALDEN of Oregon, Mr. WHITFIELD, Mr. REGULA, Mr. HASTINGS of Washington, and Mr. HALL of Texas.
H.R. 4932: Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mr. BALDACCI, Mrs. THURMAN, and Mr. DOYLE.
H.R. 4935: Ms. MCKINNEY.
H.R. 4938: Mr. EVANS.
H.R. 4949: Mr. RAHALL and Mr. EVANS.
H.R. 4951: Mr. OXLEY, Ms. DANNER, and Mr. WALDEN of Oregon.
H.R. 4954: Mr. LANTOS and Mr. LIPINSKI.
H.R. 4957: Mrs. THURMAN, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. MEEKS of New York, Mr. THOMPSON of California, Mr. LEWIS of Georgia, Mr. DIXON, Mr. OWENS, Ms. WATERS, Mr. FROST, and Mr. JACKSON of Illinois.
H.R. 4958: Mr. SANDERS and Ms. DANNER.
H.R. 4966: Mr. REYES, Mr. RODRIGUEZ, Mr. CAPUANO, and Mr. EVANS.
H.R. 4971: Mr. COLLINS, Mr. MCCRERY, Mr. FOLEY, and Mr. TANNER.
H.R. 4976: Mr. SHERMAN, Mr. WEXLER, Mr. CALVERT, Ms. SCHAKOWSKY, Mr. HORN, Mr. SALMON, Mr. HAYES, Mr. DEUTSCH, Mr. GILMAN, Mr. LEVIN, Mr. WAXMAN, Mr. WELLER, and Mr. PALLONE.
H.R. 4977: Mrs. THURMAN and Mr. UDALL of Colorado.
H.J. Res. 102: Mr. CANNON, Ms. BALDWIN, Mr. BONIOR, and Mr. KUCINICH.
H. Con. Res. 115: Mr. KUCINICH.
H. Con. Res. 177: Mr. BLUMENAUER.
H. Con. Res. 192: Mr. CUNNINGHAM and Mr. LAMPSON.
H. Con. Res. 238: Mr. GREEN of Wisconsin.
H. Con. Res. 242: Mr. BONIOR, Mr. JEFFERSON, Mr. RANGEL, and Mr. WEXLER.
H. Con. Res. 257: Mr. MORAN of Virginia and Mr. CALVERT.
H. Con. Res. 305: Mr. OBERSTAR, Mr. FORBES, and Mr. GOODLATTE.
H. Con. Res. 306: Mr. DINGELL.
H. Con. Res. 307: Mr. BLILEY, Mr. CHABOT, and Mr. CAMPBELL.
H. Con. Res. 327: Mr. SHIMKUS, Mr. GIBBONS, Mr. KENNEDY of Rhode Island, Mr. BARTLETT of Maryland, Mr. GALLEGLY, and Mrs. KELLY.
H. Con. Res. 341: Mr. REYES, and Mr. GUTKNECHT.
H. Con. Res. 362: Mrs. NAPOLITANO, Ms. WOOLSEY, and Mr. FARR of California.
H. Con. Res. 368: Mr. OWENS, Mr. WYNN, and Mr. BALDACCI.
H. Con. Res. 370: Mr. CAPUANO, Ms. ROSE-LEHTINEN, and Mr. RUSH.
H. Con. Res. 373: Mr. DAVIS of Illinois and Ms. MCKINNEY.
H. Con. Res. 376: Ms. DEGETTE.
H. Con. Res. 381: Mr. CRAMER, Mr. HALL of Texas, Mr. EVANS, Mr. BONILLA, Mr. BERMAN, Mr. BILIRAKIS, and Mr. LAHOOD.
H. Res. 361: Mr. FILNER and Ms. ROS-LEHTINEN.
H. Res. 398: Mr. SHIMKUS, Mr. KUCINICH, Mr. DELAHUNT, and Mr. PASCRELL.
H. Res. 461: Mr. GREEN of Texas, Mr. MOAKLEY, and Mr. BERMAN.
H. Res. 537: Mr. CAPUANO and Mrs. LOWEY.
H. Res. 561: Mrs. THURMAN, Mrs. MYRICK and Mr. OWENS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3702: Mrs. BIGGERT.
H.R. 4892: Mr. LEWIS of Georgia.

PETITIONS, ETC.

Under clause 3 of rule XII,

103. The SPEAKER presented a petition of Essex County Board of Supervisors, Clerk, Essex, New York, relative to Resolution No. 101 petitioning the House of Representatives to amend the Conservation and Reinvestment Act of 1999 to include a provision stating that if any county, town, city or village has more than 20% publicly owned land, the governing body of such municipality must approve of the acquisition of any property or property rights with such municipality through the use of CARA funds in whole or in part; which was referred jointly to the Committees on Commerce, Agriculture, and the Budget.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 11 by Ms. SLAUGHTER on House Resolution 520: Silvestre Reyes.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4942

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 25: Page 78, insert after line 15 the following:

(d) PROHIBITING USE OF FUNDS IN CONTRAVENTION OF ACT.—No funds in this Act may be used in contravention of the Act of March 3, 1933 (41 U.S.C. 10a et seq.; popularly known as the ''Buy American Act'').