

PROVIDING FOR THE CONSIDERATION OF H.R. 867, THE
ADOPTION PROMOTION ACT OF 1997

APRIL 29, 1997.—Referred to the House Calendar and ordered to be printed

Ms. PRYCE of Ohio, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 134]

The Committee on Rules, having had under consideration House Resolution 134, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 867, the “Adoption Promotion Act of 1997” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives points of order against consideration of the bill for failure to comply with clause 2(1)(6) of rule XI (3 day availability of committee reports), and sections 303(a) and 308(a) of the Congressional Budget Act of 1974 (prohibiting consideration of budgetary legislation prior to the adoption of the budget resolution and requiring a CBO cost estimate in the committee report on legislation containing new budget authority, new spending authority, new credit authority, or a change in revenues, respectively).

The rule makes in order the Committee on Ways and Means amendment in the nature of a substitute as an original bill for purpose of amendment, modified as specified in this report. The rule also provides that each section of the committee amendment in the nature of a substitute, as modified, shall be considered as read.

The rule also waives points of order for failure to comply with clause 7 of rule XVI (germaneness) and sections 303(a) and 306 (prohibits consideration of legislation within Budget Committee’s jurisdiction unless reported by the Budget Committee) of the Con-

gressional Budget Act of 1974 against the committee amendment in the nature of a substitute.

Members who have pre-printed their amendments in the Record prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules. Finally, the rule provides for one motion to recommit, with or without instructions.

Amendment to be considered as adopted offered by Representative Camp of Michigan, Representative Kennelly of Connecticut, and Representative Shaw of Florida:

In section 4, insert “(a) IN GENERAL.—” before “Part E”.

Strike subsection (a) of section 473A of the Social Security Act, as proposed to be added by section 4 of the bill, and insert the following:

“(a) GRANT AUTHORITY.—Subject to the availability of such amounts as may be provided in appropriations Acts, the Secretary shall make a grant to each State that is an incentive-eligible State for a fiscal year in an amount equal to the adoption incentive payment payable to the State for the fiscal year under this section, which shall be payable in the immediately succeeding fiscal year.”

In subsection (d)(2) of section 473A of the Social Security Act, as proposed to be added by section 4 of the bill, strike “the amount then available for grants under this section” each place such term appears and insert “\$15,000,000”.

Strike subsection (h) of section 473A of the Social Security Act, as proposed to be added by section 4 of the bill, and insert the following:

“(h) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For grants under this section, there are authorized to be appropriated to the Secretary \$15,000,000 for each of fiscal years 1999 through 2003.

“(2) AVAILABILITY.—Amounts appropriated under paragraph (1) are authorized to remain available until expended, but not after fiscal year 2003.”

At the end of section 4, add the following:

(b) DISCRETIONARY CAP ADJUSTMENT FOR ADOPTION INCENTIVE PAYMENTS.—

(1) SECTION 251 AMENDMENT.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

“(I) ADOPTION INCENTIVE PAYMENTS.—Whenever a bill or joint resolution making appropriations for fiscal year 1999, 2000, 2001, or 2002 is enacted that specifies an amount for adoption incentive payments for the Department of Health and Human Services—

“(i) the adjustments for new budget authority shall be the amounts of new budget authority provided in that measure for adoption incentive payments, but not to exceed \$15,000,000; and

“(ii) the adjustment for outlays shall be the additional outlays flowing from such amount.”.

(2) SECTION 606 AMENDMENT.—Section 606 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(f) ADOPTION INCENTIVE PAYMENTS ADJUSTMENT.—

“(1) IN GENERAL.—(A)(i) When the Committee on Appropriations reports an appropriation measure for fiscal year 1999, 2000, 2001, 2002, or 2003 that specifies an amount for adoption incentive payments for the Department of Health and Human Services, or when a conference committee submits a conference report thereon, the chairman of the Committee on the Budget of the Senate or House of Representatives (whichever is appropriate) shall—

“(I) make adjustments for the amounts of new budget authority provided by that appropriation measure for such payments, which shall be the amount of new budget authority provided in that measure for adoption incentive payments, but not to exceed \$15,000,000; and

“(II) make adjustment for outlays, which shall be in an amount equal to the additional outlays flowing from such amount.

“(ii) If the adjustments referred to in the preceding sentence are made for an appropriations measure that is not enacted into law, then the chairman of the Committee on the Budget of the House of Representatives shall, as soon as practicable, reverse those adjustments.

“(iii) The chairman of the Committee on the Budget of the House of Representatives shall submit any adjustments made under this subparagraph to the House of Representatives and have such adjustments published in the Congressional Record.

“(B) The adjustments referred to in this paragraph consist of adjustments to—

“(i) the discretionary spending limits for that fiscal year as set forth in the most recently adopted concurrent resolution on the budget;

“(ii) the allocations to the Committees on Appropriations of the Senate and the House of Representatives for that fiscal year under sections 302(a) and 602(a); and

“(iii) the appropriate budgetary aggregates for that fiscal year in the most recently adopted concurrent resolution on the budget.

“(C) The adjusted discretionary spending limits, allocations, and aggregates under this paragraph shall be considered the appropriate limits, allocations, and aggregates for purposes of congressional enforcement of this Act and concurrent budget resolutions under this Act.

“(2) REPORTING REVISED SUBALLOCATIONS.—Following the adjustments made under paragraph (1), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations pursuant to sections 302(b) and 602(b) of this Act to carry out this subsection.

“(3) DEFINITION.—As used in this section, the term ‘adoption incentive payments’ shall have the same meaning as provided

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in section 251(b)(2)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

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