President, and certain Independent Agencies, for the fiscal year ending September 30, 2000, and for other purposes; House Calendar No. 132. House Report No. 106-231.

H.R. 2491. A bill to amend section 213 of the National Housing Act to authorize trusts to hold mortgages, to operate nonprofit cooperative housing communities that own properties with mortgages insured under such section; to the Committee on Banking and Financial Services.

By Mr. ENGEL (for himself and Mr. LAZIO):

H.R. 2492. A bill to amend title XVIII of the Social Security Act to revise Medicare payment policy with respect to home health services furnished 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 Ms. ESHOO (for herself, Mr. WALSH, Mr. MCNULTY, Mr. SWEENEY, and Mr. REYNOLDS):

H.R. 2493. A bill to declare as citizens of the United States certain women who lost citizenship solely by reason of marriage to an alien prior to September 22, 1922; to the Committee on the Judiciary.

By Mr. HOSTETTLER (for himself, Mr. GOODLING, Mrs. CHENOWETH, Mr. PAUL, Mr. PITTS, Mr. BURGER, Mr. ENGLE, Mr. MCINTOSH, Mr. BURTON of Indiana, Mr. SCHAEFFER, Mr. STUMP, Mr. DOOLITTLE, Mr. STEARNS, Mr. SOUDER, Mr. SWOHS, Mr. BALDACCI, and Mr. MILLER of California):

H.R. 2494. A bill to amend the Internal Revenue Code of 1986 to provide a religious exemption from the requirement that identification numbers be provided to claimants for claim and deduction as a tax refund to credit on the Committee on Ways and Means.

H.R. 2495. A bill to direct the Administrator of the Federal Aviation Administration to issue regulations to limit the number of pieces of carry-on baggage that a passenger may carry on a plane; to the Committee on Transportation and Infrastructure.

By Mr. ORTIZ:

H.R. 2496. A bill to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994; to the Committee on Resources.

By Mr. PITTS (for himself, Mr. ENGLISH, Mr. BOEHLENT, Mr. WELDON of Pennsylvania, Mr. HOFFELF, Mr. PETERSON of Pennsylvania, Mr. GREENWOOD, Mr. SAM JOHNSON of Texas, Mr. MCINTOSH, Mr. LARGENT, Mr. BARR of Georgia, Mr. BARTLETT of Maryland, Mr. TANCREDO, Mrs. MORELLA, Mr. JONES of North Carolina, Mr. HOSTETTLER, Mr. DEMINT, Mr. GILMOR, and Mr. GOODE):

H.R. 2497. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale or exchange of farmland which by covenant is restricted to use as farmland and to exclude the value of such farmland from estate taxes; to the Committee on Ways and Means.

By Mr. STEARNS (for himself, Mr. RAHALL, Mr. ABERCROMBIE, Mr. BARRETT of Wisconsin, Mr. BILBRAY, Mr. BOEHLENT, Mr. COOK, Mr. DAVIS of Virginia, Mr. DAHLTON, Mr. FOLEY, Mr. GALEGGY, Mr. GEKAS, Mr. GREENWOOD, Mr. GUTIERREZ, Mr. HILLIARD, Ms. HOOLEY of Oregon, Mr. KEENAN of Connecticut, Mr. MASCARA, Mr. MATSUI, Mr. MEEHAN, Mrs. MINK of Hawaii, Mrs. MORELLA, Mr. PASCRELL, Mr. SANDLIN, and Mr. WEINER):

H.R. 2498. A bill to amend the Public Health Service Act to provide for reconsideration by the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices; to the Committee on Energy and Commerce.

By Mr. WEINER (for himself, Mr. HYDE, Mr. CROWLEY, Mr. SHAYS, Ms. RIVERS, Mrs. MORELLA, Mr. STARK, Mr. KINZINGER, Mr. UDALL of Colorado, Mr. SERRANO, Mrs. McCARTHY of New York, Mr. MARKEY, Mr. KUCINICH, Mr. PALLONE, Mr. LARSON, Mr. HALL of Ohio, Ms. LEE, and Mr. CAPUANO):

H.R. 2499. A bill to amend title 49, United States Code, to prohibit the operation of certain aircraft not complying with stage 4 noise levels; to the Committee on Transportation and Infrastructure.

By Ms. WELCH (for himself, Mr. SCHIFF, Mr. GRAHAM of California, Ms. MURKOWSKI, Mr. BACSEY, and Mr. COLLIN HAN of Hawaii, Ms. MINK of Hawaii, Mrs. HAN, Mrs. MINK of Hawaii, Mrs. GELDENSHAUSEN of Virginia, Mr. BUNCH of North Carolina, Mr. STEELE of South Carolina, Mr. BARTLETT of Michigan, Mr. KENNEDY of Massachusetts, Mr. SCHUMAN of Kansas, and Mr. KINKADE of Indiana):

H.R. 2500. A bill to establish demonstration projects to provide family income to respond to significant transitions, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COOK:

H. Con. Res. 151. Concurrent resolution expressing the sense of the Congress that Federal funding for elementary and secondary teacher training be used first for activities to advance science, mathematics, and engineering education for elementary and secondary teachers; to the Committee on Education and the Workforce.

By Mr. GARY MILLER of California:

H. Con. Res. 152. Concurrent resolution expressing the sense of Congress that urgent action is needed to limit the hardship endured by senior citizens when meeting their prescription drug needs; to the Committee on Commerce.

By Mr. GARY MILLER of California:


By Mr. CONYERS (Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Religious Liberty Protection Act of 2000.”

SEC. 2. PROTECTION OF RELIGIOUS EXERCISE.

(a) General Rule.—Except as provided in subsection (b), a government shall not substantially burden a person’s religious exercise—

(1) in a program or activity, operated by a government, that receives Federal financial assistance or

(2) in any case in which the substantial burden on the person’s religious exercise affects, or in which a removal of that substantial burden would adversely affect, foreign nations, among the several States, or with Indian tribes;

in even if the burden results from a rule of gener applicability.

(b) Exception.—A government may substantially burden a person’s religious exercise if the government demonstrates that application of the burden to the person—

(1) in furtherance of a compelling governmental interest; and

(2) is the least restrictive means of furthering that compelling governmental interest.

(c) Remedies of the United States.—Nothing in this section shall be construed to authorize the United States to deny or withhold Federal financial assistance as a remedy for a violation of this Act. However, nothing in this subsection shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General or the United States or any agency, officer, or employee thereof under other law, including section 4(d) of this Act, to institute or intervene in any action or proceeding.

SEC. 3. ENFORCEMENT OF CONSTITUTIONAL RIGHTS.

(a) Procedure.—If a claimant produces prima facie evidence to support a claim alleging a violation of the Free Exercise

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 Ms. LEE:

H.R. 2501. A bill for the relief of George Botzen; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 2502. A bill for the relief of Lawrence Williams; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk’s desk and referred as follows:

33. The SPEAKER presented a petition of the Puerto Rico Bar Association Board of Directors, relative to Resolution No. 34 petitioning the President of the United States to cease the target practices of the United States States of North America at the island of Vieques and adjacent water bodies; to the Committee on Armed Services.

34. Also, a petition of the Legislature of Rockland County, relative to Resolution No. 285 petitioning Congress to enact legislation prohibiting the physical destruction of the American flag by Constitutional amendment; to the Committee on the Judiciary.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1691

OFFERED BY MR. CONYERS

AMENDMENT No. 1: Strike all after the enacting clause and insert the following:

Clause or a violation of a provision of this Act enjoining that clause, the government shall bear the burden of persuasion on any element of the claim; however, the claimant shall bear the burden of persuasion on government. Standing whether the challenged government practice, law, or regulation burdens or substantially burdens the claimant's exercise of religion.

SEC. 4. JUDICIAL RELIEF.

(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 an archdiocese, school, or university, not acting under color of law.

(c) CLAIMS TO FUNDING UNAFFECTED.—Nothing in this Act shall create or preclude a right or an obligation on an entity to receive funding or other assistance from a government, or of any person to receive government funding for a religious activity, but nothing in this Act shall empower any government to incur expenses in its own operations to avoid imposing a burden or 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 ALVIATING BURDENS ON RELIGIOUS EXERCISE.—A government may avoid the preemptive force of any provision of this Act by changing the policy that results in the substantial burden or by deciding that that policy does not, or reflects a compelling governmental interest which outweighs the burden of the religious exercise, by providing exemptions from the policy for applications that substantially burden religious exercise or by any other means that eliminates the substantial burden.

(f) EFFECT ON OTHER LAW.—In a claim under section 2(a) of this Act, proof that a substantial burden on a person's religious exercise, or removal of that burden, affects or would affect commerce, shall not establish any inference or presumption that Congress intends that anything included in the term `covered entity' means, and all that follows through `includes'' and inserting `term `covered entity' means'; and

(3) in paragraph (4), by striking all after "means," and inserting "any exercise of religion, whether or not compelled by, or central to, a system of religious belief, and includes (A) the use, building, or conversion of real property by a person or entity intending that property for religious exercise; and (B) any conduct protected as exercise of religion under the first amendment to the Constitution.

(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.

As used in this Act—

(1) the term "religious exercise" means an exercise of religion, whether or not compelled by, or central to, a system of religious belief, and includes (A) the use, building, or conversion of real property by a person or entity intending that property for religious exercise; and (B) any conduct protected as exercise of religion under the first amendment to the Constitution;

(2) the term "Free Exercise Clause" means that portion of the first amendment to the Constitution that proscribes laws prohibiting the free exercise of religion and includes the application of that provision under the 14th amendment to the Constitution;

(3) the term "land use regulation" means a law or decision of a government that limits or restricts a private person's uses or development of land, or of structures affixed to land, where the law or decision applies to property by a person or entity intending that property for religious exercise, or by any other means that eliminates the substantial burden.

(f) EFFECT ON OTHER LAW.—In a claim under section 2(a) of this Act, proof that a substantial burden on a person's religious exercise, or removal of that burden, affects or would affect commerce, shall not establish any inference or presumption that Congress intends that anything included in the term `covered entity' means, and all that follows through `includes'' and inserting `term `covered entity' means'; and

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(3) in paragraph (4), by striking all after "means," and inserting "any exercise of religion, whether or not compelled by, or central to, a system of religious belief, and includes (A) the use, building, or conversion of real property by a person or entity intending that property for religious exercise; and (B) any conduct protected as exercise of religion under the first amendment to the Constitution.

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(f) EFFECT ON OTHER LAW.—In a claim under section 2(a) of this Act, proof that a substantial burden on a person's religious exercise, or removal of that burden, affects or would affect commerce, shall not establish any inference or presumption that Congress intends that anything included in the term `covered entity' means, and all that follows through `includes'' and inserting `term `covered entity' means'; and

(3) in paragraph (4), by striking all after "means," and inserting "any exercise of religion, whether or not compelled by, or central to, a system of religious belief, and includes (A) the use, building, or conversion of real property by a person or entity intending that property for religious exercise; and (B) any conduct protected as exercise of religion under the first amendment to the Constitution.

(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".

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(3) the term "land use regulation" means a law or decision of a government that limits or restricts a private person's uses or development of land, or of structures affixed to land, where the law or decision applies to property by a person or entity intending that property for religious exercise, or by any other means that eliminates the substantial burden.

(f) EFFECT ON OTHER LAW.—In a claim under section 2(a) of this Act, proof that a substantial burden on a person's religious exercise, or removal of that burden, affects or would affect commerce, shall not establish any inference or presumption that Congress intends that anything included in the term `covered entity' means, and all that follows through `includes'' and inserting `term `covered entity' means'; and

(3) in paragraph (4), by striking all after "means," and inserting "any exercise of religion, whether or not compelled by, or central to, a system of religious belief, and includes (A) the use, building, or conversion of real property by a person or entity intending that property for religious exercise; and (B) any conduct protected as exercise of religion under the first amendment to the Constitution.

(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".
the United States, and any person acting under color of Federal law.

H.R. 1691
Offered By: Mr. Nadler
(Amendment in the Nature of a Substitute)
Amendment No. 2. Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Religious Liberty Protection Act of 1999”.

SEC. 2. PROTECTION OF RELIGIOUS EXERCISE.
(a) GENERAL RULE.—Except as provided in subsection (b), a government shall not substantially burden a person’s religious exercise.

(b) EXCEPTION.—A government may substantially burden a person’s religious exercise if the government demonstrates that application of the burden to the person—

(1) is in furtherance of a compelling governmental interest; and

(2) is the least restrictive means of furthering that compelling governmental interest.

(c) REMEDIES OF THE UNITED STATES.—Nothing in this section shall be construed to authorize the United States to deny or withhold Federal financial assistance as a remedy for a violation of this Act, as determined by the Attorney General, that results from a rule of general applicability.

(d) BROAD CONSTRUCTION.—This Act should be construed in favor of a broad protection of religious exercise, to the maximum extent permitted by its terms and the Constitution.

SEC. 3. ENFORCEMENT OF CONSTITUTIONAL RIGHTS.

(a) PROCEDURE.—If a claimant produces prima facie evidence to support a claim alleging a violation of the Free Exercise Clause or a violation of a provision of this Act enforcing that clause, the government shall bear the burden of persuasion on any element of the claim on which the government bears the burden of persuasion.

(b) LAND USE REGULATION.—(1) Limitation on land use regulation.—(A) No government shall impose or implement a land use regulation in a manner that does not treat religious assemblies or institutions substantially differently from any other assembly or institution on the basis of religion or religious denomination.

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 removing a person from a system of religious exercise or for claims against a religious organization, including any religiously affiliated school or university, not acting under color of law.

(c) CHURCH OR RELIGIOUS CORPORATION.—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 government to incur costs in its own right or by imposing a burden or 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 of a person acting under color of law, as a condition of receiving funding or other assistance; or

(2) restrict any authority that may exist under color of law to so regulate or affect, except as provided in this Act.

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”).

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 subdivision of a State” and inserting “a covered entity or a subdivision of such an entity”; and

(2) in paragraph (2), by striking “term” and all that follows through “means,” including terms “covered entity” and “religious exercise,” and inserting “language” after “includes” before “a.”
H.R. 2466
OFFERED BY: Mr. STEARNS
AMENDMENT No. 18: Page 87, line 25, insert the following before the period:

``except that 95 percent of such amount shall be allocated among the States on the basis of population for grants under section 5(g) notwithstanding sections 5(g)(3) and 11(a)(1)/(a)(ii) of the Act``

H.R. 2466
OFFERED BY: Mr. STEARNS
AMENDMENT No. 19: At the end of the bill add the following:

TITLE
STUDY OF FORT KING, FLORIDA

SEC. 01. CONGRESSIONAL FINDINGS.

The Congress finds that:

(1) the Second Seminole War, 1835±1842, is an important period of conflict in the history of the Nation and lasted longer than any other armed conflict in which the Nation participated in the Era of the Civil War;

(2) Fort King, in central Florida, played an important historic role in the Second Seminole War as the site of the outbreak of hostilities between the United States Government and the Seminole Indians of Florida, who were led by Seminole Indian Chief Osceola;

(3) Fort King represents a unique site for exploration and interpretation of the attack that ignited the Second Seminole War on December 28, 1835;

(4) Fort King and the surrounding area contain materials and artifacts used in the attack and in the life of the Seminole Indians.

SEC. 02. REQUIREMENT OF STUDY.

The Secretary of the Interior (hereinafter referred to as the “Secretary”) shall conduct a study to identify potential means to preserve, develop, and interpret Fort King, in central Florida, and the surrounding area. As part of the study, the Secretary shall propose alternatives for cooperation in the preservation and interpretation of Fort King and shall provide recommendations with respect to the suitability and feasibility of establishing Fort King as a unit of the National Park System.

SEC. 03. FINDINGS BASED UPON STUDY.

The study required by section 02 shall contain, but need not be limited to, findings with respect to:

(1) the role played by Fort King in the Second Seminole War;

(2) identification of the historical, cultural, and archaeological material found in Fort King and the surrounding area relating to life at the time of and preceding the Second Seminole War;

(3) the types of Federal, State, and local programs that are available to preserve and develop Fort King and the surrounding area and to make the fort and the surrounding area accessible for public use and enjoyment;

(4) the potential use of, and coordination with, Federal, State, and local programs to manage, in the public interest, the historical and cultural resources found at and around Fort King.

SEC. 04. CONGRESSIONAL REVIEW.

The Secretary shall submit a report detailing the results of the study required by section 02 to the Committees of jurisdiction of the House of Representatives and the Senate not later than 12 months after the date of the enactment of this Act.

H.R. 2490
OFFERED BY: Mr. MORAN OF KANSAS
AMENDMENT No. 2: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 647. None of the funds made available in this Act may be used to implement any sanction imposed unilaterally by the United States on private commercial sales of food or any other agricultural product (excluding Federal direct or guaranteed credit transactions) to a foreign country.

H.R. 2490
OFFERED BY: Mr. TIAHRT
Amendment No. 3: Page 97, after line 13, insert the following:

STUDY ON USE OF ANTIQUES FIREARMS IN CRIME; REPORT TO THE CONGRESS

SEC. 01. FINDINGS.

(a) The Congress finds that:

(1) recent events in Norristown, Pennsylvania have focused the region’s attention on the issue of antique firearms and their use in violent crimes;

(2) antique firearms are not subject to the same laws that regulate conventional firearms; and

(3) statistics on the use of antique firearms in crime are not consistently gathered, and crime perpetrated with antique firearms is not tracked.

(b) The Secretary of the Treasury shall collect statistics on the use of antique firearms in crime, and shall conduct a study on the use of antique firearms in crime. For purposes of this section, the term “antique firearms” has the meaning given in section 921(a)(16) of title 18, United States Code.

(c) The Secretary shall submit a report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate not later than 180 days after the date of the enactment of this Act containing the results of the study conducted under subsection (b).

H.R. 2490
OFFERED BY: Mr. WU
AMENDMENT No. 1: Page 14, line 23, strike “$17,500,000” and insert “$12,000,000”.

H.R. 2465
OFFERED BY: Mr. SANFORD
AMENDMENT No. 2: Page 15, strike lines 19 and 20, and insert “$1,500,000 for the fiscal year 2000.”.

H.R. 2451
OFFERED BY: Mr. STEARNS
AMENDMENT No. 6: Page 71, line 19, insert “$2,007,500” after the dollar figure.

H.R. 2466
OFFERED BY: Ms. SLAUGHTER
AMENDMENT No. 16: Page 71, line 22, strike “such sums as may be necessary” and insert “$8,000,000”.

H.R. 2466
OFFERED BY: Mr. SANFORD
AMENDMENT No. 20: At the end of the bill (before the short title), insert the following new section:

SEC. 01. (a) Notwithstanding any other provision of law, no funds made available under this Act may be expended to approve class III gaming on Indian lands by any tribe other than a Tribe with the compact entered into between a State and a tribe.

(b) For the purposes of this section, the term “class III gaming”, “Indian lands”, and “tribal-State compact” shall have the meaning given those terms in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).