

of performing female genital mutilation or of allowing a child to be subjected to female genital mutilation.

Section 645—House recedes to Senate amendment section 335. This section amends chapter 7 of title 18 to add a new section 116, prohibiting the practice of female genital mutilation on any individual less than 18 years old, and setting penalties of up to 5 years imprisonment.

Section 646—Senate recedes to House section 837. This section will permit the adjustment of status of certain nationals of Poland and Hungary who were paroled into the United States between November 1, 1989, and December 31, 1991, after having been denied refugee status.

Section 647—Senate amendment section 307 recedes to House section 838. This section requires the Attorney General to make available funds up to \$5,000 for demonstration projects in support of naturalization ceremonies to be conducted in fiscal years 1997 through 2001.

Section 648—Senate recedes to House section 842. This section states the sense of Congress that, to the extent practicable, all equipment and products purchased with funds authorized by this Act shall be American-made, and that recipients of grants under this Act receive notice of this statement of Congress.

Section 649—House recedes to Senate amendment section 171(b). This section amends 50 U.S.C. 191 to extend the authority of the Attorney General to direct the movement of vessels in emergencies to include situations of actual or anticipated mass migrations of aliens arriving by sea.

Section 650—House recedes to Senate amendment section 308. This section requires the Attorney General to investigate and submit a report to Congress regarding the practices of entities authorized by regulation to administer the English and civics tests to applicants for naturalization. A preliminary report shall be submitted within 90 days of enactment, and a final report shall be issued within 275 days after submission of the preliminary report.

Section 651—House recedes to Senate amendment section 309. This section provides that the United States Customs Administrative Building at the Ysleta/Zaragoza Port of Entry in El Paso shall be known as the "Timothy C. McCaghen Customs Administrative Building."

Section 652—House recedes to Senate amendment section 312. This section addresses abuses in the practices of certain international matchmaking organizations ("mail order bride businesses") by requiring such organizations, under pain of civil penalty, to provide certain immigration information to potential recruits for immigration to the United States, and by requiring the Attorney General to conduct a study and submit a report to Congress regarding the number of mail order marriages, the extent of marriage fraud arising as a result of such marriages, the extent of domestic abuse in such marriages, and the need for expanded regulation to implement the policies of the Violence Against Women Act of 1994 in this area.

Section 653—House recedes to Senate amendment section 321. This section requires the Comptroller General to review the effectiveness of the H-2A nonimmigrant program to ensure that the program provides a workable safety valve in the event of future shortages of domestic agricultural workers. The report shall be submitted not later than December 31, 1996, or 3 months after the date of enactment, whichever is sooner.

Section 654—House recedes to Senate amendment section 333. This section requires the Commissioner of the Customs Service to initiate a study of allegations of harassment

by Canadian Customs agents designed to deter cross-border commercial activity along the United States-New Brunswick border. The study shall include a review of the connection between such incidents of harassment and the imposition of the New Brunswick Provincial Sales Tax on goods purchased in the United States by New Brunswick residents. The Commissioner shall consult with State and local officials in Maine in conducting this study, and shall submit a report to Congress on results of the study within 120 days of enactment of this Act.

Section 655—House recedes to Senate amendment section 334. This section states the sense of Congress that the collection by Canadian Customs officials of a New Brunswick Provincial Sales Tax on goods purchased in the United States by residents of New Brunswick, but not on goods purchased by New Brunswick residents in other Canadian provinces, may violate the North American Free Trade Agreement (NAFTA) and that the United States Trade Representative should move without delay in seeking redress under the dispute resolution process in chapter 20 of NAFTA.

Section 656—House sections 831 and 832 recede to Senate amendment section 118, with modifications. Without placing mandates on states, this section establishes grant programs to encourage states to develop more counterfeit-resistant birth certificates and driver's licenses. After October 1, 2000, Federal agencies may only accept as proof of identity driver's licenses that conform to standards developed by the Secretary of the Treasury after consultation with state motor vehicle officials through the American Association of Motor Vehicle Administrators. Beginning 4 years after the date of enactment, Federal agencies may only accept birth certificates issued after such date that conform to standards developed by the Secretary of Health and Human Services after consultation with appropriate State officials. The managers intend that the new standards developed in consultation with state officials apply only to licenses issued or renewed after October 1, 2000, and only to birth certificates issued more than 4 years after the date of enactment.

Section 657—House recedes to Senate amendment section 332, with modifications. This section requires the Commissioner of Social Security to develop a prototype of a counterfeit-resistant social security card, and requires the Comptroller General to conduct a study and issue a report to Congress that examines different methods of improving the social security card application process.

Section 658—House recedes to Senate amendment section 314. This section will authorize the transfer of INA artifacts to the Border Patrol Museum and Memorial Library Foundation.

Section 659—Senate recedes to House section 840. This section states the sense of Congress regarding enforcement priorities of the INS.

#### SUBTITLE E—TECHNICAL CORRECTIONS.

Section 671—Senate recedes to House section 851, with modifications. This section makes a number of entirely technical corrections to the Immigration Reform and Control Act of 1986, the Immigration and Nationality Technical Corrections Act of 1994, the Immigration and Nationality Act, and other legislation.

#### OTHER PROVISIONS

The House recedes to the Senate on the following provisions: House sections 222, 300, 801.

The Senate recedes to the House on the following provisions: Senate amendment sections 120B, 120D, 120E, 305, 318.

HENRY HYDE,  
LAMAR SMITH,  
ELTON GALLEGLY,  
BILL MCCOLLUM,  
BOB GOODLATTE,  
ED BRYANT,  
SONNY BONO,  
BILL GOODLING,  
RANDY "DUKE"  
CUNNINGHAM,  
HOWARD P. "BUCK"  
MCKEON,  
E. CLAY SHAW, Jr.,

*Managers on the Part of the House.*

ORRIN HATCH,  
AL SIMPSON,  
CHUCK GRASSLEY,  
JON KYL,  
ARLEN SPECTER,  
STROM THURMOND,  
DIANNE FEINSTEIN,

*Managers on the Part of the Senate.*

### MEDICAID CERTIFICATION ACT OF 1995

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1791) to amend title XIX of the Social Security Act to make certain technical corrections relating to physicians' services, as amended.

The Clerk read as follows:

H.R. 1791

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. TECHNICAL CORRECTIONS RELATING TO PHYSICIANS' SERVICES.

(a) CORRECTING REFERENCE TO UNIQUE IDENTIFIER SYSTEM.—

(1) IN GENERAL.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended, in the paragraph redesignated as paragraph (59) by section 13623(a)(6) of the Omnibus Budget Reconciliation Act of 1993 and inserted by section 4752(c)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, by striking "subsection (v)" and inserting "subsection (x)".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective as if included in the enactment of the amendments made by section 4752(c)(1) of the Omnibus Budget Reconciliation Act of 1990.

(b) CORRECTION IN MINIMUM QUALIFICATIONS FOR BILLING FOR PHYSICIANS' SERVICES TO CHILDREN AND PREGNANT WOMEN.—

(1) IN GENERAL.—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)) is amended, in the paragraph redesignated as paragraph (12) by section 13631(c)(3) of the Omnibus Budget Reconciliation Act of 1993 and inserted by section 4752(a)(2)(B) of the Omnibus Budget Reconciliation Act of 1990—

(A) in subparagraph (A)(i), by inserting "or is certified in family practice or pediatrics by the medical specialty board recognized by the American Osteopathic Association" before the comma at the end;

(B) in subparagraph (B)(i), by inserting "or is certified in family practice or obstetrics by the medical specialty board recognized by the American Osteopathic Association" before the comma at the end; and

(C) in each of subparagraphs (A) and (B)—  
(i) by striking "or" at the end of clause (v),  
(ii) in clause (vi), by inserting "(or certified by the State in accordance with policies of the Secretary)" after "Secretary",

(iii) by redesignating clause (vi) as clause (vii), and

(iv) by inserting after clause (v) the following new clause:

"(vi) delivers such services in the emergency department of a hospital participating

in the State plan approved under this title, or”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to physicians' services furnished on or after January 1, 1992.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. BILIRAKIS] and the gentleman from New York [Mr. MANTON] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. BILIRAKIS].

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

Mr. Speaker, I am pleased that the House is considering H.R. 1791, the Medicaid Certification Act of 1995.

This legislation makes technical corrections to title XIX of the Social Security Act relating to payments for physician services in the Medicaid Program.

In OBRA 1990, due to an unintentional omission, Osteopathic Physicians were not included in provisions concerning Medicaid reimbursement for services provided to pregnant women and children.

The legislation before us today corrects this by adding that Medicaid may allocate funds for services to pregnant women and children when provided by physicians who are certified by the American Osteopathic Association.

This bill also clarifies that services provided in emergency departments of a participating hospital will be covered as well.

Finally, the legislation includes current HCFA practice that any physician certified by a State Medicaid plan will be allowed to participate in the Medicaid Program.

Mr. Speaker, this bill has 60 cosponsors and broad bipartisan support. I urge my colleagues to support this legislation.

Mr. Speaker, I thank the minority members of our committee, the gentleman from California [Mr. WAXMAN] and the gentleman from Michigan [Mr. DINGELL], and, of course, the staffs on both sides for their hard work on this legislation.

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

Mr. MANTON. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 1791, the Medicaid Certification Act.

Mr. Speaker, current Medicaid law establishes quality standards for physicians providing care for children and pregnant women in the Medicaid Program. When we passed that original legislation, we specified that physicians certified by the medical specialty board recognized by the American Board of Medical Specialties would meet the quality standards. But we failed to make specific mention as well of the medical specialty board recognized by the American Osteopathic Association.

This legislation corrects that oversight. Clearly it was always the view of the committee that board-certified os-

teopaths are high quality providers, and should not be treated any differently than board-certified allopathic physicians. This simply corrects any misunderstanding that may have been implied by our failure to mention them in the original legislation.

I want to stress that in making this change we are in no way relaxing or stepping back from the original intention of the legislation to assure that quality standards are in effect for these providers of Medicaid services to pregnant women and children.

We expect the Secretary of HHS to implement the original provision and this change to it with full attention to the basic purposes for the provision.

I urge support of the legislation.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 5 minutes to the gentleman from Florida, I mean the gentleman from Texas [Mr. BARTON], who is the chief sponsor—their loss would be our gain—the chief sponsor of this legislation. And certainly the American Osteopathic Association picked the right person to lead this legislation for them because he certainly is a doer.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I am sure at one time Texas was part of Florida; today, though, we are an independent State of the great 50-State Union.

Mr. Speaker, I do rise in support of H.R. 1791 as the chief sponsor in the Committee on Commerce. This legislation is required, quite frankly, because of an oversight in 1990 that both the gentleman from New York [Mr. MANTON] and the gentleman from Florida [Mr. BILIRAKIS] have already referred to. Because of a series of missteps and oversight in subsequent Congresses in 1990, we have never been able to rectify that original mistake until this point in time.

There is no opposition to this legislation. The American Medical Association supports it, the Clinton administration, the Health Care Finance Administration that implements Medicaid and oversees Medicaid supports it, the Rural Health Care Caucus supports it. It was reported by committee unanimously on a voice vote. The gentleman from Virginia, Chairman BLILEY, has been very active, as has Chairman BILIRAKIS in subcommittee. The ranking member, the gentleman from Michigan, Mr. DINGELL, and the gentleman from California, Mr. WAXMAN, have been very supportive. So there is no opposition.

This rectifies a mistake. Osteopathic physicians are board certified.

□ 1615

There are 40,000 of them in the Nation. I have the fortune of having a cousin, Dr. Neil Gibson, who is an osteopathic physician licensed under the State of Texas, educated at the North

Texas Health Science Center, Fort Worth, TX, in Mr. PETE GEREN's district. He is a physician in west Texas, in a community where he is the only physician that is licensed to practice medicine. Osteopathic physicians conduct over 100 million patient consultations per year. This legislation will make it possible for them to be reimbursed when they are caring for a pregnant woman or a child under the age of 21.

This legislation is long overdue. I am sure and hope that it will pass unanimously in the House, and then we will pass it in the Senate, so that it rectifies past mistakes. I am pleased to be the chief sponsor. I want to thank again all the Members of the House on both sides of the aisle that have worked so hard in this Congress to correct a mistake, especially Chairman BILIRAKIS who has been very, very supportive.

I urge unanimous adoption of the legislation.

Mr. DINGELL. Mr. Speaker, I am pleased the House is considering today a bill to correct a legislative oversight regarding eligibility for Medicaid reimbursement of board-certified osteopathic physicians. The primary purpose of H.R. 1791 is to clarify this eligibility, which has been in question since the omnibus budget reconciliation bill was passed in 1990. At that time, purely through an oversight, board certification by the American Osteopathic Association was omitted from the amendments to the Medicaid statute. Unfortunately, because this just required a short, simple solution, it has fallen to the bottom of the in-box, so to speak, beneath other legislative business that has been viewed as more significant. In addition, since making this correction required opening the Medicaid statute, it has been a magnet for other controversial measures.

In short, Mr. Speaker, this simple but important technical correction has spent an inordinate amount of time caught in the twists and turns of the legislative labyrinth. It is time to fix this problem once and for all, and I am pleased that my colleague from Virginia, the chairman of the Commerce Committee, was willing to include the bill as one of the committee's last items of business for the year. This clarification has been sought by osteopathic physicians and supported by many Members of Congress for a number of years.

The Medicaid statute requires that physicians be certified for family practice or pediatrics by the American Board of Medical Specialties to provide care for pregnant women and children in the Medicaid Program. Except for a mistake during the drafting of that provision, it also would have included certification by a board recognized by the American Osteopathic Association. To address this oversight in part, the Health Care Financing Administration issued regulations stating that providers certified by a State Medicaid program may be reimbursed. However, those regulations are necessarily time-limited and thus do not correct the problem. Doing this permanently requires amendment of the Medicaid statute. This amendment is long overdue, and I support it.

This bill may seem a small matter, but I know it is very important to many osteopathic physicians in my home State of Michigan and

across the country. It's time to correct the error in OBRA '90, and I hope we will pass this bill today and the Senate will complete the process quickly so that the legislation can be signed by the President soon.

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

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

The SPEAKER pro tempore (Mr. GUNDERSON). The question is on the motion offered by the gentleman from Florida [Mr. BILIRAKIS] that the House suspend the rules and pass the bill, H.R. 1791, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BILIRAKIS. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1791, as amended.

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

There was no objection.

#### EXTENDING CERTAIN PROGRAMS UNDER ENERGY POLICY AND CONSERVATION ACT

Mr. SCHAEFER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4083) to extend certain programs under the Energy Policy and Conservation Act through September 30, 1997.

The Clerk read as follows:

H.R. 4083

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ENERGY POLICY AND CONSERVATION ACT AMENDMENTS.

The Energy Policy and Conservation Act is amended—

(1) by amending section 166 (42 U.S.C. 6246) to read as follows:

##### "AUTHORIZATION OF APPROPRIATIONS

"SEC. 166. There are authorized to be appropriated for fiscal year 1997 such sums as may be necessary to implement this part.":

(2) in section 181 (42 U.S.C. 6251) by striking "June 30, 1996" both places it appears and inserting in lieu thereof "September 30, 1997";

(3) by adding at the end of section 256(h) (42 U.S.C. 6276(h)) "There are authorized to be appropriated for fiscal year 1997 such sums as may be necessary to carry out this part."; and

(4) in section 281 (42 U.S.C. 6285) by striking "June 30, 1996" both places it appears and inserting in lieu thereof "September 30, 1997";

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado [Mr. SCHAEFER] and the gentleman from New York [Mr. MANTON] each will control 20 minutes.

The Chair recognizes the gentleman from Colorado [Mr. SCHAEFER].

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

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

Mr. SCHAEFER. Mr. Speaker, this bill reauthorizes certain provisions contained in the Energy Policy and Conservation Act for 1 fiscal year. Specifically, this bill assures that if there is an energy emergency when Congress adjourns, the President's authority to drawdown the strategic petroleum reserve and the ability of U.S. oil companies to participate in the International Energy Agreement without violating antitrust laws is preserved.

The Commerce Committee believes annual reauthorization of these provisions is appropriate as long as the reserve continues to be looked to as a budget balancing tool. For the past 2 years, I have been greatly troubled by the trend of selling oil from the strategic petroleum reserve to meet budgetary goals. When the first sale was authorized, over the objections of the Commerce Committee, we were told it would be a one time sale. Less than 1 year later a second, even larger sale was authorized. And a third sale is currently being considered.

The reserve was not intended to be used in such a manner and is not an effective tool for balancing the budget. The reserve is our first line of defense in an energy emergency. This energy security insurance policy for which we have paid over \$200 billion should not be squandered carelessly to meet short-term budgetary objectives. I urge my colleagues on the Appropriations Committee as they prepare a continuing resolution to resist the temptation to use this strategic oil reserve which is so vital to our national security as a cash reserve.

Finally, I believe these provisions of EPCA are too important for us to adjourn without reauthorizing them. While an energy emergency which would require the reserve to be drawdown while we are adjourned is unlikely, it is not impossible. Consider the implications on our energy security of the recent terrorist attack in Saudi Arabia and the Iraqi aggressions into the no-fly zones. I believe this Nation must have the ability to use all its tools to deal with an energy emergency so I urge my colleagues to support this bill.

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

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

Mr. Speaker, I am pleased to be here to support H.R. 4083, which reauthorizes the Energy Policy and Conservation Act for 1 year. This bill has been handled in a bipartisan manner, and was reported from the Commerce Committee on a voice vote. I know of no objection to it from this side of the aisle.

Mr. Speaker, I support the reauthorization of EPCA because it will ensure that the United States and industry are able to fulfill their respective duties in any oil-related emergency. Recent events in the Middle East have underscored, once again, how quickly circumstances can change, and the need for the United States to be self-sufficient during periods of instability.

I want to thank Chairman BLILEY and Chairman SCHAEFER for bringing this important bill to the House floor. The Democrats on the Commerce Committee strongly support their efforts to ensure that the strategic petroleum reserve is used for its intended purpose and not, as some have attempted, sold off for deficit reduction. EPCA is important to our country's economic and energy security, and I am pleased to support this legislation.

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

Mr. SCHAEFER. Mr. Speaker, I have no further requests for time. I just want to say that I appreciate the gentleman from New York [Mr. MANTON] and also the gentleman from New Jersey [Mr. PALLONE], my ranking member, and the gentleman from Michigan [Mr. DINGELL] for moving this very, very rapidly as we tail into the end of our session, because it is very important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado [Mr. SCHAEFER] that the House suspend the rules and pass the bill, H.R. 4083.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SCHAEFER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4083.

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

There was no objection.

#### RELATING TO EXTRADITION OF MARTIN PANG FROM BRAZIL

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 132) relating to the extradition of Martin Pang from Brazil to the United States, as amended.

The Clerk read as follows:

H. CON. RES. 132

Whereas it is alleged that Martin Pang intentionally started a warehouse fire in Seattle, Washington on January 5, 1995, that killed four firefighters;

Whereas shortly thereafter Martin Pang fled to Brazil from where he was extradited to the United States on March 1, 1996;

Whereas the extradition decision of the Supreme Court of Brazil states that Martin Pang should stand trial in the United States only for arson and not for felony murder; and

Whereas it is accepted international practice in extradition cases for the executive authorities of the requested state to grant consent for prosecution of offenses other than those for which the fugitive was extradited: Now, therefore, be it