HEARING CARE FOR FEDERAL EMPLOYEES ACT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. GILMAN. Mr. Speaker, I rise today to introduce legislation which will cover audiology services for Federal employees.

This legislation requires Federal health benefit insurance carriers to guarantee direct access to, and reimbursement for, audiologist-provided hearing care services when hearing care is covered under a Federal health benefit plan.

As my colleagues may be aware, the Federal Government already allows direct access to services provided by optometrists, clinical psychologists, and nurse midwives, yet fails to allow direct access to services provided by audiologists in Federal health benefit plans covering hearing care services.

It is not my intention to expand the services which can be provided by audiologists, but instead to only allow audiologists to provide what they are already licensed to do under State laws—and no more.

Currently the consumers of audiology services are people with hearing loss and related conditions. In fact, there are an estimated 28 million people in the United States—about 1 in every 10—who are affected by hearing loss. This number is expected to increase to over 40 million people during the next 10 to 20 years, as our national population continues to age.

Moreover, it is worth noting that many private health insurers model their benefits packages after the Federal employee health benefit plan. Accordingly, this bill will also provide important indirect benefits to millions of Americans with hearing loss, who are not Federal employees.

I urge my colleagues to cosponsor the Hearing Care for Federal Employees Act and support freedom of choice to the patient while providing swift and timely access to hearing care.

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. NEAL of Massachusetts. Mr. Speaker, today I introduced legislation to correct an inequity in on our current tax system. Under current law, an individual over the age of 55 is allowed a one-time exclusion of capital gain on the sale of a principal residence. This one-time exclusion invokes a marriage penalty. This legislation would eliminate the marriage penalty for the one-time exclusion of gain on the sale of a principal residence.

For example, two individuals over the age of 55 who decide to marry and sell their homes would only receive an exclusion for $125,000. Whereas, if they did not marry and sold their homes they each would be able to receive an exclusion for $125,000. This legislation addresses this problem. The legislation eliminates the marriage penalty by disregarding elections made before the date of marriage or elections made on homes sold after the date of marriage, but purchased before the marriage.

Fairness is an important element of tax policy. The current policy on the one-time exclusion assists individuals who are approaching retirement and it is a valuable exclusion. Our Tax Code should be fair and not discriminate against basic values such as marriage. The decision to marry should not be based on financial reasons.

I urge you to correct this inequity and support this legislation.

INTRODUCTION OF THE SIKES ACT IMPROVEMENT AMENDMENTS OF 1997: JANUARY 7, 1997

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. YOUNG of Alaska. Mr. Speaker, I am pleased to introduce this legislation to reauthorize and improve the effectiveness of the act of September 15, 1960, commonly referred to as the Sikes Act.

Since coming to Congress in 1973, I have led the fight to enhance and conserve the vital fish and wildlife resources that exist on our military lands. The Department of Defense [DOD] manages nearly 25 million acres at approximately 900 military bases nationwide. These lands contain a wealth of plant and animal life, they provide vital habitat for thousands of migratory waterfowl and they are home for nearly 100 Federally listed species.

The Department does a superb job of training our young men and women for combat. Regrettably, they often fail to do even an adequate job of comprehensive natural resource management planning. At far too many installations, management plans have never been written, are outdated, or are largely ignored. Furthermore, when these plans do exist, all too often they are not coordinated or integrated with other military activities.

While this bill will make a number of improvements in the Sikes Act, it does not undermine in any way the fundamental training mission of a military base.

What the bill does is expand the scope of existing conservation plans to encompass all natural resource management activities, require management plans for all appropriate installations, mandate an annual report summarizing the status of these plans, require that trained personnel be available, and ensure that DOD shall manage each installation to provide for the conservation of fish and wildlife, and to allow the multipurpose uses of those resources. In addition, the bill extends the act's authorization for the next 3 years at half of its previous funding level.

Mr. Speaker, this is a noncontroversial bill. In fact, during the last Congress, it was thoroughly considered by both the House Resources and National Security Committees. It was approved by the House of Representatives unanimously by voice vote on July 11, 1995.

Regrettably, the other body took no action on this measure. While I am today introducing a bill that is identical to the one that was overwhelmingly adopted by the House, I am committed to reauthorizing this longstanding conservation measure. With that in mind, I intend to meet with representatives of the Departments of Defense and the Interior, the International Association of Fish and Wildlife Agencies, and members of the House National Security Committee. I am confident that together we can develop a strong and effective reauthorization bill.

Mr. Speaker, I want to thank the Chairman of the Subcommittee on Fisheries, Wildlife and Oceans, JIM SAXTON, for joining with me in this effort and I commend the Sikes Act Improvement Amendments of 1997 to the membership of the House of Representatives.

PUBLIC HOUSING TENANT INTEGRITY ACT OF 1977

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. KNOLLENBERG. Mr. Speaker, I rise to day to introduce the Public Housing Tenant Integrity Act of 1997. This bill amends section 6103 of the Internal Revenue Code and section 904 of the Stewart B. McKinney Homeless Assistance Amendment Act to allow the Housing and Urban Development Administration [HUD] to fight fraud and abuse that has developed when public housing tenants fail to fully disclose or update their income.

As we move into the 21st century, budgetary constraints will continue to limit nondefense discretionary spending. Public housing is not immune from these constraints. Though Congress and HUD have taken steps to prepare housing for the future, there is still room for improvement. One area I believe we can make substantial inroads is to eliminate fraud and abuse. By aggressively attacking existing fraud and abuse, we can squeeze every dollar appropriated for public housing and direct it effectively to those most in need. We can also assure the American taxpayer that tenants pay their fair share.

As most of you know, when an individual applies for public housing, the key qualification is income. An applicant who meets the income requirement is required to pay rent equal to 30 percent of their income. The taxpayer subsidizes the rest. Unfortunately, housing agencies do not have independent sources to verify the applicant's wage and income data, even if the housing agency suspects the individual underreported income. Moreover, the system encourages residents to underreport their income when they apply for housing.

Despite the lack of a nationwide study, HUD has estimated the abuse at $300 million annually. Further, the General Accounting Office [GAO] issued a 1992 report that found unreported income abuse could be as high as 21 percent. Others have projected a reasonable estimate between 5 and 10 percent which is consistent with other Federal benefit programs. Whatever the number, fighting this abuse and stopping individuals who defraud the Federal Government is a commonsense goal.

Congress, HUD, and others have long recognized the need to address this particular problem and in 1988 Congress passed the Steward B. McKinney Homeless Assistance Amendments Act. The McKinney Act provided State agencies with the authority to disclose

wage and unemployment data to HUD and housing authorities, but not to owners or managers. This program was somewhat successful, but it expired in October 1994.

Then in 1993, Congress passed the Omnibus Budget Reconciliation Act. It contained a provision which permits the Social Security Administration [SSA] and the Internal Revenue Service [IRS] to disclose earned and unearned income data to HUD. However, and this is very important, it did not provide for the redisclosure of income data to those local entities who directly service and oversee the tenants.

This particular program was first implemented in 1996 and matches information reported by the tenant with earned and unearned income reported to the SSA and IRS. If a discrepancy exists, HUD notifies the local housing authority that a particular tenant has underreported their income, but HUD is prohibited from disclosing how much the discrepancy is or where it exists. Thus, the local housing authority must launch their own investigation or have the tenant voluntarily disclose the information, despite the fact HUD has the information they need. HUD also informs the tenant, requesting he or she redisclose to the housing agencies their true income. Unfortunately, the individual must voluntarily do this and without giving local entities the information already complied the true effectiveness of this program will be diminished.

As you can see, steps have been taken to fight those who abuse the system, but the final step still remains. The Public Housing Tenant Integrity Act of 1997 builds on this foundation by making it possible for HUD to share the information it has to local housing agencies. Allowing local agencies to receive this information is a logical step, and it makes perfect sense. After all, local agencies are on the front line and work with public housing tenants every day.

One area of concern with computer matching is preventing the illegal disclosure of Federal tax data. However, safeguards currently exist between, and I believe we can develop further safeguards to protect the interests of all those involved including Congress and the IRS. Moreover, I believe Congress has an obligation to the taxpayer that public housing assistance is a benefit not a right.

Mr. Speaker, this legislation is designed to stop individuals who defraud the government of hundreds of millions of dollars annually. We have the technology to fight this fraud and abuse and passage of the Public Housing Tenant Integrity Act is needed to provide local housing authorities with the necessary tools to do just that. I look forward to working with my colleagues on both sides of the aisle to pass this commonsense legislation.

LEGISLATION TO ELIMINATE MISMANAGED HUD PROGRAM

HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. BAKER. Mr. Speaker, recent allegations involving fraud in the Single Family Homes for Homeless Initiative and the mismanagement of the program by the Department of Housing and Urban Development [HUD] in New Orleans—in particular, the division of Community Planning and Development—have fueled concern over abuse of taxpayer assets.

After significant investigation, I introduced H.R. 4085 in the 104th Congress, a bill to eliminate the program. Two other Subcommittee Chairmen of the House Banking Committee—SPENCER BACHUS of the Subcommittee on General Oversight and RICK LAZIO of the Subcommittee on Housing and Community Opportunity—cosponsored the legislation with me. The bill effectively shuts the program down and returns the homes to taxpayers.

We introduce the same bill today to continue our efforts in the 105th Congress to overhaul the program for those most in need of hosing and to eliminate fraud and mismanagement in the Federal Government.

Earlier this year, I contacted the Inspector General of HUD, an independent office designed to oversee the department, and requested a comprehensive investigation of Safety Net, Inc., and its participation in the homeless program. In addition, I requested a full investigation of the HUD Office in New Orleans, particularly Community Planning and Development.

The program is more accurately described as the Homes for Homeless Initiative of the Single-Family Property Disposition Program. Here is how the program works: If a person defaults on the mortgage payments of his/her home and the home has an insured mortgage by the Federal Housing Administration [FHA], then the Federal Government becomes the owner of the home. In other words, in case of default, HUD pays the mortgage to the bank, acquires the property, and is required to dispose of it.

For most of these acquired properties, HUD leases the properties to nonprofits to serve homeless persons. An acquired property is leased to a nonprofit for $1 a year for up to 5 years. The home is to be provided for those persons who are homeless. One major restriction is that the tenant must have an income that is 50 percent of the median income (in Baton Rouge $19,146 for a family of four).

The nonprofit can purchase the home at any time for 10 percent below the appraised fair market value, as established at the time the $1 lease is signed. It is possible to sell the home well below present market value 5 years after the initial appraisal. A nonprofit is restricted from reselling to anyone other than a low income homebuyer (defined at $31,450 for a family of four).

The Sunday Advocate alleges that Safety Net, Inc., violated many of the rules of the homeless disposition program. In addition, it may have broken some of the laws required to participate in the program. I have requested that the investigation answer these allegations.

It is also alleged that the HUD Office in New Orleans failed miserably to monitor the program and the participation by Safety Net, Inc., for 5 years. I have asked the Inspector General to investigate the HUD Office as well.

Moreover, the U.S. Attorney's Office in Baton Rouge has responded to the case by opening an investigation to determine whether a criminal prosecution is warranted. The U.S. Attorney's Office is working in concert with the Inspector General's Office.

As a senior member of the Subcommittee on Housing and Community Opportunity, I have long been an advocate of reform of the HUD acquired Single-Family Property Disposition Program. In 1992, I sponsored an amendment and passed into law a requirement that HUD must try first to sell the property in the private market to the highest bidder. I believe that our first priority is to recover as much taxpayer money for the acquired home. If we cannot sell the property to maximize taxpayer return, we should use our acquired properties in the most effective manner possible to house our most disadvantaged citizens without a home.

To continue rigorous oversight of this program, I requested that the Banking and Financial Services Committee conduct a hearing on this case and other abuses of this program to guarantee that we do not waste taxpayer monies and to insure we provide for our most needy citizens. Chairman BACHUS has travelled down to Baton Rouge and together, we conducted an oversight hearing in Louisiana on August 24.

I am committed to prosecuting fraud and reforming our Federal Government. Moreover, I believe we can provide a safe, decent home for our most underprivileged citizens while maintaining accountability for taxpayers.

GAS TAX RESTITUTION ACT OF 1996

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 1997

Mr. RAHALL. Mr. Speaker, today I along with Representative TOM PETRI are reintroducing legislation we sponsored during the last Congress to transfer to the highway trust fund revenues received from the 4.3 cents of the Federal motor fuel tax that is currently going to the general fund.

Many of us concerned with our surface transportation infrastructure were troubled when in 1993 this tax of 4.3 cents per gallon of motor fuel was imposed not for the purpose of bolstering receipts into the highway trust fund, but for the purposes of deficit reduction.

As we all know, the basic premise of the Federal motor fuel tax is that it is a user fee collected for the express purpose of making improvements to our road and highway infrastructure. It is one of the few taxes where Americans can see an immediate and direct result for having to pay it as they drive on the Nation's highways.

Last year we debated repealing the 4.3 cents-per-gallon tax. At the time, I offered an alternative. Restore it to the highway trust fund. Today, I do so again.

Few, if anyone in this body, can say that the areas they represent do not require road and highway improvements. The legislation I am introducing today will not only restore faith with the American people on the uses of the Federal motor fuel taxes, but will certainly assist in making needed surface transportation enhancements.

I would note that as introduced, this legislation would dedicate the entire 4.3 cents-per-gallon tax to the highway trust fund, and would not earmark any portion of this amount for mass transit, or for that matter, for any proposed new area of eligibility such as for Amtrak. This is not to say that I am necessarily opposed to the use of some portion of the 4.3 cents-per-gallon tax for these purposes and