

H. Con. Res. 80: Mrs. KENNELLY of Connecticut, Mr. BLUMENAUER, Mr. SKAGGS, Mr. YATES, and Mr. KIM.

H. Con. Res. 98: Mrs. EMERSON.

H. Con. Res. 124: Mr. MILLER of California and Mr. DICKS.

H. Res. 37: Ms. WOOLSEY.

H. Res. 131: Ms. HOOLEY of Oregon.

H. Res. 170: Mr. CALVERT and Ms. WOOLSEY.

H. Res. 171: Mr. CASTLE, Mr. MILLER of California, Mr. MARTINEZ, and Mr. ROTHMAN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2159

OFFERED BY: MR. CAMPBELL

AMENDMENT NO. 63: Page 13, line 4, after "\$2,400,000" insert "(reduced by \$50,000,000)".

Page 25, line 4, after "\$650,000,000" insert "(increased by \$50,000,000)".

H.R. 2159

OFFERED BY: MR. FOX

AMENDMENT NO. 64: Page 1, strike line 1 and all that follows and insert the following:

SEC. 572. None of the funds made available under the heading "DEVELOPMENT ASSISTANCE" may be used to directly support or promote trophy hunting or the international commercial trade in elephant ivory, elephant hides, or rhinoceros horns.

H.R. 2159

OFFERED BY: MR. FOX

AMENDMENT NO. 65: Page 1, beginning on line 10, strike "to directly finance" and all that follows through "Species Act" on line 14 and insert the following: "to directly support or promote trophy hunting or the international commercial trade in elephant ivory, elephant hides, or rhinoceros horns".

H.R. 2159

OFFERED BY: MR. FOX

AMENDMENT NO. 66: Page 30, line 23, insert after "Act" the following:

: *Provided further*, That, of the funds appropriated by this paragraph, \$51,100,000 shall be available for the program established under section 203(a) of Public Law 103-447

Page 81, line 12, insert after "maturities" the following:

: *Provided further*, That, of the funds appropriated by this paragraph for the cost of direct loans, \$20,000,000 shall be available for the program established under section 203(a) of Public Law 103-447

H.R. 2159

OFFERED BY: MR. GILMAN

AMENDMENT NO. 67: In the matter proposed to be inserted by the amendment as a new subsection (h) of section 104 of the Foreign Assistance Act of 1961—

(1) in paragraph (1)(B), insert before the period at the end the following: ", or to organizations that do not promote abortion as a method of family planning and that utilize these funds to prevent abortion as a method of family planning"; and

(2) in paragraph (2)(A), strike "or engage" and insert the following: "or (except in the case of organizations that do not promote abortion as a method of family planning and that utilize these funds to prevent abortion as a method of family planning) engage".

In the matter proposed to be inserted by the amendment as a new subsection (i) of section 301 of the Foreign Assistance Act of 1961, insert before the quotation marks at the end the following sentence. "If the President is unable to make the certification re-

quired by paragraph (1) or (2) with respect to a fiscal year, the funds appropriated for the UNFPA for such fiscal year shall be transferred to the Agency for International Development for population planning activities or other population assistance."

H.R. 2159

OFFERED BY: MR. PITTS

AMENDMENT NO. 68: Page 6, line 3, after "\$650,000,000" insert "(increased by \$100,000,000)".

Page 6, line 24, after "\$1,167,000,000" insert "(decreased by \$100,000,000)".

Page 52, line 4, after "\$385,000,000" insert "(decreased by \$100,000,000)".

H.R. 2159

OFFERED BY: MS. ROS-LEHTINEN

AMENDMENT NO. 69: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 572. None of the funds appropriated or otherwise made available by this Act may be made available to any Caribbean Basin Initiative country if such country offers provisional, permanent, or any other form of membership to the Government of Cuba into CARICOM.

H.R. 2159

OFFERED BY: MS. ROS-LEHTINEN

AMENDMENT NO. 70: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 572. (a) LIMITATION.—None of the funds appropriated or otherwise made available by this Act may be provided to any foreign government that provides assistance for, or engages in nonmarket-based trade with, the Government of Cuba.

(b) WAIVER.—The President may waive the requirements of subsection (a) with respect to a foreign government if the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that it is vital to the national security of the United States to do so.

H.R. 2264

OFFERED BY: MR. DEFazio

AMENDMENT NO. 1: Page 43, after line 13, insert the following:

COMMUNITY-BASED FAMILY RESOURCE AND SUPPORT (INCLUDING TRANSFERS OF FUNDS)

For carrying out title II of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116 et seq.) as amended by section 121 of the Child Abuse Prevention and Treatment Act Amendments of 1996 (Pub. L. 104-235), to be derived from amounts provided in this title for "National Institutes of Health" (consisting of \$10,835,000 from "Office of the Director" and \$23,000,000 from "Buildings and Facilities"), \$33,835,000.

H.R. 2264

OFFERED BY: MR. ENGEL

AMENDMENT NO. 2: Page 74, line 3, after the dollar amount insert "(increased by \$100,000)".

H.R. 2264

OFFERED BY: MR. EVANS

AMENDMENT NO. 3: Page 2, line 15, after "reimbursements," insert "of which \$10,000,000 shall be available for purposes of carrying out section 738 of the Stewart B. McKinney Homeless Assistance Act (relating to homeless veterans' reintegration projects);"

H.R. 2264

OFFERED BY: MR. GOODLING

AMENDMENT NO. 4: In the item relating to "DEPARTMENT OF EDUCATION—EDUCATION REFORM", after the first dollar amount, insert the following: "(reduced by \$35,000,000)".

In the item relating to "DEPARTMENT OF EDUCATION—SPECIAL EDUCATION", after the each of the 2 dollar amounts, insert the following: "(increased by \$155,526,000)".

In the item relating to "DEPARTMENT OF EDUCATION—HIGHER EDUCATION", after the first dollar amount, insert the following: "(reduced by \$6,900,000)".

In the item relating to "DEPARTMENT OF EDUCATION—EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT"—

(1) after the first dollar amount, insert the following: "(reduced by \$113,626,000)"; and

(2) after the second dollar amount, insert the following: "(reduced by \$50,000,000)".

H.R. 2264

OFFERED BY: MR. GOODLING

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) PROHIBITION OF FUNDS FOR NATIONAL TESTING IN READING AND MATHEMATICS.—None of the funds made available in this Act may be used to develop, plan, implement, or administer any national testing program in reading or mathematics.

(b) EXCEPTIONS.—Subsection (a) shall not apply to the following:

(1) The National Assessment of Educational Progress carried out under sections 411 through 413 of the Improving America's Schools Act of 1994 (20 U.S.C. 9010-9012).

(2) The Third International Math and Science Study (TIMSS).

H.R. 2264

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 6: Page 44, line 5, after the dollar amount, insert the following: "(increased by \$14,045,000)".

Page 73, line 15, after the first dollar amount, insert the following "(reduced by \$14,045,000)".

HR 2264

OFFERED BY: MR. NADLER

AMENDMENT NO. 7: At the end of Title II, insert after the last section (preceding the short title) the following section:

"SEC. 213. (a) No funds made available under this Act may be used under Title XI, XVIII or XIX of the Social Security Act to pay any insurer if such insurer—

"(1) offers monetary rewards or penalties, or other inducements to a licensed health care professional to influence his or her decision as to what constitutes medically necessary and appropriate treatments, tests, procedures or services; or

"(2) conditions initial or continued participation of the health care professional in a health insurance plan on the basis of the health care professional's decisions as to what constitutes medically necessary and appropriate treatments, tests, procedures or services.

"(b) For the purposes of this section, the term "insurer" means an insurance company, insurance service, or insurance organization licensed to engage in the business of insurance in a State, a health maintenance organization, a preferred provider organization, and a provider sponsored organization.

"(c) For the purposes of this section, the term "health care professional" means a physician or other health care practitioner licensed, accredited or certified to perform specified health services consistent with State law.

HR 2264

OFFERED BY: MR. NADLER

AMENDMENT NO. 8: At the end of Title II, insert after the last section (preceding the short title) the following section:

"SEC. 213. (a) No funds made available under this Act may be used under Title XI,

XVIII or XIX of the Social Security Act to pay any insurer unless under health care coverage provided by such insurer—

“(1) the determination of what is medically necessary and appropriate within the meaning of the insurance contract is made only by the treating health care professional in consultation with the patient; and

“(2) the insurer covers the full cost of all treatment, tests, procedures and services deemed to be medically necessary and appropriate by the treating health care professional in consultation with the patient, subject to any deductibles, co-payments, or percentage limitations provided in the insurance contract.

“(b) For the purposes of this section, the term “insurer” means an insurance company, insurance service, or insurance organization licensed to engage in the business of insurance in a State, a health maintenance organization, a preferred provider organization, and a provider sponsored organization.

“(c) For the purposes of this section, the term “treating health care professional” means a physician or other health care practitioner licensed, accredited or certified to perform specified health services consistent with State law, who is personally and directly involved in the care of said patient.

“(d) Nothing in this paragraph shall be construed as requiring the provision of coverage for benefits not otherwise covered.

HR 2264

OFFERED BY: MR. NADLER

AMENDMENT NO. 9: At the end of Title II, insert after the last section (preceding the short title) the following section:

“SEC. 213. (a) No funds made available under this Act may be used under Title XI, XVIII or XIX of the Social Security Act to pay any insurer if—

“(1) the provisions of any contract or agreement, or the operation of any contract or agreement, between such insurer and a health care professional prohibit or restrict the health care professional from engaging in medical communication with his or her patient; or

“(2) such insurer penalizes (through contract termination, financial penalty or otherwise) a health care professional for engaging in medical communication with his or her patient.

“(b) For the purposes of this section, the term “medical communication” means a communication made by a health care provider with a patient of the health care provider (or the guardian or legal representative of the patient) with respect to—

“(1) the patient’s health status, medical care, or legal treatment options;

“(2) any utilization review requirements that may affect treatment options for the patient; or

“(3) any financial incentives or penalties that may affect the treatment of the patient.

“(c) For the purposes of this section, the term “insurer” means an insurance company, insurance service, or insurance organization licensed to engage in the business of insurance in a State, a health maintenance organization, a preferred provider organization, and a provider sponsored organization.

“(d) For the purposes of this section, the term “health care professional” means a physician or other health care practitioner licensed, accredited or certified to perform specified health services consistent with State law.

H.R. 2264

OFFERED BY: MS. PELOSI

AMENDMENT NO. 10: At the end of title II, insert after the last section (preceding the short title) the following section:

SEC. . The amount otherwise made available in this title under the heading “CENTERS FOR DISEASE CONTROL AND PREVENTION—DISEASE CONTROL, RESEARCH, AND TRAINING” is increased by the amount derived through the following amendment: Section 510(d) of the Social Security Act is amended by striking “1998” and inserting “1999”.

H.R. 2264

OFFERED BY: MS. PELOSI

AMENDMENT NO. 11: At the end of title , insert after the last section (preceding the short title) the following section:

SEC. . Section 510(c) of the Social Security Act is amended by adding at the end the following:

“(3) The Secretary may accept an application from a State for a allotment under subsection (a) only if the application is submitted by the State health agency responsible for the administration, or supervision of the administration, of the State program carried out with allotments under section 502(c) (relating to the maternal and child health services block grant); only if the programs carried out with the allotment under subsection (a) provide information that is recognized as medically accurate and relevant; only if the funds from such allotment are dispersed at the discretion of the chief executive officer of the State (except to the extent inconsistent with the law of the State, including applicable judicial precedents); and only if the application is developed by or in consultation with the State agency for maternal and child health.”.

H.R. 2264

OFFERED BY: MR. RIGGS

AMENDMENT NO. 12: In the item relating to “DEPARTMENT OF EDUCATION—EDUCATION REFORM”, after the first dollar amount, insert the following: “(reduced by \$25,000,000)”.

In the item relating to “DEPARTMENT OF EDUCATION—SCHOOL IMPROVEMENT PROGRAMS”, after the first dollar amount, insert the following: “(increased by \$25,000,000)”.

H.R. 2264

OFFERED BY: MR. RIGGS

AMENDMENT NO. 13: In the item relating to “DEPARTMENT OF EDUCATION—EDUCATION REFORM”, after the first dollar amount, insert the following: “(reduced by \$10,000,000)”.

In the item relating to “DEPARTMENT OF EDUCATION—SCHOOL IMPROVEMENT PROGRAMS”, after the first dollar amount, insert the following: “(increased by \$10,000,000)”.

H.R. 2264

OFFERED BY: MR. RIGGS

AMENDMENT NO. 14: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) LIMITATION ON PENALTIES UNDER IDEA.—None of the funds made available in this Act may be used by the Department of Education to investigate, or to impose, administer, or enforce any penalty, sanction, or remedy for, a State’s election not to provide special education and related services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) to individuals who are 18 years of age or older and are incarcerated in adult State prisons.

(b) EXCEPTION.—Subsection (a) shall not apply to any withholding of financial assistance to a State by the Department of Education pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

H.R. 2266

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 2: Page 9, line 19, insert after the dollar amount the following: “(reduced by \$25,000,000)”.

Page 18, line 9, insert after the dollar amount the following: “(increased by \$25,000,000)”.

H.R. 2266

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 3: Page 9, line 19, insert after the dollar amount the following: “(reduced by \$15,000,000)”.

Page 32, line 25, insert after the dollar amount the following: “(increased by \$15,000,000)”.

H.R. 2266

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 4: Page 100, after line 15, insert the following new section:

SEC. 8103. (a) None of the funds appropriated or otherwise made available by this Act for the Department of Defense specimen repository described in subsection (b) may be used for any purpose except in accordance with the requirement in paragraph numbered 3 of the covered Department of Defense policy memorandum that specifically provides that permissible uses of specimen samples in the repository are limited to the following purposes:

(1) Identification of human remains.

(2) Internal quality assurance activities to validate processes for collection, maintenance and analysis of samples.

(3) A purpose for which the donor of the sample (or surviving next-of-kin) provides consent.

(4) As compelled by other applicable law in a case in which all of the following conditions are present:

(A) The responsible Department of Defense official has received a proper judicial order or judicial authorization.

(B) The specimen sample is needed for the investigation or prosecution of a crime punishable by one year or more of confinement.

(C) No reasonable alternative means for obtaining a specimen for DNA profile analysis is available.

(b) The specimen repository referred to in subsection (a) is the repository that was established pursuant to Deputy Secretary of Defense Memorandum 47803, dated December 16, 1991, and designated as the “Armed Forces Repository of Specimen Samples for the Identification of Remains” by paragraph numbered 4 in the covered Department of Defense policy memorandum.

(c) For purposes of this section, the covered Department of Defense policy memorandum is the memorandum of the Assistant Secretary of Defense (Health Affairs) for the Secretary of the Army, dated April 2, 1996, issued pursuant to law which states as its subject “Policy Refinements for the Armed Forces Repository of Specimen Samples for the Identification of Remains”.

H.R. 2266

OFFERED BY: MR. NADLER

AMENDMENT NO. 5: Page 32, line 11, after the dollar amount, insert the following: “(reduced by \$420,000,000)”.

H.R. 2266

OFFERED BY: MR. NADLER

AMENDMENT NO. 6: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 8103. (a) LIMITATION ON USE OF FUNDS.—Of the funds appropriated in this Act under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE”, not more than \$1,651,000,000 shall be available for engineering and manufacturing development of the F-22 aircraft program.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE”, is hereby reduced by \$420,000,000.

July 28, 1997

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H.R. 2266

OFFERED BY: MR. SANDERS

AMENDMENT NO. 7: Page 9, line 19, insert after the dollar amount the following: "(increased by \$2,000,000)".

Page 32, line 11, insert after the dollar amount the following: "(reduced by \$2,000,000)".

H.R. 2266

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: Page 87, after line 18, insert the following new paragraph (and redesignate the subsequent paragraph accordingly):

(3) not less than 50 percent of the allowable costs for which reimbursement is provided are directly related to services and benefits for employees of a defense contractor who

were separated or otherwise adversely affected by the business combination, and

H.R. 2266

OFFERED BY: MR. SHAYS

AMENDMENT NO. 9: Page 100, after line 15, insert the following new section:

SEC. . The total amount obligated from new budget authority provided in this Act may not exceed \$244,046,478,000.