

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.

By Mr. COX:

H.R. 2491. A bill to amend section 213 of the National Housing Act to authorize trusts to hold memberships in nonprofit cooperative ownership housing corporations 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. BUYER, Mr. ENGLISH, Mr. MCINTOSH, Mr. BURTON of Indiana, Mr. SCHAFER, Mr. STUMP, Mr. DOOLITTLE, Mr. STEARNS, Mr. SOUDER, Mr. SHOWS, Mr. BALDACCINI, and Mr. GARY MILLER of California):

H.R. 2494. A bill to amend the Internal Revenue Code of 1986 to provide a religious exemption from providing identifying numbers for dependents to claim certain credits and deductions on a tax return; to the Committee on Ways and Means.

By Mr. LIPINSKI:

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 bring on an airplane; 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. BOEHLERT, Mr. WELDON of Pennsylvania, Mr. HOEFFEL, 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. GILMAN, 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. BILRAY, Mr. BOEHLERT, Mr. COOK, Mr. DAVIS of Virginia, Mr. DELAHUNT, Mr. DEUTSCH, Mr. FOLEY, Mr. GALLEGLY, Mr. GEKAS, Mr. GREENWOOD, Mr. GUTIERREZ, Mr. HILLIARD, Ms. HOOLEY of Oregon, Mrs. JOHNSON 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 recommendations of 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 Commerce.

By Mr. WEINER (for himself, Mr. HYDE, Mr. CROWLEY, Mr. SHAYS, Ms. RIVERS, Mrs. MORELLA, Mr. STARK, Mr. KING, Mrs. LOWEY, 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. WOOLSEY:

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. MASCARA (for himself, Mr. WAMP, and Mr. ACKERMAN):

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:

H. Con. Res. 153. Concurrent resolution expressing the sense of the Congress that Federal funding for elementary and secondary teacher training be used first for science scholarships for elementary and secondary teachers; to the Committee on Education and the Workforce, and in addition to the Committee on Science, 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 Mr. KUYKENDALL (for himself, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mrs. FOWLER, Mr. FOLEY, Ms. DUNN, Mr. SHIMKUS, Mr. SHAYS, Ms. JACKSON-LEE of Texas, Mr. BACHUS, Mr. GALLEGLY, Mr. BARR of Georgia, Mr. SUNUNU, Mr. TALENT, Mr. GREEN of Wisconsin, Mr. SAXTON, Ms. PRYCE of Ohio, Mr. COOK, Mr. BLILEY, Mr. RAMSTAD, Mr. TANCREDO, Mr. BURTON of Indiana, Mrs. CAPPAS, Mr. STEARNS, Mr. BLUNT, Mr. CUMMINGS, Mr. CHABOT, Ms. ESHOO, and Ms. NORTON):

H. Res. 244. Resolution expressing the sense of the House of Representatives with regard to the United States Women's Soccer Team and its winning performance in the 1999 Women's World Cup tournament.

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 Geert 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 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. 208 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 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 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—

(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 affect, commerce with foreign nations, among the several States, or with Indian tribes;

even if the burden results from a rule of general 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) 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. 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

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; however, the claimant shall bear the burden of persuasion on whether the challenged government practice, law, or regulation burdens or substantially burdens the claimant's exercise of religion.

(b) LAND USE REGULATION.—

(1) LIMITATION ON LAND USE REGULATION.—

(A) Where, in applying or implementing any land use regulation or exemption, or system of land use regulations or exemptions, a government has the authority to make individualized assessments of the proposed uses to which real property would be put, the government may not impose a substantial burden on a person's religious exercise, unless the government demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

(B) No government shall impose or implement a land use regulation in a manner that does not treat religious assemblies or institutions on equal terms with nonreligious assemblies or institutions.

(C) No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination.

(D) No government with zoning authority shall unreasonably exclude from the jurisdiction over which it has authority, or unreasonably limit within that jurisdiction, assemblies or institutions principally devoted to religious exercise.

(2) FULL FAITH AND CREDIT.—Adjudication of a claim of a violation of the Free Exercise Clause or this subsection in a non-Federal forum shall be entitled to full faith and credit in a Federal court only if the claimant had a full and fair adjudication of that claim in the non-Federal forum.

(3) NONPREEMPTION.—Nothing in this subsection shall preempt State law that is equally or more protective of religious exercise.

SEC. 4. JUDICIAL RELIEF.

(a) CAUSE OF ACTION.—A person may assert a violation of this Act as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under article III of the Constitution.

(b) ATTORNEYS' FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended—

(1) by inserting "the Religious Liberty Protection Act of 1998," after "Religious Freedom Restoration Act of 1993,"; and

(2) by striking the comma that follows a comma.

(c) PRISONERS.—Any litigation under this Act in which the claimant is a prisoner shall be subject to the Prison Litigation Reform Act of 1995 (including provisions of law amended by that Act).

(d) AUTHORITY OF UNITED STATES TO ENFORCE THIS ACT.—The United States may sue for injunctive or declaratory relief to enforce compliance with this Act.

(e) PERSONS WHO MAY RAISE A CLAIM OR DEFENSE.—A person who may raise a claim or defense under subsection (a) is—

(1) an owner of a dwelling described in section 803(b) of the Fair Housing Act (42 U.S.C. 3603(b)), with respect to a prohibition relating to discrimination in housing;

(2) with respect to a prohibition against discrimination in employment—

(A) a religious corporation, association, educational institution (as described in 42

U.S.C. 2000e-2(e)), or society, with respect to the employment of individuals who perform duties such as spreading or teaching faith, other instructional functions, performing or assisting in devotional services, or activities relating to the internal governance of such corporation, association, educational institution, or society in the carrying on of its activities; or

(B) an entity employing 5 or fewer individuals; or

(3) any other person, with respect to an assertion of any other claim or defense relating to a law other than a law—

(A) prohibiting discrimination in housing and employment, except as described in paragraphs (1) and (2); or

(B) prohibiting discrimination in a public accommodation.

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 restricting or burdening religious exercise or for claims against a religious organization, including any religiously affiliated school or university, not acting under color of law.

(c) CLAIMS TO FUNDING UNAFFECTED.—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 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 ALLEViating 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 on religious exercise, by retaining the policy and exempting the burdened 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)(2) 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 any religious exercise is, or is not, subject to any other law.

(g) 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.

(h) SEVERABILITY.—If any provision of this Act or of an amendment made by this Act, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provision to any other person or circumstance shall not be affected.

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 es-

tablishment of religion (referred to in this section as the "Establishment Clause"). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. As used in this section, the term "granting", used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.

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";

(2) in paragraph (2), by striking "term" 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 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;

(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 proscription under the 14th amendment to the Constitution;

(3) the term "land use regulation" means a law or decision by 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 one or more particular parcels of land or to land within one or more designated geographical zones, and where the private person has an ownership, leasehold, easement, servitude, or other property interest in the regulated land, or a contract or option to acquire such an interest;

(4) the term "program or activity" means a program or activity as defined in paragraph (1) or (2) of section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a);

(5) the term "demonstrates" means meets the burdens of going forward with the evidence and of persuasion; and

(6) the term "government"—

(A) means—

(i) a State, county, municipality, or other governmental entity created under the authority of a State;

(ii) any branch, department, agency, instrumentality, subdivision, or official of an entity listed in clause (i); and

(iii) any other person acting under color of State law; and

(B) for the purposes of sections 3(a) and 5, includes the United States, a branch, department, agency, instrumentality or official of

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—

(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 affect, commerce with foreign nations, among the several States, or with Indian tribes;

even if the burden results from a rule of general 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) 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. 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 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; however, the claimant shall bear the burden of persuasion on whether the challenged government practice, law, or regulation burdens or substantially burdens the claimant's exercise of religion.

(b) LAND USE REGULATION.—

(1) LIMITATION ON LAND USE REGULATION.—

(A) Where, in applying or implementing any land use regulation or exemption, or system of land use regulations or exemptions, a government has the authority to make individualized assessments of the proposed uses to which real property would be put, the government may not impose a substantial burden on a person's religious exercise, unless the government demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

(B) No government shall impose or implement a land use regulation in a manner that does not treat religious assemblies or institutions on equal terms with nonreligious assemblies or institutions.

(C) No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination.

(D) No government with zoning authority shall unreasonably exclude from the jurisdiction over which it has authority, or unreasonably limit within that jurisdiction, assemblies or institutions principally devoted to religious exercise.

(2) FULL FAITH AND CREDIT.—Adjudication of a claim of a violation of the Free Exercise Clause or this subsection in a non-Federal forum shall be entitled to full faith and credit in a Federal court only if the claimant had a full and fair adjudication of that claim in the non-Federal forum.

(3) NONPREEMPTION.—Nothing in this subsection shall preempt State law that is equally or more protective of religious exercise.

SEC. 4. JUDICIAL RELIEF.

(a) CAUSE OF ACTION.—A person may assert a violation of this Act as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under article III of the Constitution.

(b) ATTORNEYS' FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended—

(1) by inserting "the Religious Liberty Protection Act of 1998," after "Religious Freedom Restoration Act of 1993"; and

(2) by striking the comma that follows a comma.

(c) PRISONERS.—Any litigation under this Act in which the claimant is a prisoner shall be subject to the Prison Litigation Reform Act of 1995 (including provisions of law amended by that Act).

(d) AUTHORITY OF UNITED STATES TO ENFORCE THIS ACT.—The United States may sue for injunctive or declaratory relief to enforce compliance with this Act.

(e) PERSONS WHO MAY RAISE A CLAIM OR DEFENSE.—A person who may raise a claim or defense under subsection (a) is—

(1) an owner of a dwelling described in section 803(b) of the Fair Housing Act (42 U.S.C. 3603(b)), with respect to a prohibition relating to discrimination in housing;

(2) with respect to a prohibition against discrimination in employment—

(A) a religious corporation, association, educational institution (as described in 42 U.S.C. 2000e-2(e)), or society, with respect to the employment of individuals who perform duties such as spreading or teaching faith, other instructional functions, performing or assisting in devotional services, or activities relating to the internal governance of such corporation, association, educational institution, or society in the carrying on of its activities; or

(B) an entity employing 5 or fewer individuals; or

(3) any other person, with respect to an assertion of any other claim or defense relating to a law other than a law—

(A) prohibiting discrimination in housing and employment, except as described in paragraphs (1) and (2); or

(B) prohibiting discrimination in a public accommodation.

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(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 any religiously affiliated school or university, not acting under color of law.

(c) CLAIMS TO FUNDING UNAFFECTED.—Nothing in this Act shall create or preclude a right of any religious organization to re-

ceive 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 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 ALLEVIATING 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 on religious exercise, by retaining the policy and exempting the burdened 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)(2) 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 any religious exercise is, or is not, subject to any other law.

(g) 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.

(h) SEVERABILITY.—If any provision of this Act or of an amendment made by this Act, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provision to any other person or circumstance shall not be affected.

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"). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. As used in this section, the term "granting", used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.

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";

(2) in paragraph (2), by striking "term" 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 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;

(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 proscription under the 14th amendment to the Constitution;

(3) the term “land use regulation” means a law or decision by 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 one or more particular parcels of land or to land within one or more designated geographical zones, and where the private person has an ownership, leasehold, easement, servitude, or other property interest in the regulated land, or a contract or option to acquire such an interest;

(4) the term “program or activity” means a program or activity as defined in paragraph (1) or (2) of section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a);

(5) the term “demonstrates” means meets the burdens of going forward with the evidence and of persuasion; and

(6) the term “government”—

(A) means—

(i) a State, county, municipality, or other governmental entity created under the authority of a State;

(ii) any branch, department, agency, instrumentality, subdivision, or official of an entity listed in clause (i); and

(iii) any other person acting under color of State law; and

(B) for the purposes of sections 3(a) and 5, includes the United States, a branch, department, agency, instrumentality or official of the United States, and any person acting under color of Federal law.

H.R. 2415

OFFERED BY: MR. SANFORD

AMENDMENT NO. 1: Page 14, line 23, strike “\$17,500,000” and insert “\$12,000,000”.

H.R. 2415

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. 2415

OFFERED BY: MR. SANFORD

AMENDMENT NO. 3: Page 21, line 25, strike “such sums as may be necessary” and insert “\$8,000,000”.

H.R. 2466

OFFERED BY: MS. SLAUGHTER

AMENDMENT NO. 16: Page 71, line 19, insert “(reduced by \$20,000,000)” after the dollar figure.

Page 87, line 19, insert “(increased by \$10,000,000)” after the dollar figure.

H.R. 2466

OFFERED BY: MR. STEARNS

AMENDMENT NO. 17: Page 87, line 19, insert “(reduced by \$2,087,500)” after the dollar figure.

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, except the Vietnam 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; and

(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 in this title 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 INCLUDED IN 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; and

(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. 2466

OFFERED BY: MR. WELDON

AMENDMENT NO. 20: At the end of the bill (before the short title), insert the following new section:

SEC. _____. (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 means other than a Tribal-State compact entered into between a State and a tribe.

(b) For the purposes of this section, the terms “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.).

H.R. 2466

OFFERED BY: MR. WU

AMENDMENT NO. 21: Page 57, line 8, after the period add the following: “Of the funds made available by this paragraph, \$196,885,000 shall be for timber sales management, \$120,475,000 shall be for wildlife and fisheries habitat management, and \$40,165,000 shall be for watershed improvements.”

OFFERED BY: MR. HOEFFEL

AMENDMENT NO. 1: Page 97, after line 13, insert the following:

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

SEC. _____. (a) FINDINGS.—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) STUDY.—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 the term in section 921(a)(16) of title 18, United States Code.

(c) REPORT.—Within 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a written report on the statistics collected and the results of the study conducted under subsection (b).

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. _____. 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

(Page & line nos. refer to Full Committee Print)

AMENDMENT NO. 3: Page 97, after line 13, insert the following new section:

SEC. 647. None of the funds appropriated by this or any other Act may be used by the United States Postal Service to implement, administer, or enforce the provisions of part 111 of title 39 of the Code of Federal Regulations (relating to delivery of mail to a commercial mail receiving agency), other than as last in effect before April 26, 1999.