

Brady (TX)	Hill (MT)	Ramstad	Kildee	Minge	Sanchez
Bryant	Hilleary	Regula	Kilpatrick	Mink	Sanders
Burr	Hobson	Reynolds	Klecza	Moakley	Sandlin
Burton	Hoekstra	Riley	Kucinich	Mollohan	Sawyer
Buyer	Horn	Rogan	LaFalce	Moore	Schakowsky
Callahan	Hostettler	Rogers	Lampson	Moran (VA)	Scott
Calvert	Houghton	Rohrabacher	Lantos	Murtha	Serrano
Camp	Hulshof	Ros-Lehtinen	Larson	Nadler	Sherman
Canady	Hunter	Roukema	Lee	Napolitano	Sisisky
Cannon	Hutchinson	Royce	Levin	Neal	Skelton
Castle	Hyde	Ryan (WI)	Lewis (GA)	Oberstar	Slaughter
Chabot	Inslee	Ryun (KS)	Lipinski	Obey	Smith (WA)
Chambliss	Isakson	Salmon	Lofgren	Olver	Snyder
Coble	Istook	Sanford	Lowey	Ortiz	Stark
Coburn	Jenkins	Saxton	Lucas (KY)	Pallone	Stenholm
Collins	Johnson (CT)	Scarborough	Luther	Pascarell	Strickland
Combest	Johnson, Sam	Schaffer	Maloney (CT)	Pastor	Tanner
Cook	Jones (NC)	Sensenbrenner	Maloney (NY)	Payne	Tauscher
Cooksey	Kasich	Sessions	Markey	Pelosi	Thompson (CA)
Cox	Kelly	Shadegg	Mascara	Peterson (MN)	Thurman
Crane	Kind (WI)	Shaw	Matsui	Phelps	Tierney
Cubin	King (NY)	Shays	McCarthy (MO)	Pickett	Towns
Cunningham	Kingston	Sherwood	McCarthy (NY)	Pomeroy	Turner
Davis (VA)	Knollenberg	Shimkus	McDermott	Price (NC)	Udall (CO)
Deal	Kolbe	Shows	McGovern	Rahall	Udall (NM)
DeLay	Kuykendall	Shuster	McIntyre	Rangel	Velazquez
DeMint	LaHood	Simpson	McKinney	Reyes	Visclosky
Diaz-Balart	Largent	Skeen	McNulty	Rivers	Watt (NC)
Dickey	Latham	Smith (MI)	Meehan	Rodriguez	Weiner
Doolittle	LaTourette	Smith (NJ)	Meek (FL)	Roemer	Wexler
Dreier	Leach	Smith (TX)	Meeks (NY)	Rothman	Weygand
Duncan	Lewis (CA)	Souder	Menendez	Roybal-Allard	Wise
Dunn	Lewis (KY)	Spence	Millender-	Rush	Woolsey
Ehlers	Linder	Stearns	McDonald	Sabo	Wynn
Ehrlich	LoBiondo	Stump			
Emerson	Lucas (OK)	Sununu			
English	Manzullo	Sweeney	Blagojevich	Klink	Spratt
Everett	Martinez	Talent	Bliley	Lazio	Stabenow
Ewing	McCrery	Tancred	Brady (PA)	McCollum	Stupak
Fletcher	McHugh	Tauzin	Campbell	McIntosh	Thompson (MS)
Foley	McInnis	Taylor (MS)	Chenoweth-Hage	Metcalf	Waters
Fossella	McKeon	Taylor (NC)	Crowley	Owens	Waxman
Fowler	Mica	Terry	Danner	Packard	
Frelinghuysen	Miller (FL)	Thomas	Franks (NJ)	Peterson (PA)	
Gallegly	Miller, Gary	Thornberry			
Ganske	Miller, George	Thune			
Gekas	Moran (KS)	Tiahrt			
Gibbons	Morella	Toomey			
Gilchrest	Myrick	Trafficant			
Gillmor	Nethercutt	Upton			
Gilman	Ney	Vitter			
Goode	Northup	Walden			
Goodlatte	Norwood	Walsh			
Goodling	Nussle	Wamp			
Goss	Ose	Watkins			
Graham	Oxley	Watts (OK)			
Granger	Paul	Weldon (FL)			
Green (WI)	Pease	Weldon (PA)			
Greenwood	Petri	Weller			
Gutknecht	Pickering	Whitfield			
Hansen	Pitts	Wicker			
Hastert	Pombo	Wilson			
Hastings (WA)	Porter	Wolf			
Hayes	Portman	Wu			
Hayworth	Pryce (OH)	Young (AK)			
Hefley	Quinn	Young (FL)			
Hergert	Radanovich				

## NOT VOTING—22

Blagojevich	Klink	Spratt
Bliley	Lazio	Stabenow
Brady (PA)	McCollum	Stupak
Campbell	McIntosh	Thompson (MS)
Chenoweth-Hage	Metcalf	Waters
Crowley	Owens	Waxman
Danner	Packard	
Franks (NJ)	Peterson (PA)	

□ 1535

Mr. DELAHUNT and Mr. HALL of Texas changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### CONFERENCE REPORT ON H.R. 2615, CERTIFIED DEVELOPMENT COMPANY PROGRAM IMPROVEMENTS ACT OF 2000

Mr. TALENT. Mr. Speaker, pursuant to House Resolution 652, I call up the conference report on the bill (H.R. 2614) to amend the Small Business Investment Act to make improvements to the certified development company program, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HANSEN). Pursuant to House Resolution 652, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of legislative day of October 25, 2000, Part 2.)

The SPEAKER pro tempore. The gentleman from Missouri (Mr. TALENT) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri (Mr. TALENT).

Mr. TALENT. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, a few weeks ago I had a call from the leadership staff asking if I had a problem with using this legislation as a vehicle for passing a number

of things that I understood we had substantial bipartisan support for in the House.

I said no. I thought if it would facilitate the passage of legislation that meant really good things for a whole lot of American people that we ought to try to do it. And we have a conference report and on the surface of it it has a lot of things that I think a lot of people in this House like.

It has a minimum wage increase. It has small business tax relief, which I can testify has very strong support in the House and is very necessary in the small business community. It has the repeal of provisions which have prevented installment sales of businesses. It has an increase in the meals deduction, an increase in the deductibility of health insurance premiums for the self-employed. It has the Portman-Cardin pension reforms. It has Medicare giveaways. And most important for my perspective, Mr. Speaker, it has the community renewal new markets bill, which we had a press conference with the White House several months ago and all of us agreed, Republicans, Democrats, the President, the leadership of the House said it was the most significant anti-poverty legislation to pass this body in a generation.

I thought when I had a chance to handle this bill, and I flew back today to do it, that it would be a time of joy and a time of shared celebration.

I understand that the President has serious objections and may well veto this bill, and my heart is sad at that because it just seems to me there is so much good in here for the American people that we all ought to support it. I would hope he would find a way to sign it; and if we have some problems, work that out in some other format or some other way because I am just concerned if we do not do it now, we will not have a chance to do these things for the American people.

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

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

Mr. Speaker, the gentleman says that if there are differences in the bill that he seriously hopes that we could work it out. That makes a lot of sense, and that is why probably he is not a part of the Republican leadership.

The reason we have a veto here is because somebody on the other side of this aisle decided that they did not want to work out anything.

How do they think we are going to get out of here unless they talk to somebody? They do not have to talk to me, but they can talk to the gentleman from Missouri (Mr. GEPHARDT). They can talk to someone in the White House. They do not even talk to themselves. And now they come here and force the President to say that he is going to veto it merely because they have not discussed anything.

There are some good things in this bill. There are things that can be worked out in this bill. I have worked

## NAYS—190

Abercrombie	Clyburn	Frank (MA)
Ackerman	Condit	Frost
Allen	Conyers	Gejdenson
Andrews	Costello	Gephardt
Baca	Coyne	Gonzalez
Baird	Cramer	Gordon
Baldacci	Cummings	Green (TX)
Baldwin	Davis (FL)	Gutierrez
Barrett (WI)	Davis (IL)	Hall (OH)
Becerra	DeFazio	Hall (TX)
Bentsen	DeGette	Hastings (FL)
Berkley	Delahunt	Hill (IN)
Berman	DeLauro	Hilliard
Berry	Deutsch	Hinche
Bishop	Dicks	Hinojosa
Blumenauer	Dingell	Hoefel
Bonior	Dixon	Holden
Borski	Doggett	Holt
Boswell	Dooley	Hooley
Boucher	Doyle	Hoyer
Boyd	Edwards	Jackson (IL)
Brown (FL)	Engel	Jackson-Lee
Brown (OH)	Eshoo	(TX)
Capps	Etheridge	Jefferson
Capuano	Evans	John
Cardin	Farr	Johnson, E. B.
Carson	Fattah	Jones (OH)
Clay	Filner	Kanjorski
Clayton	Forbes	Kaptur
Clement	Ford	Kennedy

with the gentlewoman from Connecticut (Mrs. JOHNSON) on the school construction thing. We did not always agree on everything, but we sat and we worked until we made certain that we got it out.

Now what is happening? With all due respect to the Committee on Small Business, we have a major tax initiative coming to the floor on a vehicle.

Well, I respect the integrity and the reputation of the Committee on Ways and Means. And whether we are Republican or Democrat, liberal or conservative, this is not the way to run a railroad.

It is wrong to bring out a tax bill in the middle of the night. It is wrong not to consult with the President. And it is wrong not to consult with our colleagues who are trying to work this out.

So if they need a veto to get their attention, if they need a veto in order to come and sit down and do this thing right, if they need a veto so we can wrap up our business and get home, well, my brothers and sisters have got it.

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

Mr. TALENT. Mr. Speaker, I yield myself 30 seconds to say to the gentleman, and he knows how much I respect him and how I have worked with him on these anti-poverty provisions, and I am certain that there are hurt feelings on both sides. I just would hope that we could somehow overcome this and get these important things done that real people and, in particular, vulnerable people depend on.

I am just convinced that, if a veto comes down, we are not going to have another chance; and we will have blown this up on what the people will see as an inside internecine kind of squabble.

Mr. TALENT. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means.

Mr. ARCHER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, this is one of the more difficult moments that I have faced in my tenure over 30 years in the House of Representatives. As chairman of the Committee on Ways and Means, I believe I have a very special role; and that is to be steward of a tax code, to try to keep it as equitable as possible, to try to see that in spite of the difficulties of earning income tax that it is as simple as possible, and to attempt to see that it has not become a vehicle for spending.

There is much good in this bill. I know because I helped to write it. I do not need to repeat all of it to Members because they have examined all of the good that is in this bill.

Unfortunately, it is included with an increase in the minimum wage, which I have never voted for and which I believe is counterproductive to the very people that it seeks to help. I cannot

break with my principles on that, and on that alone I would vote against this bill.

Now, in spite of all the very good provisions that are in this bill, bipartisan, voted overwhelmingly on the floor of the House, I am severely troubled by items that were added at the last minute under pressure from the White House and pressure from the Senate. They will be a springboard to turn future tax bills into spending vehicles uncontrolled by the budget; uncontrolled by the limitation that would be on appropriations bills; and, in all likelihood, not adequately debated for what they are.

One of those is the provision that would subsidize Amtrak by tax credits with the authorization of \$10 billion in bonds and the interest being offset by a dollar-for-dollar tax credit, which would also permit the interest to be separated from the principal, coupled with the tax credit and traded on the stock market.

□ 1545

That is *deja vu* of what we went through in the 1980s which grew so pernicious that it brought on the 1986 tax reform bill to remove it from the code. But what we seem to learn from history is we never seem to learn from history, so here we go again.

Is it big relatively, this bill? No, it is relatively small. But it creates a precedent for the future that Congress needs to know about. I have fought tax credits. I have kept six or eight of them from going into this bill, because I do not want the tax code to be turned into a spending vehicle administered by the IRS. That is a great danger ultimately to the future of our tax code, and then in addition a similar provision to have the Federal Government subsidize the construction of local schools through once again having interest offset by tax credits. I believe that we must stop this. We must prevent it from occurring.

But the minimum wage clearly shuts out my capability to vote for what for the most part is superb tax policy, to help people get more health care, to help small businesses, to help pension, to help retirement security, all things that this Nation should try to get. And also I have worked so hard on a bipartisan basis with my friend, the gentleman from New York (Mr. RANGEL), and with the Treasury to find an answer to the FSC problem which if we do not solve it could unleash an unholy trade war where everyone would suffer. I do not know what will happen to this bill. But if we do not do but one thing, we must come back and pass the FSC provisions. The danger in failing to do so is too great.

I wish I could vote for this bill. If the tax provisions that we crafted and put together as the basis of this bill were submitted by themselves to this House, I would enthusiastically support them. Each Member must make his own decision. My special position as chairman

of the Committee on Ways and Means does not permit me to vote for this bill in its current form.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to the gentlewoman from New York (Ms. VELAZQUEZ), the ranking member of the Committee on Small Business.

The SPEAKER pro tempore (Mr. HANSEN). Without objection, the gentlewoman from New York will control the time on her side of the aisle.

There was no objection.

Ms. VELAZQUEZ. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I rise in strong opposition to the conference agreement for H.R. 2614. Last August when the House passed H.R. 2614, we took the first step in strengthening a program that would provide countless businesses across this country the access to the capital they so desperately need to succeed.

Fourteen months later, instead of a bill that offers opportunity, we now have a bill full of misguided priorities. At a time when this Nation is experiencing an affordable health care crisis, this conference report meets this growing deficiency by increasing payments to already wealthy HMOs at the expense of our hospitals and rural communities.

This legislation will also shortchange our children by once again failing to address the need for school construction. In every community across this country, there are kids who are being taught reading, writing, science and math in trailers, makeshift classrooms, and in hallways within neglected school buildings. I am astounded that in today's world when it is hard enough to help our at-risk kids to keep pace, forcing them to learn in Third World conditions is simply disgraceful.

What distresses me the most, this Congress has passed despite, all their lofty promises, only half of what the President asked for in his budget request. It is unfortunate that this bill faces a veto from the President because, to be perfectly frank, there is much in here that will help our communities by funding valuable small business programs, including enacting the new markets community renewal programs.

I would like to thank the gentleman from Missouri (Mr. TALENT) for all he has done to bring valuable investment into our Nation's low-income communities. His leadership has helped provide small businesses and entrepreneurs a stronger foundation which will help them grow and prosper. But one issue is clear. The sum of legislation outweighs the good this bill could do for so many in this country.

This is not how we should be ending this Congress. We are leaving at a time when there is so much more that can and should be done. Unfortunately, the 106th Congress is ending with far too many promises made and far too few promises kept.

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

Mr. TALENT. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Illinois (Mr. HASTERT), the Speaker of the House.

Mr. HASTERT. I thank the gentleman from Missouri for yielding me this time.

Mr. Speaker, in this body from time to time there comes a time when we bring ideas together and people together to get good things done. We have to work in the House, and they have to work in the Senate and you have got a White House on the other end of Pennsylvania Avenue that all have input. This piece of legislation is a piece of legislation that both bodies, and the White House, had some input in putting together.

We have talked about the minimum wage, and we have talked about it far too long; and we have not done anything about it. This is a minimum wage for American working people. It is over 2 years. It is something that I have heard required and requested on this side of the aisle for a long, long time. It is reality in this legislation. It is also reality in this legislation that small businesses, and in my district 75 percent of the jobs are provided by small businesses, we give them the ability to stay in business and provide those jobs in this legislation.

We talk about the waitress at the coffee shop who works maybe a job or a job and a half and tries to keep her kids in school and shoes on their feet and tries to keep a good life. She cannot afford and her job does not provide health care. But when she goes to buy that health care, she does not get the same tax deduction that an executive or somebody working in a big plant would get that benefit.

This bill gives American working people who have to go out and buy their health care week in and week out, year in and year out that same tax benefit that anybody else that gets it through a corporate entity would get.

My father died 2 years ago. We kept him in our home because he did not want to live in a nursing home. We gave him health care and took care of him. It did not make any difference to me whether it was a tax credit or not, but there are a lot of people that cannot afford to do that. But if you can keep a parent in your home because that is where they want to live, among their family, that families can get a tax deduction of \$10,000, if you want to take care of your folks. And it is in this bill. It is good for all families in this country, whether you are middle class, whether you are at great risk or if you are upper class. That is what, if you choose to do it, you ought to have the ability to do it and you ought to have that tax deductibility for it.

This bill also has something that the President wanted, and the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Missouri (Mr. TALENT) and the gentleman from Illinois (Mr. DAVIS) over on this side of the aisle worked on, was the community re-

newal, new markets, so it would invest in people's homes, invest in communities, in inner cities and rural areas so that those people could have a better life, that they could have shopping where they live, they could have jobs where they live, that they could fix their homes up, that they can pull themselves up by their own bootstraps and there is help to do it. This bill has that in it.

I guess I could go on and on. This bill certainly is not perfect. We do not think some of the things that they do on the other side of the Rotunda is always perfect and I guess they may have the same attitude about us. But we have to work on a bicameral basis, and we have to accept what bodies put in this.

I am telling you, this is the right bill for this time. We need to move forward. We need to take care of families. We need to take care of senior citizens. We need to take care of people that want to buy their own health care, and we need to take care of our communities that are in the greatest need. Even though this is a great political time, and the politics are at crescendo levels, it is time for this body to quit the quibbling, to come together, and pass good legislation. I would ask Members to join us on both sides of the aisle to do it. Please support this bill.

Ms. VELAZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, the power that the managed care industry wields over the leadership of this Congress is absolutely astounding. How else do you explain our inability, 4 years after legislation first took shape, to pass a Patients' Bill of Rights? How else do you explain this \$30 billion Republican gift to the managed care industry as we short shrift hospitals and home health agencies and every other Medicare provider? How else do you explain Republicans giving almost half, 47 percent, of new Medicare money to an industry which has shortchanged millions of senior citizens?

If this Republican Congress is not selling out to the insurance industry, how do you explain this remarkably skewed Medicare funding bill? The Republican majority took bipartisan legislation and proceeded to strip out additional funding for public hospitals, to strip out funding for low-income seniors, to strip out provisions for rural health facilities. But they left in plenty of money for HMOs.

Mr. Speaker, HMOs serve between 15 and 16 percent of the Medicare population, but under this bill they will get close to 50 percent of available funding. Let me repeat that. HMOs serve one-sixth of Medicare beneficiaries. The Republican bill will give them 50 percent of the funding. To strike this remarkable imbalance, the Republican majority eliminated funding measures that would help public hospitals, that would help home health agencies, that

would help other providers so they remain available to Medicare beneficiaries.

Where does the welfare of Medicare beneficiaries fit into this equation? The answer is it simply does not. Seniors in Lorain County, Ohio, where I live, were dropped unceremoniously from United Health's plan on December 31, 1998. Some of them joined QualChoice. They were then dropped unceremoniously December 31, 1999.

Mr. Speaker, I urge every Member of Congress to oppose this fatally flawed bill. It is unfair to Medicare beneficiaries.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, this conference report underscores the importance of working together, Democrats and Republicans, to get things done. I listened to the distinguished Speaker. There are some good things in this bill where we worked together. The problem is that the Republican leadership has used the fatally flawed partisan process in order to bring this bill to the floor. When you only work with half the Members, half the Nation is left out on the bill that is before us.

The problem is, there is too much that is not in this bill or is wrong in this bill. It is inadequate on school construction. We could do a lot better on that. You spend too much money on health insurance breaks for those who already have health insurance and not enough on those who do not have health insurance. We can do better than that. You have left out the vaccine research credit which is so important to the health of our Nation. And you have left out the Lou Gehrig's disease, modernizing it so people who suffer from that disease can qualify for Medicare benefits.

□ 1600

We go on and on and on. If you would have brought the Democrats into the process, we could have a bill we all could be proud of and support. Unfortunately, we should follow the President's advice. He is going to veto it.

I urge my colleagues to vote against the conference report.

Mr. TALENT. Mr. Speaker, I yield myself 15 seconds to say that my understanding is that major provider associations, including the hospitals and the home health agencies, support this bill. It is not surprising, considering it adds \$28 billion back into Medicare.

Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, there are a lot of good things in this package, many of which were, in fact, put together with bipartisan work and support. I was in on a lot of the meetings on the Medicare provisions with Democrats talking about how to best put this together. I was in on some meetings with some Democrats on some tax provisions.

One of the largest sections of the tax bill that is included in this bill was put together by the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Maryland (Mr. CARDIN), the last speaker, working together, bipartisan. So, please, do not try to make it look like this is something that is one-sided, put together only by Republicans. It is not.

Let me just say something about the Medicare+Choice. First of all, it is not half of the spending in this bill, it is about 25 percent of the spending in this bill. With the interactions it gets up close to one-third. But if you go back, Republican or Democrat, look at your mail, what do your seniors want? They want the Medicare HMOs to give them prescription drugs, to give them choices. It is no surprise we put money into that program to help them out.

Ms. VELAZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, as we consider the Lott-Hastert grab bag bill today, I appreciated the fact that the Speaker came on to the floor, because he is the only person who could possibly have any idea what is in this.

Now, what we hear is people saying, well, there is this thing that one committee did, and there is that thing that one committee did, and there is this thing that another did, and everybody should vote for it, because one of those things might be in here. But there is nobody here who has the least idea what is in this.

They put five bills in yesterday, the conference report says the minimum wage bill, taxpayer relief bill, the Medicaid-Medicare and ship benefit improvement bill, the pain relief bill and the small business bill. They dropped them in yesterday, rolled them together, tied them with a knot and brought them out here and said, vote for them; we have got to go home.

Now, the public policy that is produced by this stuff is what happened in the BBA bill in 1997. The reason we are out here fixing the program of Medicare again is because you did that bill the same way.

This bill has the bill that is going to destroy our overseas trade if we do not get it right. But the chairman of the committee, the gentleman from Texas (Mr. ARCHER), who I do not always agree with, but I agree with him on the process, there should have been Committee on Ways and Means people in that conference committee looking at what got rolled into this 960 page pile of legislation.

Now, if you take any one of these issues, the fact you cannot find anything in all this money to do anything about prescription medications, but you can find some money to help the drug companies push the Justice Department away from fixing price problems that they have got and discovered in the law, is, in my view, silly and unfair to the American people.

I urge my colleagues to vote against it. The President will veto it. We will have a bill.

Mr. TALENT. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. DUNN).

Ms. DUNN. Mr. Speaker, the average woman spends 11 years out of the workforce to raise children, and it is often very tough for her to accumulate enough retirement savings to make a difference. We believe this is unfair.

I will tell you what is in this bill. This bill allows women over the age of 50 to contribute up to 50 percent more to their retirement plan in order to make up for those years out of the workforce. This will make it possible for a working mother to build a nurturing relationship with her child and achieve financial independence in retirement.

Part of financial security in retirement means having health care that is affordable and dependable. Unfortunately, the funding for Medicare+Choice has made it tough to offer coverage in certain regions of the country.

In my State, nearly 30,000 seniors were sent letters by their health plans alerting them to the fact that insufficient reimbursements for Medicare+Choice is forcing them out of the State. The President is not helping our seniors by attacking managed care plans. In Washington State, tens of thousands of seniors enjoy the benefits of their health care plans and are worried about losing this option. We help in this bill.

I urge my colleagues to boost retirement savings for women and protect health care choices for seniors.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in strong opposition to H.R. 2614. This legislation is a wolf in sheep's clothing.

For example, by not including the Rangel-Johnson school construction tax credit provisions, this bill fails to leverage \$24.8 billion in financing for school construction and renovation. Studies have shown that school construction costs over the next 10 years will total upwards of \$125 billion. The Federal Government currently funds local transportation projects, local airport projects, as well as prisons and local economic development projects. Why, why is it suddenly unreasonable to assist our schools with this most important project, ensuring a safe learning environment for our children?

We can do better than this. I urge my colleagues to vote no on H.R. 2614.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I had hoped that I would have been able to vote on a number of the provisions in this bill in a clean way: Minimum wage, obviously needed; new market initiatives, obviously needed. As a matter of fact, there are many good features to this bill.

But, unfortunately, it is like a wagon that has been overloaded. When you

try and put too much on it at one time, it gets stuck in the mud. I am afraid that this bill, unfortunately, is stuck in the mud. It has got a lot of good things in it, and, as we approach Halloween, it seems to me that we have got a lot of good items, but we have got too many tricks and not enough treats.

I hope we can come back with some clean bills that we could vote on that would be in the best interests of the American people, and I would urge my colleagues to vote no on this bill.

Mr. TALENT. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SHAW).

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

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I am particularly proud of and want to talk about several provisions that are in this bill. One would improve Medicare benefits to fight breast cancer and cervical cancer. My digital mammography provision gives women access to brand new breast cancer screening technology. The pap test provision makes tests more frequent so that cervical cancer can be found early and treated successfully.

Mr. Speaker, it is extremely important to focus on the education provisions of this bill. I know firsthand that we face a public school construction crisis. My congressional district runs through three of the fastest growing school districts in the country. In Palm Beach County, the student population has more than doubled just since 1985. Broward County, the fifth largest school district in the country, has 240,000 students and 210 schools. Miami-Dade County is the fourth largest school district, with over 350,000 students. It averages an increase of 10,000 new students each and every year.

I am particularly excited about the portion of this legislation that incorporates my legislation which I have sponsored, along with Florida Senator BOB GRAHAM, the Public School Construction Partnership. These provisions empower local districts to use innovative, cost-effective ways to finance new schools and repair aging ones.

Miami Beach Senior High is a prime example of a public school that should benefit from this legislation. Its aging facilities diminish the education opportunities for the 3,000 students and teachers who occupy the premises. Many of these are the same buildings that were there when I was in high school.

In order to encourage private sector participation and avoid debt capacity problems for localities, this legislation would permit tax exempt private activity bonds for investors willing to join public-private partnerships to construct new public schools or renovate existing ones. The partnerships would use the bonds to borrow funds for construction and ownership of the school facilities. The facilities would then be leased to the public school systems,

who would operate the facilities with their own teachers and principals. At the end of the lease term, the facilities would be transferred back to the school system without additional cost.

A greater use of public-private partnerships would allow states and local communities to accelerate school construction projects at significant savings by giving private sector incentives to help meet new construction and renovation needs.

Rather federalizing public school construction, these less costly provisions will allow local school districts to decide what is best for their students.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this tax bill is a true Halloween witch's brew; a heavy dose of money for big, unaccountable HMOs that rely on the bean counters to interfere in the doctor-patient relationship, a tiny little pinch of relief for taxpayers, together with the flavoring of a little eye of old Newt's threatening government shutdown for good measure.

You can comb through all the pages of this bill, and one thing you will not find is one cent of marriage penalty tax relief. You can comb through these pages and you will not find one cent of estate tax relief for small family businesses and farms.

This last minute conglomeration is devoid of meaningful relief for ordinary American families. But this partisan measure showers benefits on the healthy and the wealthy. It gives billions to the same HMOs that have a stranglehold on this Congress and are blocking a patients' bill of rights. They throw in \$100 million every year to benefit the tobacco industry in its export of death and disease.

Mr. Speaker, no marriage penalty relief; not a cent for marriage penalty, but \$24 billion in tax benefits are included to fund the two-martini lunch.

Mr. Speaker, here is a bill that even the chairman of the Committee on Ways and Means, the Republican chair, is going to vote against. What better symbol of a Republican Congress that can best be called failure, flop, and fiasco.

Mr. TALENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I find it unfortunate that we are having the type of debate here on the floor today that we are, because the fact is that 96 percent of the words in the bill that we are considering have already been voted on in the House and been passed overwhelmingly in a bipartisan way, and for the gentleman from Texas to refer to the fact that there is no marriage penalty relief in here, nor any estate tax relief in here, is the height of hypocrisy, given the fact that the President of the United States decided to veto both of those bills.

But, Mr. Speaker, I rise today in support of this conference report, and es-

pecially the inclusion of the Retirement Savings and Pension Coverage Act, based extensively on a bipartisan package of reforms developed by my friend, the gentleman from Ohio (Mr. PORTMAN), and my colleague from the other side of the aisle, the gentleman from Maryland (Mr. CARDIN).

I think this is practical common sense legislation that will lead to a safer, more secure and more prosperous retirement for millions of American working men and women.

ERISA is the source of our Nation's pension laws, and it was passed 25 years ago when the American economy was dominated by large corporations and most Americans relied on pensions from those corporations for their retirement. Well, today we are a Nation of small employers and individual investors. Nearly one out of every two American families has invested in the stock market, more than three times the percentage 25 years ago.

□ 1615

This bill today helps workers maximize their retirement opportunities by expanding small business retirement plans, allowing workers to save and invest more, and cutting the red tape that has hamstrung employers who want to establish pension plans for their employees.

The basis for these pension reforms in this conference report is H.R. 1102. It was reported out of the Committee on Education and the Workforce on July 14, 1999, on a bipartisan voice vote; and we believe on a bipartisan basis this is a very good bill. I urge my colleagues to support it.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, this debate is baffling. The Speaker has come here and said we need to be brought together, but he chooses a course that divides us. There is a lot of talk by Republicans, including Mr. Bush, about bipartisan, but this action is strictly partisan.

What went into this bill and what was left out was decided completely within Republican ranks and its inner sanctum. Tell me of your meetings with the President to decide on this package. Tell me of your meetings with the minority leadership in the House or the Senate. There were not any. Instead, we have decisions made inner sanctum and very much with special interests in mind.

Mr. Speaker, 187 pages of this Medicare and Medicaid bill never went through committee, was never voted on the House floor. So here we go again, forcing a presidential veto. There will be another chance to act on the BBA after the President forces us into the right course:

Ms. VELAZQUEZ. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in opposition to the bill and the way it has been brought to this floor. I want specifically to talk about protecting the privacy of American people.

Last night, under the cloak of darkness, the Republican leadership added to this bill an amendment that would have allowed confidential Census information to go to the CBO, the Congressional Budget Office.

Let me tell my colleagues that this past year in every State and community, this poster was up, assuring the American people of their privacy: No INS. No FBI. No CIA. No IRS. We should add no Republican majority.

The Secretary of Commerce, Secretary Mineta, has a very strong objection. Mr. Speaker, I will place his objection and veto threat in the RECORD.

Mr. Speaker, I recently just spoke to Mr. Crippen, the head of CBO, who tells me that after seeing the Secretary's objection, he has decided to proceed with attempting to get the provision he wants out. He says he will remove it.

Since Mr. Crippen is not a Member of Congress, I would hope that someone in the Republican leadership could assure me that what he is saying is correct and that my colleagues will not add this provision to any other vehicle going through Congress that is a violation of the privacy rights of the American people.

Mr. Speaker, I ask if there is any assurance from anyone in the Republican leadership.

THE SECRETARY OF COMMERCE,  
Washington, DC, October 25, 2000.

DEAR MEMBER OF CONGRESS: As you may know, the Congressional Budget Office (CBO) is currently seeking legislative language which would amend Title 13, the Census Act, to allow CBO to acquire confidential information collected from the American people in several census surveys.

I am writing to express my strong opposition to any attempt to force the disclosure of personal census information currently protected by the confidentiality provisions of Title 13. If this proposal is adopted by the Congress, I will recommend a Presidential veto of the legislation.

The American people place a tremendous trust in the Census Bureau and the Department of Commerce when they provide us with the personal information collected by these surveys. They do so, in overwhelming numbers, because the Census Bureau and the Commerce Department have assured them that their privacy will be protected by the provisions of Title 13. The critical work of dozens of government agencies could not be accomplished without the public's voluntary cooperation with these surveys.

The change to census confidentiality contemplated by CBO has been developed behind closed doors, at the 11th hour of a legislative session, with no public hearings and no opportunity for public comment or congressional review.

The American people are already gravely concerned about the privacy of their personal information. The adoption of these changes with no public debate runs the very serious risk of undermining the public's confidence in the privacy act of census information. Should that happen, it should surprise none of us that the public's willingness to

cooperate with census surveys will rapidly decline.

As the CBO Director obliquely points out in his October 24, 2000 letter to Congress on this issue, there have been times in our history when census information has not been protected as it should have been. My personal knowledge of this incident is somewhat less than oblique. Director Crippen's reference is to the Census Bureau's assistance, at the beginning of World War II, for the War Department's efforts to locate Japanese Americans in the western United States and confine us to internment camps. My family and I were among the 120,000 Japanese Americans forced from our homes and interned.

I fail to see why this history should make the Commerce Department, or the Congress, less concerned about the confidentiality of census information.

Over the course of the 58 years since that incident, the Census Bureau and the Department of Commerce have built a relationship of trust with the American people, many of whom are profoundly distrustful of government. We have promised them that their privacy would be protected, and that personal information about them would be subjected to the most stringent controls. I do not believe we should alter that commitment, in law or in practice, without a full and open discussion.

As a former Member of Congress, and a former Member of the House Budget Committee, I take CBO's work very seriously. I have the highest respect for the professionalism and integrity of the men and women who make up that agency.

However, I must restate the strongest opposition of the Department of Commerce to any effort to alter the privacy protections currently provided by statute for personal census information without a full opportunity for careful congressional review and public comment.

Sincerely yours,

NORMAN Y. MINETA.

Mr. TALENT. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. WATTS).

Mr. WATTS of Oklahoma. Mr. Speaker, I thank the gentleman from Missouri (Mr. TALENT) for yielding me the time.

Mr. Speaker, I heard just a couple of minutes ago that the marriage tax relief and death tax relief was not in this bill, and I would say to that give me a physical break.

The President of the United States vetoed both of those pieces of legislation that would bring about fairness for small business owners and allowed them to keep their business and not give it to the government and also allow married couples to get some relief and not penalize them for being married.

But be that it as it may, H.R. 2614, Mr. Speaker, is a good piece of legislation. It has Medicare adjustments for rural hospitals, for home health agencies. There is the pension reform that allows people to save more money for themselves for retirement; that is good for working people, for housewives.

My wife stays at home. She is a housewife. She can save more money. Brownfields relief, the American Community Renewal Act, in which the gentleman from Missouri (Mr. TALENT), myself, the gentleman from Illinois (Mr. DAVIS) have worked very hard on

to target underserved communities, poor communities, rural communities for economic development, for homeownership, for opportunity in these underserved communities.

This has the black farmers piece of legislation. The USDA discriminated against black farmers, and these farmers got a settlement. There is an element of this legislation that says these farmers should not have to pay taxes on that settlement, because the USDA then would be benefiting from their injustice. I mean we can go on and on.

This is a good piece of legislation. I would encourage my colleagues not to turn our backs on the black farmers. Do not turn our back on these underserved communities. Do not turn our back on people that would love to save more money for themselves. Do not turn our back on these people.

Let us pass this legislation. I urge a strong yes vote for H.R. 2614.

Ms. VELAZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, this is a bad bill. It is going to be vetoed. It ought to be defeated. Today, we are voting on a conference report which provides significant relief only to a favored few health care providers from cuts enacted in the Balanced Budget Act of 1997.

The majority has turned its back on the bipartisan Committee on Commerce bill, choosing to strip out Democratic priorities and is rewarding its fat-cat industry friends instead.

This should come as no surprise, though, that the Republicans would choose to devote billions to the insurance companies and to the wealthy, leaving working Americans, disabled children, seniors and immigrants with little, if anything, at all.

The Republican leadership has spent all year fighting its Medicare prescription drug benefits, against the strong enforceable Patients' Bill of Rights, and against meaningful expansions of health care for working families.

Why should we expect any less at this hour? At every turn, the Republican leadership has blocked meaningful health care legislation; yet, now they are passing a bill that gives only massive tax cuts for the rich, without any financing for Medicare prescription drug coverage that seniors desperately need.

It gives billions of dollars for HMOs, more than one-third of the money, \$30 billion over 10 years going to HMOs, with no guarantees that seniors will see increased access to plans or increased benefits.

It gives billions of dollars for tax deductions for health insurance that will erode existing employer coverage and will not reduce the number of uninsured.

The facts are clear. This is Republican pork, a rich reward to

undeserving fat-cat friends at the expense of beneficiaries and vulnerable providers. No wonder this was done in the dead of night.

Democrats have fought, will continue to fight, for a balanced bill that fairly allocates money for beneficiaries, providers, and HMOs.

We believe in making sure that Medicare is always there for seniors and that in the absence of universal coverage, there is always a strong safety net that will provide high-quality health care to the uninsured and those of low income.

If this is not bad enough, not only has the Republican Congress failed to pass a real Patients' Bill of Rights, but they have also passed something else, what they are calling a Medicare Patients' Bill of Rights. It is as phony as a \$3 bill and does not have any real protections that are needed.

I know the real Patients' Bill of Rights. I wrote it, along with my Republican colleagues, the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Iowa (Mr. GANSKE) and others. It passed this House by an overwhelming bipartisan majority.

This is no Patients' Bill of Rights nor Medicare. In fact, the gentleman from Georgia (Mr. NORWOOD) and I wrote a letter to the Speaker urging him to delete it. This is a Republican provision which puts our seniors at risk and at the mercy of health plans.

Mr. Speaker, I urge my colleagues to vote no on this shameful piece of legislation, so that we can have either an opportunity to sit down in a bipartisan basis and craft a balanced bill before or after the veto that the President is assuredly going to give and that will reflect the important bipartisan priorities for seniors, low-income families and children and will serve the interests of this country.

Mr. TALENT. Mr. Speaker, I yield myself 1 minute for three points.

Number one, there is no Census language in the bill, so Members should know the gentlewoman from New York (Mrs. MALONEY) was incorrect in her statement.

Second, as much as I respect the gentleman from Michigan (Mr. DINGELL), I am not going to allow the bill to be slandered in that way. This bill contains provisions which will ensure health care for small business people that we have been fighting for on a bipartisan basis for years. It contains provisions which will ensure pensions for small business people and their employers that we have been fighting for. It includes the best piece of anti-poverty legislation this Congress has passed in a generation.

Mr. Speaker, I stood next to the President of the United States at the White House and we talked about the importance of this. It means jobs and homeownership and community policing for poor people.

I will tell my colleagues, I am leaving here, Mr. Speaker, so maybe it does not matter to me and it does not matter to other people. I do not care who is

consulted. I do not care whether the protocols of the Committee on Ways and Means were respected.

This bill means real things to real vulnerable people, and we ought to pass it and the President ought to sign it.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, I rise in opposition to this bill and to the reckless way the House is proceeding.

Mr. Speaker, this bill fails to give either high-growth or economically disadvantaged areas the help they need to stretch their school bond dollars and to undertake desperately needed school construction.

This bill provides needed increases in Medicare reimbursement, but it directs those reimbursements disproportionately to HMOs with no guarantees that they will pass along the savings or that they will stay in our communities. In the meantime, our hospitals are short-changed, particularly teaching hospitals and hospitals serving large numbers of indigent patients. Funding for rural health care, home health care and hospice care also falls short.

The Republican leadership could not even find a way to shorten or eliminate the waiting period for Medicare eligibility for victims of Lou Gehrig's disease, despite the fact that 282 Members of this House have cosponsored a bill to do so.

Mr. Speaker, there are good things in this bill: a tax credit for adoptive parents, a minimum wage increase, an increase in IRA contribution limits, an accelerated deduction for small business health insurance costs. But to bury these beneficial initiatives in a measure that in so many respects falls short is reckless and irresponsible.

Mr. Speaker, with a week-and-a-half between today and the election, we have no time for reckless games. The responsible way to proceed on issues of this gravity—taxes, health care, school construction, small business—is for the Republican leaders of this Congress to negotiate in good faith with the minority and the president to reach a compromise that meets our country's needs. This should have been done weeks ago. Our best course now is to defeat this bill and to bring a new bill, adequate to the challenges before us, to the floor promptly.

Mr. TALENT. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

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

Mr. BILIRAKIS. Mr. Speaker, in 1997, Congress courageously acted to save Medicare from bankruptcy as a part of the Balanced Budget Act. However, the real-life effects of that law were far greater than expected or intended. The legislation before us today will restore \$28 billion in essential health care funding for providers and the patients they serve.

It will also increase preventive health benefits for seniors, including screenings for glaucoma and colon cancer, medical nutrition therapy, and Pap smear screenings and pelvic exams. I was pleased to coauthor provisions of the original 1997 balanced budget law, which expanded Medicare coverage or preventive health services. By diagnosing conditions in a timely manner, we can improve the quality of life for beneficiaries and ultimately reduce the costs of treatment for many patients.

The President has threatened to veto this critical measure that does so much to help America's seniors. He has expressed concern regarding the amount of funding provided for Medicare+Choice plans. But most of us have heard from an overwhelming number of seniors in our districts who support the Medicare+Choice plans, and who want Congress to make sure that they are adequately funded.

This legislation does just that, and it spends approximately \$6 billion for it, not \$30 billion, not one-half of that, but 22 percent of the total of \$28 billion.

Last month, Members of my Committee on Commerce worked on a bipartisan basis, passed unanimously, I would remind everyone, to assemble a package of relief for both providers and Medicare beneficiaries.

The measure before us incorporates many of those provisions to help beneficiaries, as well as hospitals, community health centers, skilled nursing facilities, academic health centers, home health providers, hospice providers, and Medicare+Choice plans to be sure to help save for seniors their option for a Medicare managed care plan.

I look forward, Mr. Speaker, to passing this important legislation today, and I urge the President to sign it into law.

Ms. VELAZQUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, from a transportation perspective, there are good reasons to oppose this bill, but the most significant is repeal of the 4.3 cent fuel tax for the railroads. That action goes against the spirit of the agreement worked out between rail labor and rail management on a railroad retirement benefit.

The parties agreed to divide up equally between management and labor the benefits of a payroll tax reduction.

□ 1630

Our committee, the Committee on Transportation and Infrastructure and the Committee on Ways and Means crafted a bill, H.R. 4844, that reflected this agreement. Under the bill, the payroll taxes paid by railroads would be reduced \$4 billion over 10 years. Railroad retirees and survivors would get roughly the same amount in improved benefits. It was a win for all parties.

During Committee on Ways and Means consideration of the bill, there was an amendment added to repeal the 4.3 cent fuel tax. That would have upset the balance of benefits agreed to by management and labor and would have unraveled the unified rail coalition. The Committee on Transportation and Infrastructure, on a bipartisan basis said, we would not bring the bill to the floor with this provision in it. The offending provisions were stripped prior to floor consideration, and the bipartisan railroad retirement reform legislation passed the House overwhelmingly by a vote of 391 to 25.

Now, we have the fuel tax repeal in here. That is a windfall benefit to the railroads with no commensurate benefit to rail workers and retirees. That is not fair. That is not right. That unravels the agreement that we put together, that labor and management voluntarily put together. We should not pass this legislation with that provision in. On this issue alone, the bill deserves to go down.

Mr. TALENT. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I know this is a political year, and I know that not everybody got everything in this legislation that they wanted in this legislation, but is that a reason to vote against the legislation?

Look at this bill. It expands health care coverage for all Americans; provides very important help for long-term care; increases the Medicare reimbursement to our hospitals, to our nursing homes, to our home health agencies \$28 billion over 5 years and \$75 billion over 10 years. It helps our schools to construct more schools. It provides computers to the classrooms, encourages adoption. It helps create jobs in our poorest inner cities and rural areas. It gives small businesses needed tax relief so that they can provide health care insurance, so that they can create more jobs. This is a good bill.

Let me focus on one provision that I am particularly proud of that this Congress passed by a vote of 401 to 25, only a few short months ago, totally bipartisan. The gentleman from Maryland (Mr. CARDIN) and I worked on this for the last 3 years together. The gentleman from California (Mr. GALLEGLY) and others on our side of the aisle worked so hard on it. It provides retirement security for all Americans. Half of America's workforce, 70 million people, have no pension coverage at all today, and everybody agrees on the right, on the left, and the center that we need to increase savings in our economy so that we can be sure that the economic prosperity that we are now enjoying continues. This legislation addresses these issues head on.

It does 3 things. It lets everybody save more in an IRA, moving it from \$2,000 a year to \$5,000 a year. It lets people save more in their 401(k)s. Mr. Speaker, 42 million Americans that we



represent now have 401(k)s. It lets everybody put more aside for their own retirement, in traditional pension plans.

Second, it allows rollover of pension plans from job to job. In our increasingly mobile society, that is very important to the workers we represent. Finally, it streamlines and modernizes our pension laws to reduce the costs, the burdens and the liabilities, particularly to small business, so that more and more Americans will be able to enjoy a secure retirement. This is good stuff.

Mr. President, I cannot believe you are thinking of vetoing this legislation. Do not stand in the way of retirement security.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I oppose this bill precisely for the reasons the gentleman who just spoke says we ought to support it.

There is no death tax relief in this bill, and after spending most of the year in here knowing that we could very well have a death tax relief for small businesses, it is not in this bill. There is no marriage tax penalty relief anywhere in this bill, and we spent considerable time talking about that.

This bill has the wrong priorities on Medicare relief. I represent a district that is very rural. My rural hospitals need considerably more help than what those who wrote the provisions in this bill are suggesting. The bill also undermines welfare reform by dropping the provision extending transitional Medicaid. We are increasing discretionary spending at a record rate, cutting taxes by \$300 billion without dealing with the estate tax, marriage penalty, or enacting other legislation to eliminate the national debt; and it is the wrong thing to do today.

Mr. Speaker, we must recognize we have to set priorities. The priorities of the majority are not the priorities of this Member. I urge a "no" vote on this bill.

I oppose this conference report because it has the wrong priorities in using our limited resources.

My priorities are eliminating the national debt, providing relief from the estate tax and marriage penalty, beginning a National Energy Policy, and giving assistance to rural hospitals and other health care providers. This bill does not address these priorities.

If this bill is enacted on top of the legislation already passed this year, we will have used nearly \$1 trillion on the project surplus over the next ten years this year.

According to the bipartisan Concord Coalition, if discretionary spending continues to increase at the same rate it has over the last three years under a Republican Congress for the next ten years, nearly two-thirds of the projected \$2.2 on-budget surplus will be wiped out.

Under one scenario, there would be just \$350 billion in surpluses available for other priorities after we take Medicare off-budget next year.

The cost of this tax bill, when combined with the telephone excise tax bill, will consume nearly \$300 billion of the surplus over the next ten years, not counting interest costs.

Enacting a tax cut as presented will consume virtually all of the surplus available for tax cuts, leaving no room to address other priorities.

No room to deal with estate tax.

We have bipartisan support for meaningful estate tax relief which would exempt all estates less than \$4 million from the estate tax and reduce rates by 20 percent immediately.

Nearly half of the Democratic Caucus has cosponsored an estate tax bill that would do that, but the Wall Street Journal reported that the Republican leadership has rejected that proposal because they would rather have a political issue for the campaign instead of accomplishing something on estate tax.

No room to deal with marriage penalty relief.

This bill excludes many important items that were included in earlier tax bills:

All of the tax incentives for domestic oil and gas producers that were included in the Senate bill were excluded for some reason. With all of the talk about the need for a national energy policy, I don't understand why the leadership would oppose efforts to help our domestic oil and gas industry.

An important provision for farmers which clarify that CRP payments are not subject to self-employment taxes were dropped from the bill.

The bipartisan legislation on Individual Development Accounts which I cosponsored with Representative JOE PITTS, which would help low-income families save money and move into the middle class, were dropped for some reason.

While I support the increases in IRA limits to help middle and upper income families save for retirement, I do not understand why the tax credits to help low income workers who most need assistance save for their retirement were dropped.

This bill has the wrong priorities on the Medicare relief package. This bill shortchanges the critical needs of rural hospitals, home health agencies and other health care providers.

The bill also undermines welfare reform by dropping the provision extending transitional Medicaid, which ensures families moving from welfare to work do not lose health insurance for their children.

We are increasing discretionary spending at a record rate and cutting taxes by \$300 billion without dealing with the estate tax, marriage penalty or enacting a plan to eliminate our national debt.

Mr. TALENT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMAS).

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

Mr. THOMAS. Mr. Speaker, we are here today with a Presidential veto threat, and I am here to address that provision in the Medicare and Medicaid area, because in the President's message, he said, as several of my Democratic colleagues have said, that the bill fails to attach accountability provisions to the health maintenance organizations.

I am sorry to tell my friends who made that statement that they are

simply flat-out wrong. I hope they did not do it for political purposes. I hope they did it because they were either uninformed or misinformed.

On page 143 in the bill, on lines 17 and 18, the language contained therein is the language supplied to us by the administration in terms of their request for accountability. Now, it seems strange with all of the arguments that there has not been much discussion between the administration and those of us that are charged with the responsibility as the majority to work with the minority, which we did in the Committee on Ways and Means subcommittee, by unanimously passing out the provision. It says, any of the dollars in this bill sent to Medicare HMOs can only be used to reduce premiums, cost-sharing, enhance the benefits of the beneficiaries, or utilize the stabilization fund. Every dollar that is added must be converted to benefits for individuals.

The President also says that there are other health care providers that are shorted by the basis of the HMO provisions. Let us remember that this is supposed to be not always for providers, it is supposed to be for beneficiaries. It is supposed to be for people in trouble. Organizations surrounding that have all written us letters. More than four dozen associations have said, we like what you are doing, we support what you are doing, we hope Members vote for it, we hope the President does not veto it. Organizations such as the American Cancer Society, the American Dietetic Association, Juvenile Justice Foundation, the National Kidney Foundation, the National Multiple Sclerosis Society, these are the people that are urging us to vote for the bill. They want us to vote for the bill.

The President's veto threat says that other providers have been shorted because so much money has been given to the Medicare HMOs. Then why in the world is the Long Term Hospital Association endorsing this, urging members to vote for it? Why is the Federation of American Hospitals, the National Association of Children's Hospitals, the National Association of Long Term Hospitals, the National Association of Psychiatric Health Hospitals, the National Association of Urban Critical Access Hospitals, and the one usually held up, the American Hospital Association, says in a letter dated today, and I quote, American Hospital Association says, "We are urging Members to vote in favor of this legislation and have recommended that the President not veto the legislation."

The other providers say, vote for the bill and pass it. The associations that are going to benefit, the American Red Cross and others, say vote for it and pass it.

Mr. Speaker, I am just curious as to who these unnamed folks are that somehow are being benefited in here. Believe me, this is good legislation. Follow these people. Vote for it, pass it, and the President should not veto it.



Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to this legislation. Instead of helping those that faced the real cuts in 1997, what our Republican colleagues have done is they have gift wrapped an early Christmas present for the same HMOs that continue to reduce coverage for seniors and in many cases drop their coverage altogether.

Unlike hospitals, home health, hospice providers, Medicare HMOs did not have their funding cut in 1997, yet this past year, we invested \$1.4 billion in Medicare+Choice and the Medicare HMOs returned the favor by dropping nearly 1 million seniors, 56,000 in my State of Connecticut alone. And guess what? There is no meaningful accountability in this piece of legislation. These folks can pull the rug out from under people after a year. That was not changed at all in this piece of legislation.

I say to my colleagues, they got \$1.4 billion, talk about bang for the buck, and they let all of these people adrift. The Republican bill would now give the Medicare HMOs 41 percent of the money in this bill, \$10 billion. It is wrong, it is unfair, it does not help those who need it the most.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I am rising to oppose this legislation. I want to recognize the extraordinary leadership of the ranking member of the Committee on Small Business (Ms. VELAZQUEZ), and I urge my colleagues to oppose this legislation.

This bill is sadly deficient because it misses opportunities. It misses an opportunity to help our health care providers secure benefit improvements in Medicare and Medicaid that would increase the access of millions of Americans to the health care they need. Unfortunately, the Republican leadership has chosen to make HMOs not the beneficiaries the focus of this flawed legislation.

Another missed opportunity was a bill that passed in bipartisan fashion out of the Committee on Commerce which would have increased enrollment in the CHIP and Medicaid, reduce out-of-pocket Medicare expenses and increase access to health insurance for disabled children and legal immigrants. It is a stark example of failed leadership.

Another opportunity that is missed is the bipartisan legislation to provide incentives to private sector biotech and pharmaceutical companies to accelerate development of vaccines for AIDS, malaria, and TB.

Mr. Speaker, the biggest missed opportunity is in school construction. How can we ignore the needs of our children?

Mr. Speaker, I rise in opposition to this measure which fails to provide tax relief to the families and institutions that need it most and

fails to adequately meet our nation's health care needs. At the heart of the many flaws that are contained in this bill is the refusal of the Republican leadership to negotiate these measures in a bipartisan manner.

We are nearly a month into the fiscal year, and the Republican leadership continues to push forward bills that we all know will be vetoed because of their refusal to reach across the aisle and compromise. The American people deserve better leadership and a real commitment to achieving the important goals of tax relief and improved access to quality health care.

We are blessed in this country with the finest health care providers in the world. However, we must not take our good fortune for granted. The Balanced Budget Act of 1997 initiated several important changes in reimbursement rates for Medicare and other federally funded health care programs. Unfortunately, many of these new reimbursement rules resulted in payment cuts to health care providers that were far greater than Congress intended. As a result, hospitals, nursing homes, patient care and academic health centers across the country are suffering.

The refinements passed last year were a start, but they only addressed a fraction of the losses that the hospitals skilled nursing facilities that treat our most vulnerable citizens are facing. A recent report by the Lewin Group estimates that without further relief nearly 60 percent of the nation's hospitals will not be able to cover the costs of treating Medicare patients by 2004, and in the last two years 170 skilled nursing facilities have filed bankruptcy in California alone.

Today, we have an important opportunity to help our health care providers and secure benefit improvements in Medicare and Medicaid that would increase the access of millions of Americans to the health care they need. Unfortunately, the Republican leadership has chosen to make HMOs, not beneficiaries, the focus of this flawed legislation.

Medicare+Choice is an important program, but it is irresponsible to allocate over a third of the resources in this bill to a program that serves less than a sixth of our citizens. And to do so without any accountability measures demonstrates once again that the Republican leadership is on the side of the insurance industry, not on the side of patients.

All year long we have been waiting for the Republican leadership to pass a real patient's bill of rights. When the House and Senate began the conference on this issue in October 1999 there was an important decision to be made, would this Congress vote to protect patients or HMOs? Democrats have been united and clear in our choice. We choose patients. But the Republican leadership has been just as clear in their determination to protect their friends in the insurance industry. Today, they have once again chosen HMOs over patients.

Benefit improvements in Medicare and Medicaid are long overdue, and ignoring an opportunity to increase enrollment in CHIP and Medicaid, reduce out-of-pocket Medicare expenses, and increase access to health insurance for disabled children and legal immigrants is a stark example of failed leadership.

I am also opposed to a provision that has been included in this bill which violates the privacy protections that the Census Bureau has promised the American people. This provision would provide personal information to the

Congressional Budget Office that is given to the Census Bureau with the understanding that the data will be used solely for the Census. This year's high response rates to census surveys will surely decline if that promise is broken.

Among the many important items excluded from H.R. 2614 is bipartisan legislation to provide incentives to private sector biotech and pharmaceutical companies to accelerate development of vaccines for AIDS, malaria, TB and any other disease that kills one million or more people annually. The Vaccines for the New Millennium Act, which was developed in collaboration with industry and public health advocates, creates tax and purchase credits that will increase R&D and expand the market for new vaccines.

The combined deaths from AIDS, TB, and malaria total over 7 million each year. Preventive vaccines are our best hope to being these destructive worldwide epidemics under control. The National Institutes of Health is doing crucially important vaccine research. But private sector biotech and pharmaceutical companies have much of the expertise to develop and produce vaccines, and we must leverage their resources and encourage the market to work more effectively in order to develop these vaccines in the near future.

This legislation fails to achieve the tax relief that American families need and the improvements in access to quality health care that they deserve. This country deserves better. I urge my colleagues to vote no on H.R. 2614.

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, this is an accumulation of five bills that were introduced yesterday. It is 960 pages in length. I can tell my colleagues what my gut tells me, and I am quoting from a colleague in the Mississippi legislature: There are enough snakes in this bill that it would take a herpetologist to sort them all out.

We are dealing with people's retirement, and one provision of this bill would allow the person who is rolling those retirement funds over to pocket the profits for 60 days. Grandma does not get them, he gets them, not the person who deserves them, the guy who convinces grandma that she needs to roll it over. That is just one provision.

There is another provision that on a casual reading of this bill that I showed to over a dozen Members of Congress and an equal number of members of the press would have us believe that we get a tax deduction for paying bribes.

Now, I say to my colleagues, if it is our job to make the tax laws simpler and more understandable, why on the last day of this session would we parade out a bill that is going to add 965 pages to the Tax Code that no one fully comprehends?

Mr. TALENT. Mr. Speaker, the gentleman is referring to the foreign sales provision of the bill, and that is the administration's provision.

Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank the gentleman for yielding me this time.

It greatly concerns me to have this bill so maligned, because the gentlewoman from New York (Mrs. LOWEY) and I worked so hard to have the increase for hospitals included in this bill, the inflation update. It pains me that Senator KENT CONRAD and I worked so hard to have rural health care in this bill. It is in this bill. It pains me to have Senator BOB GRAHAM from Florida, having worked so hard with me on preventive health benefits in this bill, to hear this being described as a partisan bill. It pains me, with the gentleman from Florida (Mr. WEXLER) and the gentleman from Florida (Mr. DEUTSCH), who, we worked together on HMOs that are leaving our country destabilized to bring them relief and reform.

Mr. Speaker, I realized this is not about people today, it is about power. When the President refused to have a public bill signing on a breast cancer treatment bill at the White House because he was afraid the gentleman from New York (Mr. LAZIO) would get credit for it, who is running against Mrs. Clinton, I realized it is about power, not people; I realized it is about politics, not people, and for the other side of the aisle to decry this bill as some last minute attempt, after we have worked 2 years on producing this document, shame on them for voting no. Shame on them.

□ 1645

Ms. VELAZQUEZ. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

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

Mr. SHERMAN. Mr. Speaker, both parties agree that the tax code should help school districts issue school bonds and build schools. But this bill provides only half of the tax credits for school bonds that we need. It has weasel words on Davis-Bacon, which means we will get substandard schools built at substandard wages.

Worse yet, it allegedly helps our school districts by dealing with the arbitrage provisions. It will not build a school on Elm Street. It will build skyscrapers on Wall Street.

It allows and encourages school boards to take the bond proceeds to Wall Street and arbitrage them in risky investments. Is that not how Orange County, California, went bankrupt just a few years ago?

We need provisions that provide tax credits so that school boards can issue school bonds and have the Federal Government, in effect, pay the interest on those bonds. What we do not need is a provision that allows school districts to take bond proceeds, encourages them to delay construction, and urges them to go play the market.

I know that the bond councils out there dream that they will become investment bankers, but that is not what school bonds are all about.

Mr. TALENT. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I stand in strong support of this legislation which deserves bipartisan support. I have heard a lot of claims on both sides about support for expanding IRA's and retirement savings. It is in this bill.

I hear a lot of claims about support for increasing reimbursements for our local hospitals and nursing homes and home health care providers. Well, there is \$28 billion worth in this bill.

I hear a lot of claims about support on both sides of the aisle in support of increasing the minimum wage. We do that in this legislation. In fact, 98 percent of this bill we voted in favor of already.

Let me point out, there are important provisions that help the little folks. There is 10 million building tradespeople, cement finishers, operating engineers, carpenters, laborers, who right now have their pensions limited because of the section 415. I have had many colleagues on the other side of the aisle come up and say, "Are we going to get it in the bill?" I hope they will vote for it, because this is their opportunity to help those 10 million building tradespeople get their full pension.

I also want to point out that we have tax incentives in here for brownfields, cleaning up environmental cleanup which allow every community in the America to benefit from that incentive.

Ms. VELAZQUEZ. Mr. Speaker, may I inquire how much time each side has remaining.

The SPEAKER pro tempore (Mr. PEASE). The gentlewoman from New York (Ms. VELAZQUEZ) has 3¼ minutes remaining. The gentleman from Missouri (Mr. TALENT) has 2¼ minutes remaining.

Ms. VELAZQUEZ. Mr. Speaker, I would like to inquire of the other side how many more speakers they have.

Mr. TALENT. Mr. Speaker, we have two more on this side; and I understand we are closing, so perhaps the gentlewoman from New York (Ms. VELAZQUEZ) could go with a couple of speakers.

Ms. VELAZQUEZ. Mr. Speaker, I have one more speaker, then I am ready to close.

Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Speaker, I favor real middle-class tax cuts. I favor tax cuts which put small businesses on the same footing with large corporations. I favor pension reform. And I favor Medicare adjustments to keep small hospitals open.

But I am going to oppose this bill because of the cynical inclusion of a provision which specifically overturns Oregon's death-with-dignity law. This was voted on by the people of Oregon, not once, but twice.

What will happen if this bill passes is that things will not play out in grand chambers like this. Things will not play out in the hospitals that we are trying to keep open. There will be lit-

tle rooms across this country, in Oregon, where the scenes will be played out in small rooms filled with pain.

If my colleagues want that pain to occur, then vote for this bill. If my colleagues want to prevent that pain from occurring, if they want real tax relief, then vote against this bill.

Mr. TALENT. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong support of this bill. I point out to my colleagues that almost every section of it they have voted for overwhelmingly: the retirement security provisions, the small business tax relief, the foreign sales section, the community and renewal provisions, and the health care provisions. They have voted for it because it is good tax law and it is good for working people.

Let us look at the Medicare section. Do my colleagues realize that the Medicare provisions came out of the Committee on Ways and Means Medicare subcommittee with unanimous support?

The Democrats voted for a 4 percent increase for managed care, plus the proposal of the gentlewoman from Florida (Mrs. THURMAN) that those coming back into the market get a bonus. That is what the professional folks on your side that are the closest to this issue voted for.

Otherwise, the Medicare section is just like the Committee on Ways and Means structured it, with some additional provisions from the Committee on Commerce that enriches, not only Medicaid, but gives States back that CHIP money for their children's insurance programs and does something we have all tried to do for a long time, and that is loosen the definition of "homebound" so more money will go to home care.

That is why all the groups support this, the hospitals, the nursing homes, the home care providers. My colleagues should support it, too.

This is about the strength of our Medicare system and the providers that serve them. It is about good tax policy across the board. My colleagues have voted for it overwhelmingly. Support it today.

Ms. VELAZQUEZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, the time is short so I wish to focus my remarks particularly with regard to the small business section of the bill and encourage my colleagues to vote against it, even though I wanted to commend the gentlewoman from New York (Ms. VELAZQUEZ) for all the work she has done in this effort.

Ms. VELAZQUEZ. Mr. Speaker, I would like to inquire if the gentleman from Missouri has any further speakers.

Mr. TALENT. Mr. Speaker, the majority leader is going to close on our behalf.

Ms. VELAZQUEZ. Mr. Speaker, I yield the remaining time to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIO. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, this bill is a giant, gargantuan, enormous hand-out to the HMOs. At a time when health care costs are bankrupting families all across America, closing hospital doors throughout this country, 47 percent, 47 percent of the dollars under this Republican bill, under the Medicare part of this bill, go to the HMOs.

The same HMOs that deny one seeing one's specialist will get \$30 billion under this bill over 10 years. The same HMOs who abandoned the rural areas of this country get \$30 billion under this bill. The same HMOs who left stranded a million seniors in this country over the last year will get \$30 billion under this bill. The same HMOs that will not allow one to go to the nearest emergency room because of cost will get \$30 billion under this bill.

But it is not enough that the Republicans would turn their backs on the hospitals and the nursing homes and the home health care agencies, they want to transfer \$30 billion to the HMOs. It is not enough that they would do that; but on top of that, they started this Congress, we started this Congress with the hope that we would get the simplest of a Patients' Bill of Rights. Of course that has been abandoned.

So what we have here is no Patients' Bill of Rights for our seniors, for our mothers and our fathers and our children. What we are ending up with in the Congress is a huge, enormous \$30 billion gift, Christmas present, call it what you want, for the HMOs at the expense of the other providers who are struggling to care for our families.

The President will veto this bill. The President should veto this bill. We will stay here, and we will fight as long as it takes for the hospitals, for the nursing homes, and for the caregivers of the American families, those people who American families depend on.

I urge my colleagues to vote no on this bill and send a very clear message that this Congress has been a failure when it comes to health care, especially with respect to providing for our families through the proper channels and not through the HMO giveaway.

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

Mr. Speaker, I want to thank the gentlewoman from New York (Ms. VELAZQUEZ) for her many kindnesses and her powerful advocacy of her views and the graciousness in the times we have served together on the Committee on Small Business. I want to thank the gentlewoman.

Mr. Speaker, I am happy to yield the remaining time to the distinguished gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I guess I am a little confused by all the protests I hear about this bill. It has been suggested that maybe we did not consult enough with the White House or perhaps other Members of the Congress other than the Republicans in the House. Let me assure my colleagues, we have talked about that.

This bill, Mr. Speaker, provides \$245 billion in tax relief over the next 10 years, a figure that I personally agreed to with the Secretary of the Treasury on behalf of the President. That would be \$11.5 billion impacting the first year, this fiscal year. I personally agreed to that figure with the Secretary of the Treasury as he acted on behalf of the President. That allows us to keep our 90 percent pledge to pay down 90 percent of the budget surplus in debt reduction.

Then as we proceeded in our discussions with the White House, we reminded them that we wanted to put together a bill that had proven standing by virtue of the votes taken in the House.

We started off with the bipartisan Portman-Cardin bill that had already been voted in this House by a vote of 401 to 25, virtually all of us on that bill. Very little change was made with that, and only those little minor changes that were agreed to by the White House and in consultation with the authors of the bill, a Republican and a Democrat, and other interested parties.

We went on, and we included minimum wage, the top priority of the Democrats, and attended that with a small business wage package that attended it when it left the House. That part of the package passed with a large bipartisan vote.

We added then a foreign sales corporation fix. It had passed the House by 314 votes, 114 of which were Democrats, wanted by the White House as a top priority.

Then we included community renewal. That passed the House by 394 votes and was the product of what was agreement between the President of the United States and the Speaker of the House as they toured the country, talking about what they wanted to do to help people in these communities that did not seem to keep pace with the prosperity of America and all these wonderful ways. It was directly negotiated by the White House with the Speaker of the House; 394 us voted for it.

Maybe it is not, then, these major component parts that bother the folks that now say they want to vote no. Maybe it is the fact that we give a long-term tax credit, tax deduction, asked for by the White House, given by us out of consideration for those loving children that take their parents into their households and take care of them in their old age. It does not seem a big thing to do. But I have to tell my col-

leagues rich kids do not need that, but we love it. We love it for those young men and women with their own families that care for mom and dad in their old age.

Maybe my colleagues all object to the health insurance tax deduction that would give the waitress in the corner restaurant down here the same consideration of tax code as she struggles to buy her health insurance as is given to a CEO that has his insurance provided to him by his employer. Maybe my colleagues do not think that is fair to give that waitress a tax deduction for what she pays for health insurance.

Perhaps my colleagues are upset about the adoption tax credit that would enable more families, particularly more low- and marginal-income families, to take more children into their families and love them. Perhaps my colleagues would rather see the children out in the cold. Maybe that does not bother them.

I saw the gentleman from Texas (Mr. STENHOLM), the ranking Democrat on the Committee on Agriculture, down here complaining. Maybe it was the farm savings accounts that give farmers encouragement and assistance as they save in the good years to help themselves through the bad years. Maybe that is what my colleagues object to. The White House liked that.

□ 1700

Or perhaps it is the school construction provisions that first stops this immoral taxation of the meager earnings that a school district has on their bonds while construction is underway, and then goes on to in fact give further tax deductions and consideration to communities that want to issue bonds to build schools or renovate schools. The White House asked for that. Perhaps my Democrat colleagues in the House disagree with the White House and would rather not have that.

Or perhaps maybe my colleagues' objections are that while we do not give them that, we at the same time increase for so many of these school districts their production costs beyond the point where it does them any good to have this benefit under the tax law by virtue of some sop they want for their labor friends that finance their campaigns.

Maybe the things that bother my Democrat colleagues is the tax credit we gave to people who want to provide computers to students in schools and libraries. I do not know what it is that bothers my colleagues, but whatever it is that bothers them, they should not let what bothers them cause them to deny the fact that 90 percent of this passed through the House, mostly with their votes before.

Maybe the problem is we are going to pass this law just too close to the elections. Maybe that is what is bothering my Democrat colleagues.

Mr. Speaker, this is not a perfect tax bill. There rarely are perfect tax bills.

But I can tell my colleagues this from my discussions with the White House. There are some things in this that we do not like, and there are some things that the President does not like. There are some things that are not in here that we would like to have seen in here, and there are some things that are not in here that the President would like to have seen in here. We are only mostly happy, and he should be only mostly happy.

The spirit of compromise means that nobody gets to be perfectly happy. And maybe that is what makes this a good bill, and we all ought to vote on it. Because working together, us with our point of view, my Democrat colleagues with their point of view, our desire to help real people in their real lives, whether it is adopting children, helping individuals save for their own old age, helping mom and dad in their old age, securing health insurance saving for a rainy day, or perhaps the farmer wants a day that does not rain so much, whatever it is in here, we are right here, my colleagues. We are right not only in our understanding with our heads of the tax code and its injustices that must be addressed but, more importantly, in our heart for saying to the American people that they created the surplus and they deserve some of it back.

Do we really have to keep it here so we can spend it all? I ask my colleagues to vote "yes." I ask the President to sign the bill. It would make him mostly happy, I think. And that is as much as anyone can expect in this life.

Mr. POMEROY. Mr. Speaker, I rise in opposition to this bill, which includes badly misplaced priorities in the areas of health care and education.

There is a crisis among rural health care providers. As a steering committee member of the Rural Health Care Coalition, I have fought long and hard to address and alleviate this crisis. Too many rural hospitals, nursing homes and home health agencies are being forced to cut back on their services or to shut their doors because Medicare reimbursement levels are inadequate to cover essential costs. Unfortunately, rather than provide sufficient funding for these essential providers, the bill before us directs a whopping 41 percent of the available funds to managed care companies—even though HMOs provide coverage for only about one in six seniors nationwide.

Because this bill provides a disproportionate share of funds to HMOs, all the other providers have been shortchanged. One of my priorities, and one of the priorities of our nation's hospitals, is to provide them with a full inflationary update over the next two fiscal years. As prescribed by the Balanced Budget Act of 1997, hospitals did not receive an inflationary update in fiscal year 1998 and thereafter have received reduced updates. Rural hospitals depend more upon Medicare reimbursements than do urban facilities and feel a greater impact from payment reforms and reduction. In fact, in my home state of North Dakota, hospital payments are still expected to decrease by \$416 million, or 11 percent, from pre-BBA levels during fiscal years 1998–2004. This is unacceptable.

I am disappointed, therefore, that this measure provides hospitals with a full inflationary update for only one year, fiscal year 2001. At the end of that fiscal year, the promise that some my colleagues are making to these health care providers, a promise to help them keep their doors open, may be broken. I intend to uphold this promise; I have been in personal contact with the Administration, and they have assured me that they, too, are committed to our nation's hospitals and will continue to fight for a full, two-year inflationary update. The least we can do is to provide our hospitals with an annual Medicare payment update that reflects an unadjusted adjustment for inflation, the same adjustment we provide in other federal programs that seniors rely upon, such as Social Security.

The development of home health services as part of the Medicare program has been of great benefit to our nation's seniors. With home care, our seniors receive quality, skilled care in their very own homes, postponing or eliminating the need for care in more costly, and often more isolated, settings. Unfortunately, home health agencies have also suffered financially under the unintended consequences of the Balanced Budget Act. This measure was supposed to cut \$16 billion in home health care spending over five years; new estimates show that we have actually cut \$69 billion, over four times what was anticipated.

Congress has a chance to do some good this year; we can eliminate the further 15 percent reduction in Medicare payments to home health agencies scheduled to go into effect in October 2001. This Congress, however, is voting on a measure that will only delay this cut for one more year, until October 2002. This, too, is unacceptable.

Providers are already doing all they can to keep their doors open under these financial constraints. This has not been easy. Across the nation, thousands of home health agencies have closed or stopped serving Medicare beneficiaries. In North Dakota, four of the state's 36 Medicare-certified agencies have been forced to do the same. As a result, the number of patients receiving Medicare home health services has dropped. In 1997, 3.6 beneficiaries received home care across the nation; in North Dakota, about 9,000 Medicare patients were served. Only one year later, the number of Medicare patients served by home care dropped an amazing 17 percent nationwide and 10 percent in North Dakota. We cannot continue to address the financial crisis facing our home health agencies on a year to year basis. We have to act now to end this trend by repealing the 15 percent cut in Medicare payments for once and for all.

I am also disappointed with the Republican school modernization provision in this legislation. I believe that we have a responsibility to provide our children with a quality education in a safe, modern environment. As a father I want to be sure that my children, Kathryn and Scotty, are learning in the best possible environment. As a Member of Congress, I want that for all American children. The proposal before us would not achieve that goal.

Mr. Speaker, studies have shown that American schools would need an additional \$125 billion in construction and renovation funds to be able to provide our children with the best education. In North Dakota alone, the National Education Association estimates the

need for an additional \$545 million to adequately address school modernization issues. To provide schools with the resources they need, we must pass the bipartisan Johnson/Rangel bill, which would provide almost \$25 billion in tax credits to pay the interest on school construction bonds. Unfortunately, the legislation we consider today would provide less than half of that amount. Mr. Speaker, I believe that the education of our children is worth more than that.

This legislation also includes a change to the tax-exempt bond arbitrage rules that largely fails to meet the stated objective of modernizing schools, especially in rural areas. Under the Republican proposal, school districts would have four years to spend school construction bond proceeds rather than the two years currently permitted. Accordingly to Republicans, this would enable school districts to invest bond proceeds for a longer period and recognize greater arbitrage profits. The truth is, many school districts will receive no benefits from the Republican proposal. Schools with urgent needs, forced to teach children in trailers and dilapidated buildings, would not benefit from this legislation. Their backlog of unmet needs means that they do not have the luxury of waiting four years before completing school construction.

The school modernization provision in the Republican tax bill is simply inadequate to address the urgent construction and renovation needs of our nation's schools, and I urge my colleagues to oppose this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong opposition to a veiled attempt by members from the other side to bring tax relief to the floor at the expense of some of the wealthiest and vulnerable Americans in our economy. It would do nothing but harm our seniors.

The bill is deficient in three major areas. The legislation fails to include the Rangel school construction tax credit provisions, which would help leverage \$24 billion in financing for school construction and renovation. In addition to providing much-needed construction and renovation of schools, these provisions would include vital Davis-Bacon wage protections for construction workers. The bill should have included real education reform.

Second, the Republicans crafted a health insurance coverage without any input from colleagues from the other side. And it shows, Mr. Speaker. This is the wrong type of health reform. And it is wrong for the urban and rural hospitals in my district. We can do better for America. Republicans have spent the entire year fighting against a Medicare prescription drug benefit or a truly enforceable Patients' Bill of Rights. Even worse, Republicans have fought meaningful expansions of health insurance options for working families and have prevented assistance for families with long-term needs.

This bill includes huge tax breaks for the wealthy without any financing for a Medicare drug benefit, extending the life of the trust fund, and protecting Medicare surplus for its future needs. Furthermore, the legislation still allows individuals who do not participate in employer-sponsored health plans to take an above-the-line deduction for the cost if their health insurance premiums. This is an extremely inefficient and costly means of trying to expand health insurance coverage. Even

worse, it could have the perverse effect of undermining existing employer-based coverage. Instead of this unprincipled proposal, Congress should immediately consider other more targeted mechanisms to expand health insurance coverage which would not jeopardize workers existing coverage.

We also know, Mr. Speaker, that this bill includes a massive payment for HMOs with no requirement that plans do not leave communities and strand seniors or cut back on benefits. The bill would give \$30 billion in relief to health care providers under Medicare. Unfortunately, these additional reimbursements are too heavily weighted toward HMOs, with insufficient assistance being given to urban and rural hospitals. In addition, this legislation fails to include adequate guarantees that health care plans will maintain benefits for seniors.

It is clear that there is no meaningful guarantee of increased access plans or benefits. That is inexcusable. Republicans rely on a "trickle down" approach of giving large sums of money to HMOs and asking—not requiring—that they use the money for beneficiaries. Their bill includes no guarantee that plans will not drop out of communities or Medicare altogether when it is no longer in their interest to remain or that they will put new money towards maintaining benefits rather than shoring up their bottom lines.

This bill would hurt my district, the 18th Congressional District of Texas most dearly. HMOs have already been rolling out of communities leaving seniors bewildered and confused about their choices. When plans leave an area, seniors are left with tough choices that can be quite traumatic or disturbing, especially for low and middle-income seniors.

We want to pass a bill that makes a real difference for our Nation's seniors. And I am willing to stay here as long as we need to get the job done. Democrats support reasonable tax cuts, Medicare and Medicaid provider payment increases, and beneficiary investments. These are parts of the bill that I support, such as a downpayment on provider payment restorations, new preventative benefits in Medicare, increased managed care payments for counties that now have low reimbursement, and other provisions that provide for better care of our seniors.

It is time to come together a real bipartisan process to resolve health policies in this 106th Congress. The bill has other serious shortcomings that really have little to do with tax discussion. For example, the bill allocates too little to critical beneficiary, provider policies. Hospitals simply receive inadequate Medicaid disproportionate share hospital payments increases, which has placed many cities at a serious disadvantage. Hospitals, such as those located in my districts, are facing increasingly difficult times at providing adequate care to seniors.

There are other inexcusable "reforms" that have been inserted into the bill. Home health agencies receive no 2nd year delay of the 15 percent cut; nursing homes will not even benefit from the proposal to provide \$1 billion in grants to states to improve quality by increasing staff ratios; hospices receive no 2nd year of update; and beneficiaries receive much less than HMOs.

Bipartisan proposals that have been excluded include are shameful. This bill contains no health coverage option for legal immigrants, passed on a bipartisan basis; no

health coverage for children with disabilities who cannot access private insurance; no improved enrollment for uninsured children in schools and other sites; no extension of transitional health coverage for people leaving welfare for work; and no waiver of the Medicare waiting period for people with Lou Gehrig's disease.

Mr. Speaker, we must work together to correct this legislation and send something to the President that he can actually sign for that benefits the American people. I urge my colleagues to join me in rejecting this bill that is bad for our schools and for our seniors. We ought and can do much better, Mr. Speaker.

Ms. SCHAKOWSKY. Mr. Speaker, like many of my colleagues, I believe that we need to make changes in 1997 Balanced Budget Act to restore cuts made to Medicare and Medicaid. Unlike the authors of the provisions in H.R. 2614 that we are discussing today, I believe that increased payments deserve to go to those entities that actually provide health care to our nation's senior citizens and persons with disabilities.

There are some important provisions in this bill. I am extremely pleased with the provision to protect Illinois and other states that stand to lose needed Medicaid funds under a proposed change regarding intergovernmental transfer provisions. This is an important provision that will allow my state and others to continue to provide needed care to the uninsured and the underinsured. But overall, this bill ignores critical priorities, falls far short of what is needed, and actually undermines some protections that many of us have fought so hard to win over the past few years.

A major problem is the decision to reward Medicare HMOs instead of directing more resources to actual care providers. Only 16 percent of Medicare's 39 million beneficiaries are in Medicare+Choice, managed care plans. Yet, over the next five years, those plans would receive 40 percent of the newly-restored payments under H.R. 2614. Over a ten-year period, nearly half of the new payments would go to Medicare HMOs. Of course, the 84 percent of beneficiaries who are not in Medicare managed care won't get their fair share under this proposal. But there is no guarantee that Medicare+Choice enrollees will benefit, either.

There is no requirement under this bill that Medicare managed care plans pass any of those increased payments through to hospitals, doctors, nursing homes, home health agencies or hospice providers. There is no guarantee that, even with those new payments, Medicare+Choice plans will stay in the market. Last year, we increased Medicare+Choice payments and 934,000 beneficiaries still received letters in the mail saying that their plan was going to leave them high and dry. Yet, Medicare HMOs would get 40 percent of new payments, despite the lack of accountability and guaranteed coverage and despite reports by the General Accounting Office that in 1998 alone Medicare spent \$5 billion more on those beneficiaries in Medicare+Choice plans than if those enrollees had been in traditional Medicare.

Instead of spending billions of dollars on Medicare HMOs that are here today and gone tomorrow, I would rather spend those dollars to provide direct payments to hospitals, particularly those that serve a disproportionate share of low-income and uninsured patients

and provide critical teaching services. I would rather delay the 15 percent reduction in home health spending for another two years, provide nursing home quality grants and support efforts to move individuals to home and community-based care.

I am particularly concerned that this bill does not provide adequate funding for hospice and palliative care services. We are all concerned about the high price of prescription drugs, but this is a particular problem for hospice organizations that rely on prescription drugs to provide critical pain relief to terminally ill patients. When Medicare established payment rates for hospice services in the 1980s, medication costs represented about \$1 of the daily rate. Today, those costs have increased by about 1500%, to \$16 a day. Yet, payment rates have not kept pace and the result is that many hospice care entities are struggling to survive. In fact, as a Millman and Robertson study conducted in response to a Congressional directive concluded, "the trend is clear that Medicare hospice per diem payments do not cover the costs of hospice care and result in significant financial losses to hospice programs throughout the country."

We could be acting today to provide health care for legal immigrant pregnant women and children, to adopt the Family Opportunity Act, to extend health coverage for people leaving welfare for work, to eliminate the Medicare waiting period for persons with ALS, and to expand the State Children's Health Insurance Program. H.R. 2614 ignores these very real priorities in favor of Medicare HMOs. This is the wrong priority, and I hope that my colleagues will reject this bill.

We have time to engage in real negotiations, to debate fairly and to respond to the needs of patients. We can and we must act before we go home this year to pass real, meaningful and pro-patient changes to the 1997 Balanced Budget Act.

Mr. UNDERWOOD. Mr. Speaker, I would like to express my opposition to the conference report for H.R. 2614, which includes several tax-related provisions dealing with community renewal, the repeal of Foreign Sales Corporation laws, health care and Medicare provisions, minimum wage, small business tax cuts, pension reform, and Individual Retirement Account expansion.

This legislation, which was drafted without the consultation or active participation of Congressional Democrats or the Administration, fails to provide adequate funding for school construction and modernization needs, health coverage for the uninsured, credits for long term care, pension coverage, and accountability provisions for excessive payment increases to health maintenance organizations (HMOs).

More importantly, this legislation fails to take into account the dire economies of the U.S. territories, including the Territory of Guam. For several months, I have appealed to the Administration and Congressional leaders for tax relief legislation for Guam because of the exclusion of the U.S. territories from the President's New Markets Initiative legislation and the adverse impact that legislation repealing the Foreign Sales Corporations (FSCs) program will have on Guam.

Guam's economy continues to suffer as a result of the Asian financial crisis since our island's tourism industry relies heavily on Japan and other Asian countries due to our close

proximity to Asia. Moreover, Guam's unemployment rate is at an unprecedented 15.3 percent, more than three times the national average.

I have requested that legislation I have sponsored, which is crucial to Guam's economy, be included in any final tax package, particularly if the legislation seeks to help distressed communities. The Guam Foreign Direct Investment Equity Act would provide Guam with the same rates as the fifty states under international tax treaties. Since the U.S. cannot unilaterally amend treaties to include Guam in its definition of United States, my legislation amends Guam's Organic Act, which has an entire tax section that mirrors the U.S. tax code. The legislation does not cost the federal government any money. It simply allows the Government of Guam to lower its withholding rate for foreign investors. My legislation passed the House previously as part of a Guam omnibus bill on July 25, 2000. The bill has Administration and bi-partisan Congressional support.

As background, under the U.S. Internal Revenue Code, there is a 30 percent withholding tax rate for foreign investors in the United States. Since Guam's tax law "mirrors" the rate established under the U.S. Code, the standard rate for foreign investors in Guam is 30 percent.

My proposal provides the Government of Guam with the authority to tax foreign investors at the same rates as states under U.S. tax treaties with foreign countries since Guam cannot change the withholding tax rate on its own under current law. Under U.S. tax treaties, it is a common feature for countries to negotiate lower withholding rates on investment returns. Unfortunately, while there are different definitions for the term "United States" under these treaties, Guam is not included. Such an omission has adversely impacted Guam since 75 percent of Guam's commercial development is funded by foreign investors. As an example, with Japan, the U.S. rate for foreign investors is 10 percent. That means while Japanese investors are taxed at a 10 percent withholding tax rate on their investments in the fifty states, those same investors are taxed at a 30 percent withholding rate on Guam.

While the long term solution is for U.S. negotiators to include Guam in the definition of the term "United States" for all future tax treaties, the immediate solution is to amend the Organic Act of Guam and authorize the Government of Guam to tax foreign investors at the same rate as the fifty states. Other territories under U.S. jurisdiction have already remedied this problem through delinkage, their unique covenant agreements with the federal government, or through federal statute. Guam, therefore, is the only state or territory in the United States which is unable to take advantage of this tax benefit.

At the end of the day, should the President and Congress agree on tax legislation or legislation on the President's New Market's Initiative, it would be a shame that Guam is not provided any economic relief as well. I believe that U.S. policymakers have an obligation to help all Americans, wherever they reside, including the U.S. territories.

Lastly, Mr. Speaker, I am also disappointed that the conference report for H.R. 2614 fails to include a legislative proposal that addresses the Medicaid needs of the U.S. territories.

H.R. 5126, which was introduced by Congresswoman DONNA CHRISTENSEN and co-sponsored by all of the territorial Delegates, including myself, to provide Medicaid relief to the territories by removing the Medicaid caps imposed on the territories and adjusting the Federal matching rate, is supported by the Congressional Asian Pacific American, Black, and Hispanic Caucuses.

As part of the 1997 Balanced Budget Act negotiations, the Administration proposed a phase out of the caps. While Congress appropriated the initial increase of 20 percent for FY 1997, no other increases were appropriated in the following years. As Congress and the Administration revisit the Balanced Budget Act plan in this give back proposal, we request that the issue of increasing the Medicaid caps for the territories be revisited.

The U.S. territories have the highest unemployment rates, the highest poverty levels and the lowest per capita incomes in our nation. The territories have not enjoyed the same level of economic growth as the rest of the Nation and their ability to meet the Medicaid needs of their residents is constrained by their economic circumstances. Faced with depressed economic conditions and rising health needs of growing indigent populations, the reliance on Medicaid assistance has grown beyond the federal caps and beyond the territorial governments abilities to match the funds. Lifting the cap or even following up on the FY 1997 commitment to raise the Medicaid caps for the territories by 20 percent each year until all achieve parity with the rest of the nation is vital to insuring that all American citizens and children who depend on Medicaid support are not limited by geography when it comes to meeting basic healthcare needs.

I urge my colleagues to remember the U.S. territories in any tax-related legislation, particularly as it affects distressed communities, and request that my colleagues oppose the conference report for H.R. 2614.

Mr. BLUMENAUER. Mr. Speaker the Balanced Budget Act of 1997 (BBA) substantially cut payments to health care providers in order to reduce total Medicare spending. I voted against the Balanced Budget Act because the cuts were too severe and have threatened health care delivery to the Medicare population. It is no surprise to me that the bill before us today, H.R. 2614, seeks to undo portions of the BBA. However, I am extremely disappointed with the unfair provision of this bill; it doesn't provide adequate help to the neediest parts of our health care system.

Hospitals absorbed the largest funding reductions under the BBA, Oregon hospitals alone are expecting a \$33.6 million loss in fiscal year 2002. However, hospitals only receive a fraction of the "give back" provided by H.R. 2614. Over 41 percent of the spending in this bill goes to Medicare HMOs, affecting only the 16 percent of the Medicare population covered by managed care plans. I will not support a bill that does not provide sufficient relief to our hospitals, home health care agencies, nursing homes, and hospices.

Hospital payments aside, the increased funding to Medicare HMOs does not ensure improved healthcare for Medicare HMO customers, nor does it address the flawed Medicare managed care reimbursement rate structure that unfairly punishes cost effective states like Oregon. Managed care plans in my district have recently doubled the monthly co-payment

from \$35 to \$69.50 with no corresponding increase in benefits. At the same time, seniors in states with higher than average reimbursement rates like California, New York, and Arizona have no out-of-pocket costs for health care and often receive dental and vision coverage and a prescription drug benefit. It is unfair to increase payments to Medicare HMOs without focusing relief on those customers that are forced to pay the highest rates and receive the fewest benefits.

A major concern is a provision that would criminalize decisions doctors make on pain management for the most seriously ill and overturn Oregon's Death with Dignity Act. Oregonians have twice voted to support the assisted suicide law. H.R. 2614 not only is an attack on the Democratic process, but also threatens to pain management. There is evidence that doctors are increasingly hesitant to prescribe pain medications to terminally ill patients for fear of being accused of unlawfully assisting a suicide. The on-going attempts by Congress to criminalize the doctor-patient relationship are a threat to pain management in all fifty states.

Mr. COYNE. Mr. Speaker, I rise in opposition to this misguided legislation. This bill contains a number of positive provisions, but it also contains a number of provisions that would hinder what I believe should be our long-term goals—ensuring that all of our citizens have access to affordable, high quality health care.

I support a number of provisions in this bill. I introduced legislation last year that would have made the current tax provision allowing the expensing of brownfield clean-up costs permanent, and I introduced legislation with Congressman JERRY WELLER that would have eliminated the existing language which limits the brownfields expensing provision to certain targeted areas. I am pleased that language expanding the definition of qualified sites and extending the expiration date of this provision through 2003 was included among the community revitalization provisions contained in this bill.

I am a cosponsor of the Rangel-Johnson legislation that would establish a tax credit for qualified school modernization bonds, so I am concerned that H.R. 2614 does not contain this bipartisan language to promote school construction, renovation and repair. Moreover, I am concerned that the bill does not provide adequate protection for the construction workers who would be employed on the school projects that this legislation would finance.

The Medicare and health-related provisions of this legislation also cause me great concern. I believe that the Members of the House are nearly unanimous in supporting additional funding for Medicare. I strongly support such an increase myself. I am concerned, however, that this \$27 billion package contains too large an increase in funding for Medicare HMOs and not enough an increase in Medicare benefits for seniors and reimbursement for hospitals, home health care services, and other health care providers. Consequently, I must oppose H.R. 2614.

Finally, I have serious concerns about some of the health-related tax provisions contained in this bill. The bill would allow individuals who do not participate in employer-provided health plans to take above-the-line deductions for the cost of their insurance premiums. I have two concerns about this approach. At best, it is an



expensive and inefficient way of ensuring that all Americans have access to affordable health insurance. It does little to help the uninsured. But of perhaps even greater concern is the possibility that this provision would undermine our existing system of employer-based health insurance.

For these reasons, I must oppose this legislation, and I will support the President should he veto this bill. It is my hope that Congress will be able to craft better legislation addressing Medicare and tax cuts before it adjourns for the year.

Ms. ROYBAL-ALLARD. Mr. Speaker, I oppose H.R. 2614. This bill includes both the balanced budget act giveback plan as well as the Republican's tax cut proposal. Both of these provisions were negotiated behind closed doors and without consulting either Democrats or the Administration.

While there are many problems with this legislation, I am extremely disappointed that it does not include the Commerce Committee-approved provision giving States the option to provide basic health care coverage to legal permanent resident children and pregnant women.

The 1996 Balanced Budget Act mandated that lawfully present children and pregnant women who arrived in the U.S. after 1996 must wait five years before they can apply for basic health care. As a result, this vulnerable population cannot obtain proper health treatment such as preventive and prenatal care.

Making health care available to this group, through Medicaid and the State children's health insurance program, is simply good public policy. It would provide critically-needed health services to 144,000 children and 33,000 pregnant women per year—children and mothers who have followed the rules, paid taxes, and are in this country legally.

We cannot let these children and mothers down by excluding this critical, bipartisan measure.

Unfortunately, the Republican-negotiated package does just that.

As Chair of the Congressional Hispanic Caucus and as a Member who represents a large Hispanic community, my top priority is to advocate for the fair treatment of all hard-working, tax-paying families, including legal immigrants. Denying health care coverage to legal immigrants is not fair treatment.

For this and other reasons, I cannot support this legislation.

I urge my colleagues to oppose H.R. 2614 and work to craft a true bipartisan package that includes the restoration of health care for legal immigrant children and pregnant women.

Ms. DEGETTE. Mr. Speaker, the bill before us is an example of a fatally flawed partisan process that strips out important provisions that are important to a list of bipartisan supporters.

First and foremost, almost 50 percent of funding in this bill before us goes to HMO's in the Medicare program—over \$34 billion over the next 10 years. Let me repeat: . . . \$34 billion to Medicare HMO's that serve just 16 percent of the Medicare beneficiaries.

And why? Under current law, according to the General Accounting Office, "Medicare's overly generous payment rates [to HMOs] well exceed what Medicare would have paid had these individuals remained in the traditional fee-for-service program." Incredibly, in the name of moving to what some claim is a more

efficient model of care, we could completely repeal Medicare+Choice and save taxpayers money, reduce premiums for Medicare beneficiaries, and extend the life of the Medicare trust fund.

There is a fundamental problem with the Medicare+Choice program, and it goes well beyond the argument that we need to address pull-outs of managed care plans. Instead, we need a fundamental re-consideration of how this program operates. Instead, this Republican bill is throwing yet another \$34 billion into the program.

What are we getting for this \$34 billion? There is no guarantee that plans will not drop out of communities or Medicare altogether. There is no guarantee that they will put new money toward maintaining benefits rather than shoring up their bottom lines. Where is the accountability for \$34 billion?

Time and time again in the Congress, you have to question which party is truly about fiscal responsibility. This partisan Republican drafted bill certainly does not reflect such responsibility.

To pay HMOs all of this money with no accountability, what was dropped or lost?

Dramatically cut by 72 percent was the Medicaid disproportionate share hospital (DSH) program from the levels passed in a bipartisan mark-up in the House Commerce Committee. That bipartisan legislation, introduced by Chairman BLILEY and Ranking Member DINGELL, incorporated provisions from legislation introduced by Representatives WHITFIELD, BILBRAY, and myself. That legislation corrected a \$10.4 billion cut to the Medicaid DSH program over five years. It prevents further cuts to the Medicaid DSH program in FY 2001 and well into the future.

In sharp contrast, the partisan Republican bill before us only protects the program in FY 2001 and FY 2002 and that dramatically cuts funding to states and our nation's safety net hospitals in FY 2003. The effect is a 72 percent cut from what was included in bipartisan Commerce Committee package.

In the State of California, hospitals will lose \$143 million in federal Medicaid DSH funding in FY 2003. This legislation imposes a horrible cliff effect on hospitals and a fix that would require \$4 billion over 5 years. Don't put off this issue on the 107th Congress. Address it today.

What other provisions were dropped or left out in order to give Medicare HMO's the bulk of the money?

Dropped were bipartisan proposals to provide health coverage options to legal immigrant children and pregnant women, which was included in my bill, the Improved Maternal and Children's Health Coverage Act.

Dropped was another provision from that bill to improve enrollment for uninsured children in schools and other sites.

Not included were provisions to extend coverage to pregnant women through CHIP—resulting in bizarre public policy that provides prenatal care just to teenagers that get pregnant prior to age 18 but cuts them off once they become adults. If you are concerned about infant mortality, mother-to-child HIV transmission and a number of other maternal and child health issues, this is something that we should pass this year.

Dropped was the Family Opportunity Act, which would have improved work incentives for parents of children with disabilities who cannot access private health insurance.

Dropped was a provision to extent the transitional health coverage for people leaving welfare for work.

Dropped was provision to extend Medicare coverage for people with Lou Gehrig's disease, whose life expectancy following diagnosis is often shorter than the waiting period.

Not included was a \$3,000 tax credit for people with long-term care needs or their family caregivers.

Not included were provisions to provide Medicare and Medicaid smoking cessation counseling to help out nation's elderly and low-income populations stop smoking and extend their lives.

Not included was anything to address the need for a Medicare prescription drug benefit.

What's more, this bill omits common sense language that was included in the Commerce Committee's mark to improve Medicare coverage of diabetes outpatient self-management training authorized in the 1997 BBA. This simple technical fix would allow the Health Care Financing Administration to recognize state diabetes education programs already established by nearly a dozen states so that they may continue to provide that service for beneficiaries.

As it is written currently, the 1997 BBA provision forces HCFA to slash the number of diabetes education programs eligible for Medicare by setting unreasonable credentialing standards, which do not recognize the state programs. HCFA estimates that only 750 programs would meet the new standards next year. Hundreds of programs currently in operation would be forced to stop serving Medicare patients. This is not the expansion of service that was envisioned in 1997. The technical fix makes sense; it is a low-cost, bipartisan provision, yet it has vanished as a casualty of partisan wrangling and Medicare beneficiaries with diabetes will be the victims.

In addition, there are a growing number of reports across this nation about how states have failed to spend their CHIP allotments due to poor outreach and enrollment and state bureaucratic barriers. In a number of GAO reports during the past three years, a number of these bureaucratic barriers have been identified and highlighted.

We now have three years of experience with this program and a number of reports that all point to the bureaucratic barriers that prevent children from gaining access to coverage, including unnecessarily lengthy and complex application forms and enrollment processes.

For these reasons, I firmly believe we should consider comprehensive legislation in this area this year to address the problems we all know to be true with the CHIP program. Rather than enact the \$1.9 billion reduction in CHIP that the Senate Appropriations Committee originally proposed or to reallocate money among the states, we should fix the problems. While I understand that some may not want to address this issue out of concern that it highlights particularly terrible enrollment in Texas, it is the 10 million uninsured children in this country that are left suffering.

And finally, I would also like to highlight an additional concern with the impact that BBA may have on Medicare beneficiaries with regard to their access to vital ambulance services. The BBA required HCFA to place ambulance service providers on a Medicare fee schedule through a negotiated rulemaking process. The problem was the BBA required



the process to be conducted in a budget neutral fashion, so HCFA was precluded from addressing the actual costs of such services in creating the new few schedule.

Unfortunately, a recent study by Project Hope, an esteemed health care think tank, indicates that ambulance services providers may face a profound shortfall in Medicare payments. It is essential that these providers are fairly reimbursed so that Medicare beneficiaries, and all Americans, are guaranteed that the 911 system is protected and there when needed.

Certainly, there are a number of provisions in this legislation that I strongly support, including:

Language from may bill, the Medicaid Safety Net Hospital Preservation Act, which prevents further pending Medicaid disproportionate share hospital (DSH) cuts to states and our nation's safety net hospitals.

Language to help our nation's community health centers receive adequate payments through the Medicaid program.

Language to address hospital Medicare bad debt payments, which comes from legislation I introduced with Representative GREENWOOD.

Language to fund diabetes research at levels of \$70 million in fiscal years 2001 and 2002 and \$100 million in fiscal year 2003.

Those provisions and others in the bill related to hospitals, nursing homes, home health agencies, others are fantastic and should be supported. However, they all come from language passed in the bipartisan Commerce Committee mark-up on September 27, 2000. Unfortunately, we can do much better. Our nation's elderly and low-income citizens deserve it.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for the conference report for H.R. 2614 which includes tax relief, restoration of Medicare funding, and an increase in the minimum wage.

This Member would like to emphasize the following reasons, among many others, for supporting this legislation.

First, this legislation addresses retirement savings by allowing workers to save more. In particular, it increases the current individual retirement account contribution limit from \$2,000 to \$5,000 phased in over three years. In addition, it increases the contribution limit on employer-sponsored 401(k) plans from \$10,500 to \$15,000.

Second, the conference report for H.R. 2614 would assist taxpayers with the costs of health care. In particular, it would do the following: provide a deduction for long-term care premiums if the taxpayer pays more than 50 percent of the premiums; and provide a 100 percent deduction for health insurance for self-employed individuals to become effective in 2001 (under current law, it reaches full deductibility in 2003).

Third, the conference report for H.R. 2614 will provide small business tax relief. In particular, this legislation increases the phased-in business meal expense deduction. Furthermore, it repeals current law which prohibits a business owner from spreading the capital gains tax payment over the life of the installment note. This Member has been contacted by numerous small business owners who support this repeal since they desire to sell their business over a period of years and yet still remain involved in the business.

Fourth, the conference report for H.R. 2614 provides essential tax assistance for afford-

able housing. In fact, it increases the highly successful Federal low income housing tax credit from \$1.25 per capita to \$1.75 per capita by 2002. This tax credit provides an essential incentive to developers to construct affordable housing. In addition, this legislation increases the private activity bond cap from the current \$50 per capita to \$75 per capita and it increases the small state bond cap limit from \$150 million to \$225 million by 2002. The private activity bond cap in Nebraska provides tax exempt financing for, among other things, single and multifamily housing.

Fifth, this measure maintains the current tax treatment of foreign sales corporation (FSC) beneficiaries in a manner that the United States believes to be World Trade Organization compliant. If this provision had not have been included by November 1, 2000, it would have been especially damaging to U.S. farmers and ranchers.

Sixth, this Member strongly supports the Medicare Balanced Budget Act provisions of this legislation. Communities within the state of Nebraska greatly rely upon its rural health system. The viability of the town often revolves around the hospital and access to health care. Increased funding for rural disproportionate share hospitals (DSH), the extension of the Medicare Dependent Hospital (MDH) program in rural areas, and increased access to telehealth medicine will help assure the continued viability of rural health facilities. Nebraska also has the greatest number of critical access hospitals (CAH) in the country and some specific provisions will also benefit these hospitals. These provisions include the reduction of out-of-pocket costs for beneficiaries receiving clinical lab tests and the expansion of access to ambulance services in CAH.

Lastly, this legislation increases the minimum wage from \$5.15 to \$6.15 over two years. A relatively small number of Nebraskans now work for less than \$6.15 an hour as it is, but they are often teenagers or employees of very small businesses. This Member believes that an increase in the minimum wage can at least be partially justified by the relatively minor decline in purchasing power of the minimum-wage dollars since the rate was last increased in 1997. Of course, this Member would have preferred that the increase be spaced over three years, rather than two (and this Member unsuccessfully voted to do so on March 9, 2000), as this would have more closely matched the impact of inflation on the value of the minimum wage. Moreover, this Member believes the aforementioned tax relief measure will help at least a large number of small businesses off-set increased costs due to the increased minimum wage.

Therefore, for these reasons, and many others, this Member urges his colleagues to support the conference report for H.R. 2614.

Mrs. LOWEY. Mr. Speaker, I rise in opposition to H.R. 2614, which includes the so-called Medicare givebacks legislation.

There are some good things in this bill. It includes an increase in the minimum wage over two years. It contains several incentives for Americans to save for their retirement. And it expands economic development assistance to underserved communities.

But for as much as I support these provisions, I cannot support this bill. As so many of us know, the reductions in Medicare payments mandated by the Balanced Budget Act in 1997 hit our hospitals very hard. and frankly, the

BBA relief measure that Congress passed last year was just not enough.

Our hospitals nationwide are hemorrhaging from the impact of Medicare cuts. They need help to recover from these losses and cope with our rapidly changing health care system. Even with significant cuts in personnel, many hospitals are experiencing major deficits. And the plight of teaching and high-need hospitals is especially grim.

That's why I introduced H.R. 3580, the Hospital Preservation and Equity Act, which would provide hospitals an adequate adjustment for the cost of caring and would restore the inflationary update for hospitals for the last two years of the BBA. I am not the only one who thinks this is critical—321 of my colleagues have cosponsored this legislation. These cosponsors, our colleagues, come from every corner of this country, urban, rural, and suburban. They are Republicans and Democrats, but they agree—our hospitals need these inflationary payments in full. In fact, MedPac—the Congress's advisor on Medicare payment policy—has called for inflationary payment above the full level authorized now.

But despite the overwhelming support for H.R. 3580, the Medicare givebacks language in this bill does not provide the needed two years of relief. And this bill shortchanges our hospitals in other ways as well. Instead of keeping the Indirect Medical Education adjustment at 6.5 percent for at least two years, this bill enacts further cuts in 2001, 2002, and 2003.

Our hospitals are our lifeblood, and they need our help. Sadly, this bill fails to provide adequate relief to these ailing facilities. We can and we must do more. I urge my colleagues to do the right thing and provide meaningful relief to our hospitals.

Mr. NEAL of Massachusetts. Mr. Speaker, I regret that I have to speak out against this tax bill. That regret comes from the fact that it has been put together in a very clever manner. For me, it cloaks a number of very good provisions of secondary importance, with some more important items that are simply bad policy. I have generally found that when you are weighing all the items in a tax bill, you have to be particularly sensitive to bad policy because once a provision gets into the tax code, you can rarely get it out. On the other hand, the good items will resurface again in the next bill, either during the next few days or next year.

I like very much the 100 percent deduction for the self-employed, a large number of the pension provisions, the housing provisions especially the immediate increase in the low income housing tax credit and the private activity bond cap for first time buyers, and the insurance provisions, among many other provisions. Repeal of section 809 and section 815 are examples of the type of clean-up of the tax code that we need to do more of, and I congratulate the majority party for including these items.

Nevertheless, there is bad policy contained in a number of items of the bill that will have an adverse impact on average Americans. If a reasonable test of a provision is that it does something good, as opposed to simply doing something, then some key provision of this bill fail.

For example, the health deduction provides an incentive for healthy individuals to drop group health insurance. This drives up the

cost of the group pool for everyone else, and thereby drives up the total cost of the system, while providing a minimum increase in coverage.

Relaxing the arbitrage rules on school construction bonds provides an incentive for local governments to delay the construction of new classrooms for two additional years—not a good provision when you are enacting a school modernization program.

And the many good, solid provisions of the pension bill are negated by a few provisions that provide an incentive to reduce pension coverage. If the retirement savings credit and the small business credits were included, at least there would be countervailing pressures to expand coverage for moderate income workers. But those incentives, while accepted by Senate Republicans, were rejected out of hand by House Republicans.

So now we have to decide which way to go, yes or no. It would not be too hard to have crafted this bill to get a yes, but unfortunately there is enough bad policy in this bill to require a “no” vote. Perhaps this will produce a situation where the leadership on the other side of the aisle rethinks its decisions, and brings out an acceptable bill. I hope this is the case.

Mr. BENTSEN. Mr. Speaker, I rise today in support of the Taxpayer Relief Act of 2000. I am supporting this legislation because I believe that we must address several issues, including providing more funding for Medicare and Medicaid reimbursements to health care providers, helping more Americans to save for their retirement, increasing federal funding to rebuild our nation's schools, and investing in community revitalization efforts. Although I am disappointed that this legislation excludes certain tax and health provisions, I believe on balance that we must move forward on this effort. At this late date in the 106th Congress, I am concerned that this imperfect legislation will be the only opportunity to provide these vital tax and health benefits.

I am particularly pleased that this legislation includes provisions to provide higher Medicare reimbursement for our nation's teaching hospitals. As the representative for the Texas Medical Center, the nation's largest medical center, providing this relief to teaching hospitals is critically important. Today, many of these teaching hospitals are facing financial difficulties because they are receiving lower reimbursements from managed care health plans, lower Medicare reimbursements due in part to the Balanced Budget Act of 1997, treating a larger number of uninsured patients, and insufficient support for their biomedical research which provides the cutting-edge treatments that patients need.

This bill provides necessary higher reimbursements to hospitals. This measure provides a full Market Basket Index (MBI) update for the Prospective Payment System (PPS) reimbursement paid to hospitals beginning on April 1, 2001. It also provides an update of MBI minus .55 percent for Fiscal Year 2002 and Fiscal Year 2003. Both of these provisions are improvements over current law. This bill also includes a provision to increase Indirect Medicare Education (IME) payments to teaching hospitals to an average of 6.5 percent for Fiscal Year 2001 and 6.375 percent in Fiscal year 2002 and 5.5 percent in Fiscal Year 2003 and subsequent years. These IME payments help teaching hospitals to pay for

the indirect costs of training our nation's physicians. This bill also includes a provision to provide higher reimbursements for a hospital's resident amount to 85 percent of the national average. Under current law, all hospitals are eligible for at least 70 percent of the national average. This provision will help those hospitals, such as those as the Texas Medical Center, who have historically received lower per residency amount. This provision builds upon legislation which I have cosponsored (H.R. 1224) that would provide a full 100 percent per residency amount for all hospitals.

This comprehensive package also includes improvements in the Medicaid and the State Children's Health Insurance Program (SCHIP) program. Although I am disappointed that the conference report eliminates an earlier provision based upon legislation that I had sponsored (H.R. 1298) to expand the presumptive eligibility program, I am pleased that this Medicaid provision would permit the cost of presumptive eligibility programs to be deducted from the SCHIP appropriation instead of the Medicaid appropriation, without a subsequent offset. Under current law, there is a disincentive to conduct presumptive eligibility programs because states receive lower Medicaid funding if they use them. This provision will ensure that states receive higher SCHIP allocations to conduct their presumptive eligibility outreach programs. This legislation also includes higher Disproportionate Share Hospital (DSH) payments for those hospitals which treat a disproportionate share of uninsured and underserved patients. This provision would increase Medicaid DSH payments equal to their Fiscal Year 2000 DSH allotment plus a percentage change equal to the consumer price index for each year. This increase cannot exceed 12% of each state's total medical assistance payments. In Texas, where more than 25 percent of our citizens do not have health insurance, the DSH program is vitally important to these hospitals which treat these patients. During the debate on the Balanced Budget Act of 1997, I fought to increase Medicaid DSH payments. This legislation builds upon this effort to ensure that our safety net hospitals get the funding they need to continue to provide quality health care to all Americans.

This bill also includes provisions that ensure that the State of Texas can continue to utilize the State Children's Health Insurance Program (SCHIP) allotment for Fiscal Year 1998 and 1999. I am a strong supporter of the SCHIP program which was created as part of the Balanced Budget Act of 1997 because it will help many working families to provide health insurance for their children. There are currently 1.4 million uninsured children in Texas who may benefit from this SCHIP program. Under current law, the State of Texas will forfeit up to \$446 million since the SCHIP program in Texas has only been available in recent months and therefore many children have not been signed up yet. This measure would correct this inequity by ensuring that Texas can reapply for these funds. Texas would be eligible to their allotment minus the amounts distributed to those 10 states which have spent their allotment multiplied by a ratio of the state's unspent funds as compared to the total amount of unspent funds. These redistributed funds will be available through Fiscal Year 2002.

This legislation also includes necessary improvements to the preventive benefits pro-

vided to Medicare beneficiaries. This measure provides coverage for biennial pap smears and pelvic exams for all Medicare beneficiaries, effective July 1, 2001. This means that all women on Medicare will get the recommended screenings they need to detect cancer and get early treatment if necessary. It would provide annual glaucoma screening for high-risk individuals and individuals with diabetes. This legislation also includes colorectal screenings for all Medicare beneficiaries, instead of screenings for only high-risk individuals. Colorectal cancer can be effectively treated as long as patients learn about their cancers at early stages. This bill would also provide higher payments for mammograms and would encourage the use of new digital technologies that can detect cancer at earlier stages. This measure provides medical nutrition therapy for beneficiaries with diabetes and renal disease. As a cosponsor of legislation to provide Medicare coverage for medical nutrition therapy, I am pleased that we will extend this coverage to those Medicare beneficiaries who will benefit from this nutritional therapy. With better nutrition, we can help these patients with chronic diseases to stay healthy and reduce health care costs.

This measure also provides other benefits for Medicare beneficiaries. It would reduce the copayments that Medicare beneficiaries are required to pay for outpatient procedures. Under current law, beneficiaries can pay up to 70 percent of hospital's charge of an outpatient procedure. This bill would cap the amount that Medicare beneficiaries are required to pay to the hospital inpatient deductible for this year. Currently, this hospital deductible is \$776 per year. This bill also lowers the outpatient copayments to 60 percent of the hospital's charge for an outpatient procedure in January 2001 and dropping 5 percent lower each year to 40 percent in 2006. This legislation also includes a provision to eliminate the current 3-year time limitation for coverage of immunosuppressive drugs for those beneficiaries who receive an organ transplant. As a cosponsor of legislation to eliminate this time limit (H.R. 1115), I am pleased that Congress has acted to ensure that these lifesaving drugs are available to organ transplant patients. Without these immunosuppressive drugs, there is a danger that these Medicare patients will reject their donated organs.

This legislation also includes a provision based upon legislation I sponsored (H.R. 854) that would require the Commissioner of the Social Security Administration (SSA) to conduct outreach efforts to identify individuals who may be eligible for the Medicaid payment of their Medicare premiums, copayments, and deductibles. This provision requires the SSA Commissioner to provide a list annually to each state's Medicaid agency with the names and addresses of people who may be eligible for this program. It is estimated that there are up to four million low and moderate income Americans who are eligible for, but not enrolled, in the Qualified Medicare Beneficiary (QMB) and Select Low Income Medicare Beneficiary (SLIMB) programs. This outreach program would help to identify these individuals and encourage them to participate in this cost sharing assistance program. The Social Security Administration (SSA) is a logical choice for providing this information since they already have income related information which they collect from each social security recipient and

can identify those low and moderate income individuals who might benefit from this help.

I am also pleased that this legislation includes necessary pension reforms that will help more Americans to save for the future. Mr. Speaker, as one who has consistently advocated for legislation to foster greater retirement security and, as one of the authors of H.R. 352, pension legislation that was subsumed into this measure, I support H.R. 2614. This measure not only enhances retirement security by increasing the annual contribution limits for individual Retirement Accounts (IRAs) and provides "catch-up" provisions for older workers, but also eases the administrative burdens that keep small employers from offering pension plans.

Despite the fact that unemployment is at an all-time low and incomes have risen to historical highs, we, as a nation, have an abysmally low savings rate of 3.8 percent of disposable personal income. Moreover, the percentage of private sector workers covered by a pension plan has decreased by 2% from 45% in 1970 to 43% in 1990, which leaves Social Security as the main source of income for 80 percent of retirees. With the approaching retirement of nearly 76 million Baby Boomers, clearly the three-legged stool of retirement security is in jeopardy.

In addition to an increase to the annual contribution limit for Individual Retirement Accounts (IRAs) to \$5000 by 2003, indexed for inflation, H.R. 2614, much like the bill I offered with Mr. BLUNT of Missouri, encourages small businesses to provide retirement plans for their employees. Time and again, small employers tell me that the expensive and complicated procedures to establish a plan keep them from offering plans. Not surprisingly, only 21 percent of all individuals employed by small businesses with less than 100 employees participate in an employer-sponsored plan, compared to 64 percent of those who work for businesses with more than 100 employees.

H.R. 2614 would reduce plan costs and ease administrative burdens by streamlining a number of onerous pension regulations, lowering pension plan insurance premiums, simplifying top heavy rules, simplifying annual report requirements, and eliminating Internal Revenue Service (IRS) user fees for new plans. Moreover, H.R. 2614 recognizes American workers will hold several jobs during their working life by increasing portability for retirement savings and allowing workers to rollover investment in different pension plans.

H.R. 2614 also promotes retirement savings by low and middle income by providing for a temporary non-refundable tax credit equal to the \$2,000 maximum annual contribution for individual earning \$25,000 or less and couples earning \$50,000 or less. It also provides for a three-year tax credit equal to 50% of the first \$1,000 of expenses associated with the adoption of a qualified pension plan by a small business. Additionally, I would note that H.R. 2614 also establishes greater notice requirements for employers who convert their pension plan to a cash balance or similar hybrid plan, eliminating the potential for a participant's normal retirement benefit being "worn-away" by the conversion.

Mr. Speaker, I am also pleased that H.R. 2614 provides for the national minimum wage to rise by a dollar to \$6.15 over two years. The purchasing power of the minimum wage today is 21% less than in 1979. Under current

law, a single mother of two, employed full-time, 40 hours per week for 52 weeks, earns \$10,712, \$3,200 below the poverty line. Work should be a bridge out of poverty but, unfortunately, too many full-time workers still live below the poverty line. We cannot truly reform our welfare system until we ensure that work pays more than welfare.

Another aspect of H.R. 2614 that I support is the inclusion of provisions from legislation I voted in favor of in July 2000, the Community Renewal and New Markets Act of 2000, H.R. 4923. While the economic boom we currently enjoy has enriched the lives of many communities, there are still far too many that need re-investment. In addition to creating nine new Empowerment Zones, H.R. 2614 provides for the designation of 40 "renewal communities" that would be eligible for an array of tax benefits including, immediate deductions of up to \$35,000 for equipment purchased by small businesses, a 15% wage credit for each community resident a small business employs, expensing of certain environmental remediation costs associated with Brownfield cleanups, as well as Commercial Revitalization Deductions for taxpayers who rehabilitate or revitalize buildings located in a renewal community.

Under the New Markets Tax Credit provision in H.R. 2614, investors in eligible funds would receive a tax credit worth more than 30% of the amount invested and would take a 5% credit for the first three years of investment, and 6% for the next four years. The New Markets Tax Credit would be widely available on a competitive basis to eligible entities serving low- and moderate-income communities in census tracts with poverty rates of at least 20% or median family income which does not exceed 80% of the area income. H.R. 2614 also would establish a new class of venture capital funds that target a lower rate of return and provide more hands-on management assistance to their small business portfolio investments, New Markets Venture Capital Firms (NMVC). The Community Revitalization provisions of H.R. 2614 are targeted and have the potential to make a very real difference in communities throughout this nation.

For all of these reasons, I am supporting this bill. Although I would have preferred to include more provisions and would have excluded other provisions, I believe that on the whole that this comprehensive package of provisions represents what can be achieved today. I believe that we need to be realistic that this compromise legislation is likely the only option available for this year and I urge my colleagues to support this legislation.

Mr. PAUL. Mr. Speaker, H.R. 2614 contains some very laudable tax cut measures which I strongly support. However, the bill also contains some very troubling provisions, provisions which have no place in what ought to be purely tax relief legislation. As a result, this bill represents an eleventh-hour political compromise which makes politicians feel good but does more harm than good for the American people.

Many Members, including myself, have worked hard to bring some measure of tax relief to American families this year. We worked to pass meaningful bills which would have eliminated the marriage penalty and eliminated the harmful estate tax. We worked to increase deductions for health care expenses. We worked to increase the tax-deductible amounts individuals can contribute to their IRA and

pension plans. We worked for these tax cuts because we know that American families pay too much in taxes. Tax relief has been, and should be, our guiding principle.

Accordingly, I strongly endorse many of the provisions in this bill. I fully support the increased IRA and pension plan deduction amounts, which will benefit virtually all Americans. Tax-deductible and tax-deferred savings incentives represent the very best kind of tax reforms this Congress can make. Not only do Americans pay less in taxes with an increased deduction, they also have an increased incentive to accumulate retirement savings.

Another worthwhile portion of this bill addresses the needs of rural hospitals, which were unfairly singled out for excessive reductions in Medicare reimbursements by the Balanced Budget Act of 1997. While Congress deserves a share of the blame, most of the problems experienced by rural health care providers are the result of flawed implementation of the Act by the Health Care Financing Administration (HCFA). This administration has decimated rural health care in order to artificially prolong the life of the Medicare trust fund, while avoiding reforms that would give seniors more control over their health care decisions. The administration should not play political games with Medicare trust funds at the expense of rural hospitals. By doing so, it has violated the promise of quality health care made to senior taxpayers in rural areas.

Mr. Speaker, I also am pleased that this bill extends the Medical Savings Accounts (MSA) program created in 1996. MSAs and generous health care tax deductions are critical to preserving health care freedom. Federal policies removing consumer control over health care dollars inevitably have led to increased decision making by HMOs and federal bureaucrats.

We must restore individual control over health care dollars, and MSAs coupled with health care tax credits and deductions are an important step in the right direction. MSAs and health care tax deductions lower health care costs without sacrificing quality by motivating patients to negotiate for the highest quality care at a reasonable price.

Similarly, today's small business tax relief measures are commendable. We place a huge regulatory and tax burden on our nation's small employers, many of which find it difficult simply to comply with the tax laws. I support any efforts to reduce taxes and regulations on our small entrepreneurial employers.

Unfortunately, these positive tax relief provisions are outweighed by other measures in today's mixed bag legislation, measures which have been agreed to only because many Members want to claim they have passed a "tax relief" bill before they go home. The administration has thwarted many of our tax relief efforts through the veto process, and we apparently have decided to take whatever tax measures we can get, regardless of the price. So now we find ourselves in a position where we cobble together some less sweeping tax relief proposals which the administration will accept, and we put them in a larger bill which contains some very bad measures favored by the administration. Before we tout today's bill, however, we ought to be honest with our constituents about the real nature of this last-minute compromise.

The small business tax relief in this bill is more than outweighed by the provisions raising the federally-mandated minimum wage. While I certainly understand the motivation to help lower wage workers, the reality is that a minimum wage hike hurts lower income Americans the most. When an employer cannot afford to pay a higher wage, the employer has no choice but to hire less workers. As a result, young people with fewer skills and less experience find it harder to obtain an entry-level job. Raising the minimum wage actually reduces opportunities and living standards for the very people the administration claims will benefit from this legislation! It's time to stop fooling ourselves about the basic laws of economics, and realize that Congress cannot legislate a higher standard of living. Congress should not allow itself to believe that the package of small business tax cuts will fully compensate businesses and their employees for the damage inflicted by a minimum wage hike. Congress is not omnipotent; we cannot pretend to strike a perfect balance between tax cuts and wage mandates so that no American businesses or workers are harmed. It may make my colleagues feel good to raise the minimum wage, but the real life consequences of this bill will be felt by those who can least afford diminished job opportunities.

We also make a mistake when we rush to change our domestic tax laws to comply with the ruling of an international body. Nobody in Congress or the administration wants to talk about it, but this is the first time in the history of our nation that we have changed our laws because an international body told us to do so. We are not considering this legislation because American citizens or corporations lobbied for it. We are considering it solely because of the demands of the WTO appellate panel, which agreed with EU complaints about our corporate income tax laws. We created the Foreign Sales Corporation rules back in the 1980s, but now the EU has decided our law exempting a small portion of foreign source income from corporate taxes represents a "subsidy." We have plenty of federal subsidies in this country, but the FSC tax treatment assuredly is not one of them. FSCs do not receive a subsidy—no tax dollars are collected from taxpayers and given to FSCs. The FSC rules simply permit the parent corporation to pay less taxes on its foreign income. Most EU countries don't tax their corporations on foreign income at all! So the EU complaint that the FSC represents a subsidy is ridiculous.

This measure clearly demonstrates how our membership in the WTO undermines our national sovereignty. I have warned this body that the WTO does not promote true free trade, but rather enforces politically influenced "managed trade." I warned this body that our agreement to abide by WTO rulings would force us to change our domestic laws. I warned this body that our participation in the WTO was unconstitutional. Yet Members scoffed at this idea. Members of the Ways and Means committee said it was "unthinkable" that the U.S. Congress would change our nation's laws because of an order by the WTO. We were told that we had to join or else we would lose the international "trade wars." Today we see our sovereignty clearly undermined, and at the same time we stand on the brink of a retaliatory trade war by the EU. So the WTO has given us the worst of all worlds.

We should not change our tax laws at the behest of any body other than the U.S. Congress. If we want to help American businesses, we should simply stop taxing foreign source income. Today's FSC measure will not appease the EU; they already have indicated that the House version of this bill is unsatisfactory to them. Worst of all, this measure gives the President further unconstitutional executive order powers to make changes when demanded by the WTO in the future. Never mind that the legislative power is supposed to reside solely with Congress. We simply cede our legislative authority to the WTO when we pass this measure, and it's shameful that it likely will go unnoticed by the American people. We ought to tell them exactly what we are doing to national sovereignty when we pass this last-minute mixed bag of tax measures.

Mr. Speaker, I would like to commend the leadership for bringing this conference report to the floor. This conference report includes many important provisions to spur individual retirement savings.

Most importantly, the report includes language that increases the IRA contribution limit, a proposal I have worked on for several years. The popularity of this issue is evidenced by the more than 222 bipartisan members who cosponsored my IRA legislation.

For years, millions of Americans have relied on Individual Retirement Accounts to help save for a secure retirement. However, despite their past success, IRAs are in danger of becoming obsolete because inflation is destroying much of their value. Since 1981 the limit on IRAs has been frozen. Had it simply kept pace with inflation, Americans would now be able to contribute \$5,068 instead of only \$2,000.

If IRAs are to continue to be a real help for people as they plan for their retirement years, it is past time for the federal government to allow higher contributions.

Mr. WALDEN of Oregon. Mr. Speaker, I rise today in reluctant opposition to this bill. I am a staunch supporter of numerous provisions in this legislation, and have a solid voting record in support of many of these provisions in past measures. However, because language was tacked into this bill at the last minute that would overturn Oregon's assisted suicide law, I have no choice but to vote against it.

I gave people my word that I would not come back to Congress and vote to overturn what they have twice voted for. And as much as I strongly support the tax relief and health care language in this legislation, I cannot swallow the poison pill provision that would overturn Oregon's law. Where I come from, a person's word still means something and I intend to keep mine.

This legislation contains solid small business tax reductions, pension reform, and help for rural communities for health care improvements. I enthusiastically support these items and was fully prepared to vote for them. As a small business owner, and having served five years on a community hospital board, I understand the problems facing our communities and believe these provisions would be of great benefit to them. But to vote for them would mean I would also vote in a way that was against what I had promised. That's something I just cannot and will not do.

The provision to overturn Oregon's law only came to light shortly before the House began debating this bill. It was a complete and un-

welcome surprise. And it has no business being tacked onto an otherwise sound piece of tax reform and Medicare enhancement legislation.

Mr. STARK. Mr. Speaker, I strongly oppose HR 2614, the bill being considered on the House floor today with the innocuous title of "the Certified Development Company Program Improvements." Those provisions are far surpassed by major controversial tax, Medicare and Medicaid proposals that have been added to it by the Republican leadership without any consultation with our side of the aisle or the Administration.

This bill is a stellar example of what goes wrong when the legislative process is discarded and replaced with closed-door negotiations among a few select members of the majority party. And, it clearly spotlights the wrongheaded priorities of the Republican party.

On both the health front and the tax front, the bill before us today is a disgrace. The provisions of this legislation squander real opportunities to provide assistance to the families in our country who need the most help and instead lavish funds on those who need it least. It also provides gifts to industries that have thwarted our efforts to pass a Patient's Bill of Rights, a Medicare prescription drug benefit, and would prefer not to see an increase in the minimum wage.

On the Medicare front, nearly 40% of the spending is directed to the HMO industry when only 16% of Medicare beneficiaries are even enrolled in Medicare HMOs. HMOs will get \$11 billion in new funds over 5 years and more than \$34 billion over 10 years. Yet, there are no real accountability provisions that require these HMOs to commit to serve beneficiaries for a longer period of time or to maintain a specific level of benefits in exchange for these significant new dollars. That is wrong.

On top of lacking real accountability, subsidies of this level to HMOs simply defy the facts. The non-partisan General Accounting Office has shown time and time again that Medicare HMOs are overpaid for the patients they enroll. The latest data shows that Medicare spent \$5.2 billion in 1998 that would not have been spent if those beneficiaries had been enrolled in fee for service Medicare rather than the Medicare+Choice program. And this is for a program that was created in 1997 under the guise that it would save money and be the long-term solution to Medicare's solvency problems.

The Administration and many of us in Congress had urged that these HMO subsidies be lowered, but that request fell on deaf ears. That shouldn't surprise any of us since the HMO industry is financially backing the Republican health care agenda through a media campaign directed at issues and candidates. The efforts of this industry alone were the most significant factor that halted Congress from enacting a real, enforceable Patients' Bill of Rights this year.

However, even worse than the largess of the rewards to HMOs is the first that those dollars squeeze out needed funds to other segments of Medicare—particularly beneficiaries.

The most important improvement we could make for beneficiaries in Medicare would be the addition of a Medicare prescription drug benefit. The fact is this will be our *only* Medicare legislation this year. This bill was our last

opportunity to deliver a Medicare prescription drug benefit for seniors this year. Instead, there is nothing in here that helps the millions of Medicare beneficiaries without drug coverage.

Earlier versions of this legislation reported by the Ways and Means Health Subcommittee and the Commerce Committee included numerous beneficiary provisions that would have made tangible improvements in Medicare benefits for real people. Provisions that Republicans have dropped during their closed door negotiation include:

Medicare coverage for victims of ALS, (Lou Gehrig's disease)—a bill sponsored by 282 members of the House,

Improvements in Medicaid coverage of legal immigrants,

Allowing low-income Medicare beneficiaries the dignity of being able to apply for financial assistance at Social Security Offices rather than welfare offices, and

Providing states with greater flexibility to more easily enroll children in the CHIP program.

In addition, there are numerous improvements for traditional Medicare providers that we have tried to get considered, but to no avail. Instead of funding HMOs, this legislation could have:

Given greater relief to our nation's hospitals, home health agencies, and other traditional Medicare providers,

Required nursing homes to implement programs to improve quality for our frail seniors who reside in these homes,

Done more to assist hospice programs serve the needs of terminally ill beneficiaries.

There are also egregious provisions included in this legislation for particular special interests. For example, the bill delays the Health Care Financing Administration's ability to pay more accurately for the pre-prescription drugs it now covers—a gift of at least \$50 million to a drug industry that has been lying to the taxpayers about their true cost of sales. These are windfalls to the pharmaceutical industry pure and simple—and they come at the expense of patients.

Several of the tax provisions included in this end-of-the-year monster of a bill include provisions that claim to provide access to health care for uninsured people in this country. Don't be fooled by the rhetoric. These tax provisions are nothing more than thinly-veiled attempts to further tax policies that benefit upper income Americans and do nothing for those in middle and lower incomes.

The above the line tax deduction for people who purchase their own health insurance certainly sounds like it would expand coverage. But, because 93% of those without health insurance fall into the zero percent tax bracket or 15% tax bracket, this tax change does nothing to help them afford a health insurance policy. Those in the zero tax bracket get nothing from the change and those in the 15% bracket get only 15 cents on the dollar—not nearly enough to make a \$6000 family health insurance policy suddenly affordable. In fact, 94% of this expensive program's cost goes to benefit people who already have health insurance. It barely expands "access" at all and it spends tens of billions of dollars *not* accomplishing its stated goal.

Our nation faces an upcoming crisis on long term care costs. The tax changes proposed in this legislation do nothing to alter that fact.

Long term care health insurance continues to be of questionable benefit at best. And, it is a product that only those with significant financial means can afford to purchase. So, like the tax deduction criticized above, this deduction will go mainly to people who could have afforded to purchase long-term care insurance with or without the tax benefit.

It is nice that the Republicans are finally recognizing the very real problems facing caregivers for chronically ill family members at home. Unfortunately, they have once again chosen to deal with a very real problem for millions of American families and couples—many of them lower income—by providing a tax deduction. Of course, tax deductions provide the least help to those who pay the least taxes—the very people who need financial assistance the most. By refusing to provide a tax credit for caregivers—as the Administration and Democrats have urged—the Republicans have greatly reduced the value of this policy change for everyone outside of the upper income tax brackets.

The many additional tax provisions in this bill are designed to help the CEO's who run the big companies—not the rank file Americans who work for the big companies.

The school construction tax package falls \$15 billion short of the necessary funding to see that our deteriorating schools are modernized and well-equipped so that our children can learn in a safe environment. The average American public school is over forty years and old and falling apart. Seventy-five percent of U.S. public schools report that they need funding in order to bring the building into good overall condition. The GOP doesn't see school construction as a dire need since they would prefer to see the public school system dismantled. The school construction funding level in this bill is unacceptable.

In addition to ignoring the needs of our children, the Republican leadership has chosen to ignore the needs of the working men and women who will help to construct and modernize our schools. The Davis-Bacon Act has applied to contracts for public construction "to which the United States or the District of Columbia is a party" since 1931. The House Democrats insisted on providing prevailing wage protections in any school construction tax package that came to the House floor. In fact, we have already introduced a bipartisan school construction bill that includes the prevailing wage provisions, cosponsored by 228 House members—Democrats and Republicans. Once again, the GOP demonstrates that they care nothing about working Americans when they eliminated the prevailing wage protections for school construction.

I was one of 25 members of the House of Representatives to vote against the pension tax bill the first time it was voted on. Not only did the bill completely neglect to provide any tax incentives to help lower-paid workers save for their retirement, but it actually eliminated non-discrimination rules designed to protect the rank and file worker. In hopes that the Senate would correct these egregious provisions, many of my colleagues voted for the bill anyway. The Senate Committee on Finance adopted provisions that would further weaken the non-discrimination rules—rules that protect against disproportionate pension benefits for higher-income workers. We should be strengthening these rules to ensure that *all* working Americans save for their retirement

and middle-income earners have the same pension advantages as their corporate bosses.

I commend my colleagues for including an increase in pension portability for workers who change jobs in the bill before us today. Workers don't remain at the same job over their careers and it is important that we not penalize workers for changing jobs. I also applaud my colleagues for seeing a need to provide relief on Section 415 benefit limits. Benefit formulas in collectively bargained plans are not related to compensation. The current limits placed on multi-employer pension plans unfairly reduce the pensions of low and middle-income workers. Unfortunately, there aren't enough provisions in this bill to help low and middle income workers to outweigh the far too many provisions that will harm these same workers.

Finally, I completely oppose the repeal, and replacement, of the Foreign Sales Corporation (FSC). The esoteric tax break is nothing more than corporate welfare for some of the nation's most profitable industries. The European Union has filed a complaint with the World Trade Organization (WTO) that the FSC is an export tax subsidy and therefore illegal under international trade laws. I completely agree. Yet instead of repealing the tax subsidy and complying with our international trade obligations, this bill seeks to remedy the FSC with a near exact replacement.

The Institute on Taxation and Economic Policy recently released a report that shows a rise in pretax corporate profits by a total of 23.5 percent from 1996 through 1998. At the same time, corporate income tax revenues only rose by a mere 7.7 percent. In addition to the myriad of corporate tax deductions this Congress insists on expanding, programs such as the FSC can help explain the disparity in corporate profits and corporate income tax rates.

The FSC helps subsidize some of the most profitable industries such as the pharmaceutical, tobacco and weapons export industries. Why should Congress help out the pharmaceutical industry if the industry insists on charging U.S. consumers more for prescription drugs than they charge in Europe? We shouldn't! The pharmaceutical industry sells prescription drugs in the U.S. at prices that are 190–400 percent higher than what they charge in Europe. The U.S. subsidizes the pharmaceutical industry by approximately \$123 million per year through the FSC. This is unfair to the American taxpayer and must not be allowed to happen.

The top 20 percent of FSC beneficiaries obtained 87 percent of the FSC benefit in 1998. The two largest FSC beneficiaries, General Electric and Boeing, received almost \$750 million and \$686 million in FSC benefits over 8 years, respectively. RJ Reynolds' FSC benefit represents nearly six percent of its net income while Boeing's FSC benefit represents twelve percent of its earnings!

We must stop pandering to corporate interests and the wealthy. This bill does not have to be so weighted to the HMOs, drug companies, other big business, and those with upper incomes. We must help low and middle-income families obtain health care coverage and pay for prescription drugs. We can do this by enacting a responsible minimum wage bill, a targeted tax bill, and a balanced Medicare/Medicaid package. H.R. 2614 is a shameful piece of legislation that I encourage my colleagues to oppose.

It would take an hour for the Republicans to fix this bill. They know what provisions we don't want in the bill and they know which ones we want inserted. Those changes would redirect this bill to the people who need the help—Medicare beneficiaries, traditional Medicare providers who serve them, and the millions of people struggling to earn incomes that allow them to provide for their families. Vote against this bill today.

MR. CLAY. Mr. Speaker, I oppose this bill for many reasons. This bill fails to adequately address the critical need we have to renovate and modernize our public schools. It falls way short of the bipartisan Rangle/Johnson bill that would support nearly \$25 billion in bonds over the next two years to help states and districts build and modernize up to 6,000 schools. It is shameful that in the era of budget surplus we cannot make a decent investment in our public school buildings. Over one-third of all schools need extensive repairs. The average school building is 42 years old. Beyond that, a record of 52.7 million children are enrolled in elementary and secondary schools, and the number will increase by almost a half of million a year. By 2003, this will mean we need to build another 2,400 schools just to keep pace with student enrollment.

This bill also drops critical Davis-Bacon wage protections contained in the bipartisan Rangle/Johnson bill. This means working families who help build the schools, and others who work in the community will be significantly shortchanged on wages and benefits. It also means that communities will be shortchanged by substandard construction of schools. This Congress should be about lifting hard-working families up in the era of prosperity, not driving wages and benefits into the ground.

I also want to note that, once again, the Majority has included a minimum wage increase in a tax bill filed with poison pills. This scheme allows the Majority to claim they're for a minimum wage increase, while knowing full well they've blocked it by combining it with a special interest tax bill that can't become law. Let's be clear what this means. Democrats in Congress are for a minimum wage increase and would take action to make it happen. Republicans in Congress want to say they're for the minimum wage increase, while actively blocking its passage.

I urge a no vote on this bill.

MR. GOODLING. Mr. Speaker, improving retirement security has been a top priority of our Committee and of this Congress. We must expand access to private pension plans and make innovations that will maximize every American's opportunity for a safe, secure retirement. We are committed to strengthening the retirement security of workers and their families by expanding private pension coverage and protecting their pensions and retirement savings.

I want to address the important pension reform provisions contained in the conference report before us. It includes 22 provisions from H.R. 1102, the Comprehensive Retirement Security and Pension Reform Act, reported out of the Education and Workforce Committee on July 14, 1999 by a bipartisan voice vote.

These reforms will directly improve the retirement security of millions of American workers by expanding small business retirement plans, allowing workers to save more, making pensions more secure, and cutting the red tape that has hamstrung employers who want

to establish pension plans for their employees. The ERISA reforms include: granting relief from excessive PBGC premiums for new small business plans; accelerating the vesting of workers' accounts; repealing and modifying a wide range of unnecessary and outdated rules and regulations; providing more frequent benefits statements to workers; requiring enhanced disclosure and other protections when future pension benefits are reduced (as in the case of conversion to a cash balance plan); and repealing the so-called "full funding limit" that arbitrarily limits defined benefit plan funding to a less than actuarially sound level.

I am very pleased at the bipartisan nature of these pension provisions. The legislation reported out of our committee has a broad spectrum of support, and subcommittee chairman JOHN BOEHNER has been a leader in this Congress on pension reform. He has maintained this bipartisanship during his fine stewardship of the bill through our committee.

Pensions provide a needed backstop to our Social Security system for lower and middle-income workers—meaning the difference between retirement subsistence and real retirement security for millions. Fully 77% of current pension participants are middle and lower income workers. By taking action to expand pension availability this year, we will help those workers who are most in need of secure retirement savings.

I urge Members support for these changes that will improve the retirement years of American workers.

Strengthening our private, employer-based pension system is a critical issue for all Americans—especially the 76 million Baby Boomers who are nearing retirement age. This legislation increases retirement security for millions of Americans by strengthening that "third leg" of retirement security—our pension system. Today we take an important bipartisan step towards ensuring that American workers enjoy their golden years comfortable and secure.

#### GENERAL LEAVE

MR. TALENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2614.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

MS. VELAZQUEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 237, nays 174, answered "present" 1, not voting 21, as follows:

[Roll No. 560]

YEAS—237

Aderholt	Gilchrest	Oxley
Armey	Gillmor	Pease
Bachus	Gilman	Peterson (MN)
Baker	Goode	Petri
Ballenger	Goodlatte	Pickering
Barcia	Goodling	Pitts
Barr	Gordon	Pombo
Barrett (NE)	Goss	Porter
Bartlett	Graham	Portman
Barton	Granger	Pryce (OH)
Bass	Green (WI)	Quinn
Bentsen	Greenwood	Radanovich
Bereuter	Gutknecht	Ramstad
Berkley	Hall (TX)	Regula
Biggert	Hansen	Reynolds
Bilbray	Hastert	Riley
Bilirakis	Hastings (WA)	Roemer
Bishop	Hayes	Rogan
Blunt	Hayworth	Rogers
Boehlert	Hefley	Rohrabacher
Boehner	Herger	Ros-Lehtinen
Bonilla	Hill (MT)	Roukema
Bono	Hilleary	Royce
Boswell	Hobson	Ryan (WI)
Boucher	Hoekstra	Ryun (KS)
Boyd	Holt	Sabo
Brady (TX)	Horn	Saxton
Bryant	Hostettler	Scarborough
Burr	Houghton	Schaffer
Burton	Hulshof	Sensenbrenner
Buyer	Hunter	Sessions
Callahan	Hutchinson	Shadegg
Calvert	Hyde	Shaw
Camp	Isakson	Shays
Canady	Istook	Sherwood
Cannon	Jenkins	Shimkus
Capps	Johnson (CT)	Shows
Castle	Jones (NC)	Simpson
Chabot	Kasich	Siskis
Chambliss	Kelly	Skeen
Coble	King (NY)	Smith (MI)
Coburn	Kingston	Smith (NJ)
Collins	Knollenberg	Smith (TX)
Combest	Kolbe	Souder
Condit	Kuykendall	Spence
Cook	LaHood	Stabenow
Cooksey	Largent	Stearns
Cox	Latham	Sununu
Cramer	LaTourette	Sweeney
Crane	Leach	Talent
Cubin	Lewis (CA)	Tancred
Cunningham	Lewis (KY)	Tauscher
Davis (VA)	Linder	Tauzin
Deal	LoBiondo	Taylor (NC)
DeLay	Lucas (KY)	Terry
DeMint	Lucas (OK)	Thomas
Diaz-Balart	Luther	Thompson (CA)
Dickey	Maloney (CT)	Thornberry
Dooley	Manzullo	Thune
Doolittle	McCarthy (NY)	Tiahrt
Dreier	McCrery	Toomey
Duncan	McHugh	Traficant
Dunn	McInnis	Upton
Edwards	McIntyre	Vitter
Ehlers	McKeon	Walsh
Ehrlich	Mica	Wamp
Emerson	Miller (FL)	Watkins
English	Miller, Gary	Watts (OK)
Everett	Minge	Weldon (FL)
Ewing	Moore	Weldon (PA)
Fletcher	Moran (KS)	Weller
Foley	Morella	Weygand
Fossella	Myrick	Whitfield
Fowler	Nethercutt	Wicker
Frelinghuysen	Ney	Wilson
Galleghy	Northup	Wise
Ganske	Norwood	Wolf
Gekas	Nussle	Young (AK)
Gibbons	Ose	Young (FL)

NAYS—174

Abercrombie	Borski	Davis (IL)
Ackerman	Brown (FL)	DeFazio
Allen	Brown (OH)	DeGette
Andrews	Capuano	Delahunt
Archer	Cardin	DeLauro
Baca	Carson	Deutsch
Baird	Clay	Dicks
Baldacci	Clayton	Dingell
Baldwin	Clement	Dixon
Barrett (WI)	Clyburn	Doggett
Becerra	Conyers	Doyle
Berman	Costello	Engel
Berry	Coyne	Eshoo
Blumenauer	Cummings	Etheridge
Bonior	Davis (FL)	Evans



Farr	Lewis (GA)	Rivers
Fattah	Lipinski	Rodriguez
Filner	Lofgren	Rothman
Forbes	Lowey	Roybal-Allard
Ford	Maloney (NY)	Rush
Frank (MA)	Markey	Salmon
Frost	Mascara	Sanchez
Gejdenson	Matsui	Sanders
Gephardt	McCarthy (MO)	Sandlin
Gonzalez	McDermott	Sanford
Green (TX)	McGovern	Sawyer
Gutierrez	McKinney	Schakowsky
Hall (OH)	McNulty	Scott
Hastings (FL)	Meehan	Serrano
Hill (IN)	Meek (FL)	Sherman
Hilliard	Meeks (NY)	Shuster
Hinchey	Menendez	Skelton
Hinojosa	Millender	Slaughter
Hoefel	McDonald	Smith (WA)
Holden	Miller, George	Snyder
Hooley	Mink	Stark
Hoyer	Moakley	Stenholm
Inslee	Mollohan	Strickland
Jackson (IL)	Moran (VA)	Stump
Jackson-Lee	Murtha	Stupak
(TX)	Nadler	Tanner
Jefferson	Napolitano	Taylor (MS)
John	Neal	Thurman
Johnson, E. B.	Oberstar	Tierney
Jones (OH)	Obey	Towns
Kanjorski	Olver	Turner
Kaptur	Ortiz	Udall (CO)
Kennedy	Owens	Udall (NM)
Kildee	Pallone	Velazquez
Kilpatrick	Pascarell	Visclosky
Kind (WI)	Pastor	Walden
Kleccka	Pelosi	Waters
Kucinich	Phelps	Watt (NC)
LaFalce	Pickett	Weiner
Lampson	Pomeroy	Wexler
Lantos	Price (NC)	Woolsey
Larson	Rahall	Wu
Lee	Rangel	Wynn
Levin	Reyes	

ANSWERED "PRESENT"—1

Paul

NOT VOTING—21

Blagojevich	Franks (NJ)	Metcalf
Bliley	Johnson, Sam	Packard
Brady (PA)	Klink	Payne
Campbell	Lazio	Peterson (PA)
Chenoweth-Hage	Martinez	Spratt
Crowley	McCollum	Thompson (MS)
Danner	McIntosh	Waxman

□ 1722

Mr. KINGSTON and Mr. SHADEGG changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material on H.J. Res. 116.

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

There was no objection.

## FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2001

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the provisions of House Resolution 646, I call up the joint reso-

lution (H.J. Res. 116) making further continuing appropriations for fiscal year 2001, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 116 is as follows:

H.J. RES. 116

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 106-275, is further amended by striking the date specified in section 106(c) and inserting "October 27, 2000".*

The SPEAKER pro tempore. Pursuant to House Resolution 646, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a 1-day continuing resolution that would take us until midnight tomorrow night as we attempt to conclude the appropriations business.

Later this afternoon we will take up the Commerce, Justice, District of Columbia appropriations conference report. That leaves only one outstanding to be completed, and we hope to do that just as quickly as we can get together with our representatives from the President's office to come to some agreement.

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

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

Mr. Speaker, we have no choice but to vote for this CR, as the gentleman from Florida (Mr. YOUNG) indicates. Before we do, I think we need to simply take note of the fact that these continuing resolutions are supposed to enable us to get our work done so that we can finish the budget for the coming year.

I had the impression that what we were supposed to be doing during this time was to be resolving our differences so that in fact the time that we were spending would be spent in ways which would get us all home so that we could get on the campaign trail and occasionally introduce ourselves to our constituents. That would be nice.

□ 1700

The problem is that when we go through a day like we have gone through today, we simply wasted an entire day. If the idea is to go home as soon as possible, then today is a perfect example of how not to do that, because the State-Justice-Commerce appropriations bill which is about to come to the floor and the tax bill which has just left the floor are two examples of how we are farther apart from each other than we were when the day began.

All I would say is that there is no point in dragging this out. I would

hope that the majority party would recognize that rather than sending bills up to the President to veto, it would be better to actually resolve the differences between us. The main issue that still remains between us is the issue of funding for education and the issue of funding especially for school modernization and school construction. I hope that the majority will recognize that we are not going to be going home until that issue is resolved in a reasonable way.

Mr. Speaker, if the gentleman wants to yield back his time, I am prepared to yield back my time.

Mr. YOUNG of Florida. Mr. Speaker, if the gentleman will yield, I would like to yield myself 1 minute and then yield back my time if the gentleman is prepared to yield back his time.

Mr. OBEY. Mr. Speaker, if the gentleman is going to take a second kick at the cat, I will, too. It is up to him.

Mr. YOUNG of Florida. I did not have much of a first kick at the cat because there was so much noise in here I could not even hear myself and I was hoping the gentleman would conclude his remarks during that same period and then nobody would know what we said and we could pass this CR and get out of here.

Mr. OBEY. All I can say to the House is that if they have listened to him and they have listened to me, or if they have missed what either he or I said, they have not missed much.

Mr. YOUNG of Florida. Mr. Speaker, if the gentleman is ready to yield back, I am ready to yield back.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

I would just ask the Members to vote for this CR and let us get about the rest of the business for today.

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

The SPEAKER pro tempore (Mr. PEASE). All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to House Resolution 646, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 392, noes 10, not voting 30, as follows: