

|                |               |             |
|----------------|---------------|-------------|
| Mica           | Reyes         | Snyder      |
| Miller (FL)    | Reynolds      | Souder      |
| Miller, George | Riley         | Spence      |
| Minge          | Rivers        | Spratt      |
| Moakley        | Rodriguez     | Stearns     |
| Mollohan       | Roemer        | Strickland  |
| Moore          | Rogan         | Stump       |
| Moran (VA)     | Rogers        | Sununu      |
| Morella        | Rohrabacher   | Sweeney     |
| Murtha         | Ros-Lehtinen  | Tanner      |
| Myrick         | Rothman       | Tauscher    |
| Napolitano     | Roukema       | Tauzin      |
| Neal           | Roybal-Allard | Terry       |
| Nethercutt     | Rush          | Thomas      |
| Ney            | Ryan (WI)     | Thornberry  |
| Northup        | Ryun (KS)     | Thune       |
| Norwood        | Salmon        | Thurman     |
| Nussle         | Sanchez       | Tiahrt      |
| Obey           | Sanford       | Tierney     |
| Olver          | Sawyer        | Toomey      |
| Ortiz          | Saxton        | Towns       |
| Ose            | Scarborough   | Traficant   |
| Owens          | Schakowsky    | Turner      |
| Oxley          | Scott         | Upton       |
| Packard        | Sensenbrenner | Velazquez   |
| Pallone        | Serrano       | Walden      |
| Pastor         | Sessions      | Walsh       |
| Payne          | Shadegg       | Waters      |
| Pease          | Shaw          | Watkins     |
| Peterson (PA)  | Shays         | Watt (NC)   |
| Petri          | Sherman       | Watts (OK)  |
| Phelps         | Sherwood      | Waxman      |
| Pickering      | Shimkus       | Weiner      |
| Pitts          | Shows         | Weldon (FL) |
| Pombo          | Shuster       | Whitfield   |
| Pomeroy        | Simpson       | Wicker      |
| Porter         | Sisisky       | Wilson      |
| Portman        | Skeen         | Wolf        |
| Quinn          | Skelton       | Woolsey     |
| Radanovich     | Smith (NJ)    | Wu          |
| Rangel         | Smith (TX)    | Wynn        |
| Regula         | Smith (WA)    | Young (FL)  |

NAYS—47

|               |               |               |
|---------------|---------------|---------------|
| Baird         | Hefley        | Ramstad       |
| Bilbray       | Hill (MT)     | Sabo          |
| Borski        | Hilleary      | Schaffer      |
| Brady (PA)    | Hilliard      | Slaughter     |
| Capuano       | Holt          | Stark         |
| Condit        | Hulshof       | Stenholm      |
| Crane         | Kucinich      | Stupak        |
| Crowley       | LoBiondo      | Taylor (MS)   |
| DeFazio       | Markey        | Thompson (CA) |
| Dickey        | McDermott     | Thompson (MS) |
| English       | McNulty       | Udall (CO)    |
| Filner        | Moran (KS)    | Udall (NM)    |
| Gutierrez     | Oberstar      | Visclosky     |
| Gutknecht     | Pascrell      | Wamp          |
| Hall (OH)     | Peterson (MN) | Weller        |
| Hastings (FL) | Pickett       |               |

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—53

|                |              |             |
|----------------|--------------|-------------|
| Archer         | Gillmor      | Pelosi      |
| Blunt          | Hinchee      | Price (NC)  |
| Burton         | Horn         | Pryce (OH)  |
| Campbell       | Hyde         | Rahall      |
| Chenoweth-Hage | Jefferson    | Royce       |
| Clay           | Jones (OH)   | Sanders     |
| Coburn         | Kilpatrick   | Sandlin     |
| Collins        | Klink        | Smith (MI)  |
| Costello       | Lazio        | Stabenow    |
| Danner         | McCollum     | Talent      |
| Dingell        | McCrery      | Taylor (NC) |
| Emerson        | McIntosh     | Vento       |
| Engel          | Millender-   | Vitter      |
| Fattah         | McDonald     | Weldon (PA) |
| Ford           | Miller, Gary | Wexler      |
| Fossella       | Mink         | Weygand     |
| Franks (NJ)    | Nadler       | Wise        |
| Gibbons        | Paul         | Young (AK)  |

□ 1038

Mr. RYAN of Wisconsin changed his vote from "nay" to "yea."  
So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. TAYLOR of North Carolina. Mr. Speaker, on rollcall No. 488, I was unavoidably detained due to flight delays. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. HANSEN). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Recorded votes on postponed questions may be taken in several groups.

MISSING CHILDREN TAX FAIRNESS  
ACT OF 2000

Mr. RAMSTAD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5117) to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit for missing children, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5117

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Missing Children Tax Fairness Act of 2000".

SEC. 2. TREATMENT OF MISSING CHILDREN WITH RESPECT TO CERTAIN TAX BENEFITS.

(a) IN GENERAL.—Subsection (c) of section 151 of the Internal Revenue Code of 1986 (relating to additional exemption for dependents) is amended by adding at the end the following new paragraph:

"(6) TREATMENT OF MISSING CHILDREN.—

"(A) IN GENERAL.—Solely for the purposes referred to in subparagraph (B), a child of the taxpayer—

"(i) who is presumed by law enforcement authorities to have been kidnapped by someone who is not a member of the family of such child or the taxpayer, and

"(ii) who was (without regard to this paragraph) the dependent of the taxpayer for the taxable year in which the kidnapping occurred,

shall be treated as a dependent of the taxpayer for all taxable years ending during the period that the child is kidnapped.

"(B) PURPOSES.—Subparagraph (A) shall apply solely for purposes of determining—

"(i) the deduction under this section,

"(ii) the credit under section 24 (relating to child tax credit), and

"(iii) whether an individual is a surviving spouse or a head of a household (such terms are defined in section 2).

"(C) COMPARABLE TREATMENT FOR EARNED INCOME CREDIT.—For purposes of section 32, an individual—

"(i) who is presumed by law enforcement authorities to have been kidnapped by someone who is not a member of the family of such individual or the taxpayer, and

"(ii) who had, for the taxable year in which the kidnapping occurred, the same principal place of abode as the taxpayer for more than one-half of the portion of such year before the date of the kidnapping,

shall be treated as meeting the requirement of section 32(c)(3)(A)(ii) with respect to a taxpayer for all taxable years ending during the period that the individual is kidnapped.

"(D) TERMINATION OF TREATMENT.—Subparagraphs (A) and (C) shall cease to apply

as of the first taxable year of the taxpayer beginning after the calendar year in which there is a determination that the child is dead (or, if earlier, in which the child would have attained age 18)."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. RAMSTAD) and the gentleman from Pennsylvania (Mr. COYNE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. RAMSTAD).

GENERAL LEAVE

Mr. RAMSTAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5117, as amended.

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

There was no objection.

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

Mr. Speaker, I want to first thank the gentleman from Texas (Chairman ARCHER) of the Committee on Ways and Means for clearing this bill for the suspension calendar and to the majority leader, the gentleman from Texas (Mr. ARMEY), the gentleman from Illinois (Speaker HASTERT) for putting this important legislation on a fast track bringing it up today.

Mr. Speaker, imagine the horror of learning that a stranger has kidnapped your child. Then imagine the courage needed to keep alive the hope of your child's recovery and safe return. Imagine the costs, the financial costs, incurred by heartbroken parents spending every last penny searching for their abducted child.

Mr. Speaker, imagine an agency of the Federal Government that steals your hope, that tells you your child is no longer part of your household. It does not get any worse from out-of-touch Washington bureaucrats than to deny the family of a kidnapped child the dependency exemption, even though the family continues to spend thousands of dollars searching for their child and maintains the child's bedroom.

Unbelievable, but true. This is exactly what the Internal Revenue Service has been doing to families of missing and abducted children.

Beside me right here, Mr. Speaker, is a picture of a young boy who was stolen from his family in 1989 in Minnesota. His name is Jacob Wetterling, and his story has touched countless lives throughout Minnesota and our Nation. Jacob was abducted from the small community of St. Joseph, Minnesota when he was 11 years old. A masked gunman took Jacob from his bicycle while his brother and his friend watched helplessly.

His family has not heard from Jacob since that day, but we all hope and pray with them for his safe return, and

Jacob's family has turned his tragedy into a national effort that has helped hundreds and hundreds of missing children in this country.

Jacob's parents, Patty and Jerry Wetterling, founded the Jacob Wetterling Foundation, an organization that helps prevent and respond to child abductions. Patty Wetterling, as most of my colleagues remember, is a tireless advocate for children traveling around the country, educating communities about child safety.

□ 1045

It was Patty's work that inspired me to introduce the Jacob Wetterling bill several years ago. Those of my colleagues who are here remember Patty's effective lobbying efforts to pass that bill, walking the halls of Congress, coming to my colleagues' offices, testifying before the Committee on the Judiciary, working tirelessly on that important legislation, which is now the law of the land, requiring people who are convicted of crimes against children to register with law enforcement whenever they move into a community.

The Jacob Wetterling law is working thanks to Patty Wetterling and others who fought for that bill that protects American children from predators.

This picture, Mr. Speaker, shows Jacob as he looked at the time he was kidnapped in 1989, this first picture on my colleagues' left. The picture beside it shows how Jacob might look today. That has been age enhanced.

Mr. Speaker, if anyone, anyone has any information about Jacob, they should call 1-800-THELOST, 1-800-THE-LOST-T.

My thanks go to the National Center for Missing and Exploited Children, to Ernie Allen, and all those people there who work so hard with their help with this graphic and for all they do to help bring America's missing children home.

Mr. Speaker, the families of missing children fight countless battles. Fighting the IRS should not be one of them. In 1990, the year after Jacob was kidnapped, listen to this, Mr. Speaker, the year after this young boy was kidnapped, his parents, the Wetterlings, were informed they could no longer take the dependency exemption for Jacob on their tax return, this in spite of the fact the Wetterlings continued to spend a fortune looking for Jacob, making long distance phone calls, organizing searchers, printing fliers, mailing them throughout the Nation.

At the time, the Wetterlings did not fight the IRS. As Patty Wetterling said, one has to pick one's battles, and she was too exhausted from the other battles to fight the IRS.

Mr. Speaker, these families should not have to fight this battle. Congress needs to fight the battle for them and win it for families of abducted children.

This year, the IRS had a chance to clarify the dependency exemption for

abducted children. A family whose child was stolen by a stranger asked the IRS whether they could continue taking the dependency exemption. They were spending thousands of dollars searching for their child, maintaining the child's room and so forth. The IRS answered in August. Do my colleagues know what their answer was. No. Not in the years after one's child was abducted, even if one maintains the child's room and spends money searching for the missing child.

That is why I and a number of Members on both sides of the aisle introduced the bill before us today, H.R. 5117, the Missing Children Tax Fairness Act. This bill will clarify that families whose children are abducted by strangers can continue to take the dependency exemption. It also clarifies other areas of the law so these families will be held harmless with respect to the child tax credit, earned income tax credit, and filing status. The bottom line is this, Mr. Speaker, no families' taxes will increase simply because a stranger abducts their child.

Mr. Speaker, just last week, officials at the IRS were informed that this legislation would be considered by the House today. Then on Friday, just this last Friday, the IRS suddenly and dramatically reversed itself and issued another advice memorandum saying that these parents may be able to claim a dependency exemption after all. This is a welcome change of heart by the IRS, but this legislation is still needed.

First, the IRS advice memorandum does not establish legal precedent. As we all know, the IRS could very well flip-flop again. We also need to clarify other areas of the Tax Code dealing with children so these families will no longer face the possibility of a tax hike.

It is my understanding that a few years ago, another family whose child was abducted asked the IRS about the dependency exemption. The IRS told them flatly, quote from the IRS official, "We presume your child is dead." Mr. Speaker, it is time to put an end to that callous kind of response.

As Patty Wetterling put it best, "I always felt it was awfully cold for the IRS to profit from our great loss." Patty also said, and I am quoting, "I hope Congress will reverse the IRS and provide a huge emotional and financial relief for parents of missing and abducted children."

Mr. Speaker, I am grateful to my colleagues for the bipartisan outpouring of support for H.R. 5117. Again, I want to express my gratitude to the gentleman from Texas (Chairman ARCHER) for clearing this bill for the Suspension Calendar and to our House leadership for putting it on a fast track.

Finally, Mr. Speaker, I urge my colleagues to listen to parents of abducted children, parents like Patty and Jerry Wetterling. Support basic tax fairness and hope for families of missing and abducted children.

I urge, in the name of tax fairness and hope, passage of H.R. 5117.

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

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

Mr. Speaker, this bill before us today would codify the Internal Revenue Service's current position to allow a dependent exemption to the family of a missing child in the years after the child's abduction. This bill would also extend this fair approach to families with missing children for purposes of the child credit and earned income tax credit.

I support this bill, as does a broad bipartisan group of people in this Chamber and the administration. I want to applaud the cosponsors of this bill for bringing this to the attention of the committee on Ways and Means and particularly the gentleman from Minnesota (Mr. RAMSTAD). The gentleman from Minnesota (Mr. RAMSTAD) is the leading sponsor of the bill; and the gentlewoman from Florida (Mrs. THURMAN), the gentleman from New Jersey (Mr. MENENDEZ), and the gentleman from Tennessee (Mr. GORDON) are cosponsors of the legislation. They deserve our thanks for highlighting this problem and the area that it consumes in the tax laws of the country.

H.R. 5117, the Missing Children Tax Fairness Act of 2000, was introduced in response to an ill-advised IRS chief counsel and the advice in a memorandum that he presented which has, by the way, since been reversed.

On August 31, 2000, the New York Times reported that in April of this year, a taxpayer asked an IRS customer service representative if he could claim a dependent exemption for his kidnapped child for the 1999 tax year. The taxpayer also asked if the dependent exemption could be claimed in future years if the child's room was being maintained and money was being spent on such a search.

The IRS customer service representative contacted the IRS national office for a technical response. The IRS chief counsel's office replied that the allowance was legitimate in the year of the kidnapping but that in subsequent years no exemption could be claimed.

This is not the first time, as the gentleman from Minnesota (Mr. RAMSTAD) pointed out, that this issue has arisen. The press has reported a similar case involving 12-year-old Johnny Gosch who was kidnapped by a stranger in front of five witnesses in Des Moines, Iowa in 1982. His mother has said that the family's tax return was audited then in 1996 and the exemption that they claimed was denied the family.

Fortunately, the IRS has resolved this matter in the correct way and decided in favor of the family and similarly situated families. The IRS should be commended for acting in a timely fashion to resolve this particular sensitive matter. The bill is narrowly targeted and applies only when a child is abducted by a nonfamily member.

A study by the National Center for Juvenile Justice, a private research

group in Pittsburgh, Pennsylvania, found that only 24 percent of the abductions were carried out by strangers.

With bipartisan support and the support of the administration, it is appropriate that this bill be enacted into law. Without question, we should all support this bill and see its passage today.

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

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

Mr. Speaker, let me thank the gentleman from Pennsylvania (Mr. COYNE) for his kind words, the gentlewoman from Florida (Mrs. THURMAN) and the four other Members from his side of the aisle. I want to also thank the 22 Members from this side of the aisle who are co-sponsors of this bill.

I think we prove with this legislation that Congress can actually work in a bipartisan common sense way to right a wrong, to pass an important legislation.

Mr. Speaker, may I ask how much time is remaining.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Minnesota (Mr. RAMSTAD) has 10 minutes remaining. The gentleman from Pennsylvania (Mr. COYNE) has 16 minutes remaining.

Mr. RAMSTAD. Mr. Speaker, I yield 6 minutes to the gentleman from Arizona (Mr. HAYWORTH), an important member of the Committee on Ways and Means and a cosponsor of this legislation.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Minnesota for yielding to me.

Mr. Speaker, the glare of the camera lights is not present here. The press gallery is virtually empty. Yet, today, Mr. Speaker, with this legislation we will send a signal across America that I hope many in this town will heed. Because today, with passage of this legislation, we will reaffirm that there are members of both major parties here who are willing to put people before politics.

The gentleman from Minnesota (Mr. RAMSTAD) recounted it well. It is chilling, really, to think about the conversation that occurred between the mother of a missing child and an employee of the Federal Government, one charged presumably with the mission of service to our citizenry. In asking if the deduction for a dependent was still in effect, this Washington bureaucrat said, "No, we presume your child to be dead."

Mr. Speaker, is there anyone in this Chamber, no matter partisan label or political philosophy, who believes that was the right thing to do? Is there anyone who could condone that heartless act?

Our Founders warned us of placing overwhelming powers in the hands of a Federal bureaucracy. Individual freedoms are threatened; but, more importantly, common sense is often abandoned.

Now comes the welcome news, as the gentleman from Minnesota reports, and as the gentleman from Pennsylvania (Mr. COYNE) from the other side of the aisle confirms, that now the Internal Revenue Service has reconsidered. Small wonder, Mr. Speaker, that Justice Brandeis called sunlight the best disinfectant. But as our attention turns to other matters, the temptation for that callous group-think to overtake the Internal Revenue Service, again, I believe will be rife.

Mr. Speaker, I need not remind my colleagues that we have a constitutional mandate and responsibility to enact law, that that law is formulated in this Chamber, and signed into law at the other end of Pennsylvania Avenue by our Chief Executive.

Let us not leave this to bureaucratic women or, to be charitable, to misinterpretation. The stakes are too high for families ravaged by the trauma of losing a child.

□ 1100

Mr. Speaker, we should put ourselves in the place of those parents, the horror of the event, the uncertainty of the child's fate, and walking down a darkened hallway past an empty room; the daily fear and trauma that is as close literally as their own home. And to have this vast bureaucracy, in the name of compassion, take away from the treasure of that family and impose a penalty on that family for what can only be described as a horrible crime and a horrible curse, is deplorable.

My colleagues, we have a chance today to right that wrong. The press may not write about it, the punditocracy may leave it alone, but here is an opportunity to stand together to put people before politics and help parents in the most horrible of situations. Stand with us, regardless of partisan stripe, in the name of true compassion and common sense, and reject the heartless group-think of a bureaucracy out of touch with the American public. Reaffirm our constitutional responsibilities. Mr. Speaker, we need to right this wrong.

Mr. COYNE. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. COYNE) for yielding me this time, and I also want to thank the gentleman from Minnesota (Mr. RAMSTAD) for bringing forward this legislation. I want to associate myself with the gentleman's entire statement, and I think each Member of this body concurs in the passion the gentleman has brought to this legislation. I expect and hope that it will receive unanimous support in this body.

Mr. Speaker, let me point out that the IRS has made tremendous progress over the last several years, thanks in large measure to the attention of this body and the leadership of Commissioner Rossotti in leading the IRS.

They have made a lot of progress. But as this legislation points out, there is still more progress that we need to make collectively, in partnership, between the IRS and the legislative branch of government.

The IRS has conceded the point in this bill, but the gentleman from Minnesota (Mr. RAMSTAD) is correct, it is important that we pass this legislation because it is our responsibility to clarify the law. If there is any ambiguity on this point, we should speak very clearly for the taxpayer, because the taxpayer is correct in this situation, understanding that the IRS is responsible to interpret our laws.

Let me make one additional point, if I might, Mr. Speaker, and that is, as I pointed out, there is joint responsibility here between the executive and the legislative branch. We assumed and clarified that in the IRS Restructuring Act. We are now debating in conference the appropriation bill that includes the IRS. And let me just make the point that the IRS needs our continued support, which includes adequate tools to do the work we expect them to do, so that we have less of the types of emotional exchanges that occurred in this case.

There will always be problems, we know that; but let us provide the tools that we said we would to the IRS. Let us make sure the appropriation bill that is brought out of conference adequately finances the IRS and that we continue our oversight function. And I want to thank the gentleman from New York (Mr. HOUGHTON) and the gentleman from Pennsylvania (Mr. COYNE) for the work they do on the Ways and Means in oversight of the IRS. They are doing a tremendous service to this Nation.

This legislation should pass, but we should continue our commitment to support with adequate resources the IRS.

Mr. COYNE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of this bill and congratulate the leadership on both sides of the aisle for bringing it to the floor for a vote today.

The IRS made a terrible decision for an aggrieved American family, and I believe every mother and father can identify with the sorrow that the family felt when they lost their child through kidnapping. The child was kidnapped and the IRS said the family could not take a child dependent tax benefit due to a legal interpretation of support. The family merely asked if the dependent exemption could be claimed in future years if the child's room was kept intact and money was being spent on the search for the child.

I am glad that the IRS reversed themselves yesterday. Their first response was callous, to say the least. The IRS should not profit or benefit from a child that is missing or one that

has been abducted. But as my colleagues have pointed out on both sides of the aisle, it is important that we take steps for the future so that this is not a sorrow or a problem that other families confront.

I do not believe that there is any opposition to this bill. Everyone I know has spoken to me of their strong support for it. But I would like to mention a bill that will be coming up for which there may be some opposition, and I believe it is the most important bill before Congress, which has the bipartisan support of the Women's Caucus, and that is the Violence Against Women's Act.

Enacted in 1994, VAWA has already provided crucial judicial and law enforcement training on violence against women, shelters for abused women, a national hot line that logs over 13,000 calls a month, and child abuse prevention programs that run across this country.

Two weeks ago, the Democratic leadership raised this issue directly with the President and the Republican leadership and sent a letter to Speaker HASTERT demanding a vote on this bill. I quote from the minority leader, the gentleman from Missouri (Mr. GEPHARDT), in part. He said, "This is an epidemic problem in this country and we need to put the Federal Government behind it."

I will put his letter in the RECORD and also mention that this is the first time that I have seen the Democratic leadership take a women's abuse issue and make it a top priority for the Democratic caucus. I congratulate the leadership and the many women in this body who have worked for years on this issue; my good friend, the gentlewoman from Maryland (Mrs. MORELLA), the gentlewoman from Illinois (Mrs. BIGGERT), and others.

Mr. Speaker, I call upon my colleagues to have the same support for the Violence Against Women Act that we have for this correction for the child deduction and the IRS. And again, I congratulate the leadership on both sides of the aisle on this important bill.

Mr. Speaker, I include the letter I just referred to for the RECORD:

CONGRESS OF THE UNITED STATES,  
Washington, DC, September 12, 2000.

Hon. J. DENNIS HASTERT,  
Speaker, U.S. House of Representatives, Washington, DC.

DEAR SPEAKER HASTERT: We write to request that you bring H.R. 1248, the Violence Against Women Act of 2000 ("VAWA") introduced by Representative Connie Morella, before the full House for consideration as soon as possible. H.R. 1248 has 224 bipartisan cosponsors and the support of domestic violence and sexual assault groups nationwide.

H.R. 1248 was referred to the Committee on the Judiciary, the Committee on Education and the Workforce, and the Committee on Commerce. The Committee on the Judiciary favorably approved H.R. 1248 by a voice vote on June 27, 2000, but unfortunately, the Committee on Education and Workforce and the Committee on Commerce have failed to consider this legislation. H.R. 1248 is stalled de-

spite the fact that VAWA funding authorization expires on September 30, 2000. In recognition of this fact, the Senate last week hotlined the Biden-Hatch version of VAWA, S. 2787.

H.R. 1248 reauthorizes programs created by the Violence Against Women Act of 1994 for five years beyond 2000. It continues funding for VAWA programs such as law enforcement and prosecution grants to combat violence against women, the National Domestic Violence Hotline, battered women's shelters and services, education and training for judges and court personnel, pro-arrest policies, rural domestic violence and child abuse enforcement, stalker reduction, and others. As passed by the Judiciary Committee, the bill also authorizes funding for new programs such as civil legal assistance, transitional housing, and a pilot program for supervised child visitation centers.

VAWA programs have made a crucial difference in the lives of domestic violence victims and their families. Since the passage of VAWA, intimate partner violence is down almost ten percent. Nevertheless, domestic violence is still too common, and each year about 850,000 violent crimes are committed against women by their current or former husbands or boyfriends. We must continue the commitment Congress made in 1994 to combat this violence.

We hope you will agree that VAWA reauthorization is an urgent priority, and will therefore encourage expedited Committee review and consideration by the full House as soon as possible.

Sincerely,

Richard A. Gephardt, Democratic Leader;  
John Conyers, Jr., Ranking Member,  
Committee on the Judiciary; William Clay,  
Ranking Member, Committee on Education and the Workforce;  
John D. Dingell, Ranking Member,  
Committee on Commerce.

Mr. COYNE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON), chairman of the Missing and Exploited Children's Caucus in the Congress.

Mr. LAMPSON. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to particularly start out by thanking the gentleman from Minnesota (Mr. RAMSTAD) for introducing the Missing Children's Fairness Act. This is a piece of legislation that is indeed greatly needed.

I was informed this morning, as the gentleman from Minnesota had stated, that under pressure from lawmakers the Internal Revenue Service has reversed a decision disqualifying parents from taking tax deductions for kidnapped children. While I am happy to hear that the IRS is reversing its decision, I am disheartened that it took the threat of legislation passing to go this route.

I come from a part of Texas where there have been a significant number of stranger abductions and deaths, particularly of young girls. We have had 27 in the last 12 years. I know the pain and suffering that these families go through, and to have this other kind of hardship tossed on them through a thoughtless act, in my opinion, just further complicates the effort that we are trying our best to make here in the United States House of Representatives by bringing the bond of a parent and a child closer, by making it easier for

parents to search for their children, and to keep the hope alive that exists when a child is missing and they do not know where that young person might be.

This change in the form of an advisory opinion means that any parent whose child is abducted by a person outside the family may take the same deduction as any other parent with a dependent child: \$2,800. People whose children are abducted suffer enough, and they should not have to have the IRS compound their suffering with more emotional or financial burden.

This bill will help many parents who continue to maintain their children's room, and maintain hope, more importantly, that their children will be found; people like C.H. and Suzy Caine, whose daughter Jessica was taken away a little over 2 years ago and they still have no clue as to where she is. They spend hundreds of thousands of dollars searching for their children and then find themselves hit with the fact that their child cannot be claimed as a deduction after the first year. They are already living with a tragedy.

I ask that we support this bill and thank the gentleman for introducing it.

Mr. COYNE. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

Mr. RAMSTAD. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Minnesota (Mr. RAMSTAD) has 4 minutes remaining.

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. COYNE) and my friends on the other side of the aisle for their kind supportive, kind comments this morning. I appreciate them.

Mr. Speaker, we have a chance today to prove that Congress can work in a bipartisan, or as my governor, Governor Jesse Ventura, constantly reminds me, in a tripartisan timely way to right a wrong, to respond to a horrible, horrible antifamily, cruel and heartless ruling by the IRS.

Now, as Mr. CARDIN stated, and I join in his remarks, this is not a blanket condemnation of the IRS or all the good people who work there, and there are many good people who work there. This is aimed at this particular ruling, which can only bring more pain and devastation than the family of a missing abducted child can bear. We need to right this wrong. And we have a chance, with an overwhelming yes vote on H.R. 5117, to bring relief to these families who have already suffered so much.

I want to finally, Mr. Speaker, thank again Patty Wetterling and the Jacob Wetterling Foundation for their work on this legislation and all their work throughout the year, every single day, to help families of missing children. I want to thank Ernie Allen, of the Center for Missing and Exploited Children, for the work they do. I also want to

thank the gentleman from Texas (Mr. ARCHER), and the Speaker, the gentleman from Illinois (Mr. HASTERT), as well as the majority leader, the gentleman from Texas (Mr. ARMEY), for putting this important legislation on a fast track.

I would also like to thank the tax staff of the Committee on Ways and Means, particularly Chris Smith, who has worked hard on this legislation; my staff, particularly Dean Peterson and Karin Hope, my tax counsel on the Committee on Ways and Means, who have worked late nights getting this bill ready for today.

This has been a team effort. Again, we have proven that we can work together and join hands for an important bill on behalf of the American people.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. RAMSTAD) that the House suspend the rules and pass the bill, H.R. 5117, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### BAYLEE'S LAW

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (4519) to amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration, as amended.

The Clerk read as follows:

H.R. 4519

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

#### TITLE I—BAYLEE'S LAW

##### SEC. 101. SHORT TITLE.

This title may be cited as "Baylee's Law".

##### SEC. 102. SAFETY AND SECURITY OF CHILDREN IN CHILDCARE FACILITIES.

The Public Buildings Act of 1959 (40 U.S.C. 601 et seq.) is amended by adding at the end the following:

##### "SEC. 22. SAFETY AND SECURITY OF CHILDREN IN CHILDCARE FACILITIES.

"(a) WRITTEN NOTICE TO PARENTS OR GUARDIANS.—

"(1) INITIAL NOTIFICATION.—Before the enrollment of any child in a childcare facility located in a public building under the control of the Administrator, the Administrator shall provide to the parents or guardians of the child a written notification containing—

"(A) an identification of the current tenants in the public building; and

"(B) the designation of the level of security of the public building.

"(2) NOTIFICATION OF NEW TENANTS.—After providing a written notification to the parents or guardians of a child under paragraph

(1), the Administrator shall provide to the parents or guardians a written notification if any new Federal tenant is scheduled to take occupancy in the public building.

"(b) NOTIFICATION OF SERIOUS THREATS TO SAFETY OR SECURITY.—As soon as practicable after being informed of a serious threat, as determined by the Administrator, that could affect the safety and security of children enrolled in a childcare facility in a public building under the control of the Administrator, the Administrator shall provide notice of the threat to the parents or guardians of each child in the facility.

"(c) REPORT TO CONGRESS.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall transmit to Congress a comprehensive report on childcare facilities in public buildings under the control of the Administrator.

"(2) CONTENTS.—The report to be transmitted under paragraph (1) shall include—

"(A) an identification and description of each childcare facility located in a public building under the control of the Administrator; and

"(B) an assessment of the level of safety and security of children enrolled in the childcare facility and recommendations on methods for enhancing that safety and security.

"(3) WINDOWS AND INTERIOR FURNISHINGS.—In conducting an assessment of a childcare facility under paragraph (2)(B), the Administrator shall examine the windows and interior furnishings of the facility to determine whether adequate protective measures have been implemented to protect children in the facility against the dangers associated with windows and interior furnishings in the event of a natural disaster or terrorist attack, including the deadly effect of flying glass."

#### TITLE II—FEDERAL PROTECTIVE SERVICE REFORM

##### SEC. 201. SHORT TITLE.

This title may be cited as the "Federal Protective Service Reform Act of 2000".

##### SEC. 202. DESIGNATION OF POLICE OFFICERS.

The Act of June 1, 1948 (40 U.S.C. 318-318d), is amended—

(1) in section 1 by striking the section heading and inserting the following:

"SECTION 1. POLICE OFFICERS.;"

(2) in sections 1 and 3 by striking "special policemen" each place it appears and inserting "police officers";

(3) in section 1(a) by striking "uniformed guards" and inserting "certain employees"; and

(4) in section 1(b) by striking "Special policemen" and inserting the following:

"(1) IN GENERAL.—Police officers".

##### SEC. 203. POWERS.

Section 1(b) of the Act of June 1, 1948 (40 U.S.C. 318(b)), is further amended—

(1) by adding at the end the following:

"(2) ADDITIONAL POWERS.—Subject to paragraph (3), a police officer appointed under this section is authorized while on duty—

"(A) to carry firearms in any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States;

"(B) to petition Federal courts for arrest and search warrants and to execute such warrants;

"(C) to arrest an individual without a warrant if the individual commits a crime in the officer's presence or if the officer has probable cause to believe that the individual has committed a crime or is committing a crime; and

"(D) to conduct investigations, on and off the property in question, of offenses that

have been or may be committed against property under the charge and control of the Administrator or against persons on such property.

"(3) APPROVAL OF REGULATIONS BY ATTORNEY GENERAL.—The additional powers granted to police officers under paragraph (2) shall become effective only after the Commissioner of the Federal Protective Service issues regulations implementing paragraph (2) and the Attorney General of the United States approves such regulations.

"(4) AUTHORITY OUTSIDE FEDERAL PROPERTY.—The Administrator may enter into agreements with State and local governments to obtain authority for police officers appointed under this section to exercise, concurrently with State and local law enforcement authorities, the powers granted to such officers under this section in areas adjacent to property owned or occupied by the United States and under the charge and control of the Administrator.;" and

(2) by moving the left margin of paragraph (1) (as designated by section 202(4) of this Act) so as to appropriately align with paragraphs (2), (3), and (4) (as added by paragraph (1) of this subsection).

##### SEC. 204. PENALTIES.

Section 4(a) of the Act of June 1, 1948 (40 U.S.C. 318c(a)), is amended to read as follows:

"(a) IN GENERAL.—Except as provided in subsection (b), whoever violates any rule or regulation promulgated pursuant to section 2 shall be fined or imprisoned, or both, in an amount not to exceed the maximum amount provided for a Class C misdemeanor under sections 3571 and 3581 of title 18, United States Code."

##### SEC. 205. SPECIAL AGENTS.

Section 5 of the Act of June 1, 1948 (40 U.S.C. 318d), is amended—

(1) by striking "nonuniformed special policemen" each place it appears and inserting "special agents";

(2) by striking "special policeman" and inserting "special agent"; and

(3) by adding at the end the following: "Any such special agent while on duty shall have the same authority outside Federal property as police officers have under section 1(b)(4)."

##### SEC. 206. ESTABLISHMENT OF FEDERAL PROTECTIVE SERVICE.

(a) IN GENERAL.—The Act of June 1, 1948 (40 U.S.C. 318-318d), is amended by adding at the end the following:

"SEC. 6. ESTABLISHMENT OF FEDERAL PROTECTIVE SERVICE.

"(a) IN GENERAL.—The Administrator of General Services shall establish the Federal Protective Service as a separate operating service of the General Services Administration.

"(b) APPOINTMENT OF COMMISSIONER.—

"(1) IN GENERAL.—The Federal Protective Service shall be headed by a Commissioner who shall be appointed by and report directly to the Administrator.

"(2) QUALIFICATIONS.—The Commissioner shall be appointed from among individuals who have at least 5 years of professional law enforcement experience in a command or supervisory position.

"(c) DUTIES OF THE COMMISSIONER.—The Commissioner shall—

"(1) assist the Administrator in carrying out the duties of the Administrator under this Act;

"(2) except as otherwise provided by law, serve as the law enforcement officer and security official of the United States with respect to the protection of Federal officers and employees in buildings and areas that are owned or occupied by the United States and under the charge and control of the Administrator (other than buildings and areas