

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mr. MACK (for himself, Mr. TORRICELLI, Mr. HELMS, Mr. LOTT, and Mr. GRAHAM):

S. 1999. A bill for the relief of Elian Gonzalez-Brotos; read the first time.

By Mrs. FEINSTEIN:

S. 2000. A bill for the relief of Guy Taylor; to the Committee on the Judiciary.

By Mr. GRAMS:

S. 2001. A bill to protect the Social Security and Medicare surpluses by requiring a sequester to eliminate any deficit; to the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977.

By Mrs. FEINSTEIN:

S. 2002. A bill for the relief of Tony Lara; to the Committee on the Judiciary.

By Mr. DASCHLE (for Mr. JOHNSON (for himself, Mr. COVERDELL, and Mr. MCCAIN)):

S. 2003. A bill to restore health care coverage to retired members of the uniformed services; to the Committee on Veterans Affairs.

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## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT:

S. Res. 242. A resolution notifying the President that the Senate is ready to proceed to business; considered and agreed to.

S. Res. 243. A resolution notifying the House that the Senate is ready to proceed to business; considered and agreed to.

By Mr. LAUTENBERG (for himself and Mr. TORRICELLI):

S. Res. 244. A resolution expressing sympathy for the victims of the tragic fire at Seton Hall University in South Orange, New Jersey on January 19, 2000; considered and agreed to.

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## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 2000. A bill for the relief of Guy Taylor; to the Committee on the Judiciary.

## PRIVATE RELIEF LEGISLATION

Mrs. FEINSTEIN. Mr. President, I am pleased to offer today, legislation that would provide lawful permanent residence status to Guy Taylor, a Canadian national who was orphaned at age 16. Guy is now 18.

Guy Taylor was born in Canada but spent the first half of his life in the United States attending school and living with his mother. Guy's father died before he was born. In the summer of 1998, his mother died of a drug overdose. This left him without any other family except for his extensive family in Southern California.

Upon his mother's death, Guy's grandmother, Oleta Hansen, flew to Canada to secure her daughter's body and bring her grandchild back to the United States.

The Immigration and Naturalization Service (INS) allowed Guy to temporarily enter the United States by granting him a one-year humanitarian parole. Once the parole expired, the INS extended for one more year. This is a very rare act on the INS' part.

Initially, Guy had sought to obtain permanent resident status by being declared a dependent of a United States court. However, the Orange County, California Social Services referee declined to name Guy a court dependent because he was considered to be under the guardianship of his grandmother.

Because the INS has declared Guy too old to be a dependent of his grandmother, Guy is unable to obtain permanent residence in the United States. Immigration law prohibits permanent legal residency to minor children under the age of twenty-one without their parents.

Guy's dream is to join the United States Army. Although Guy's Army recruiter said he has successfully tested and is qualified for enlistment, without permanent resident status, Guy will be unable to join.

Today Guy, a first-year college student and a young man willing to fight for his adopted country, faces deportation.

News about this young man's imminent deportation has shaken the community in southern California. More than 1,000 of Guy's friends and neighbors have signed a petition calling for legislation on his behalf.

I hope you support this bill so that we can help Guy rebuild his life and continue to contribute to his community in the United States.

Mr. President, I also ask unanimous consent that the bill and a recent news article depicting the compelling circumstances of Guy Taylor's life be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2000

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

## SECTION 1. PERMANENT RESIDENT STATUS FOR GUY TAYLOR.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Guy Taylor shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Guy Taylor enters the United States before the filing deadline specified in subsection (c), he shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status are filed with appropriate fees within 2 years after the date of enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Guy Taylor, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

ONE LAST HOPE FOR TEENAGER WHO DESERVES A BREAK  
(By Mike Downey)

The calls and letters came in regularly for a while.

"So what became of Guy Taylor?" "What-ever happened to that poor kid from Orange County they were trying to kick out of the country?" It was a story that amazed people, confused people. How could an orphan be ordered to leave his grandparents in the United States and be required to live where he has no family at all?

Eventually, though, everyone forgot Guy and got on with their own lives. The news crews were gone, because nothing was new. No politician came through for Guy in the nick of time, here in a land where campaign speeches preach family values. No loophole in the law was located. No judge found it in his heart to cite extenuating circumstances for a boy who had done nothing wrong.

Guy Taylor could have a country without a home, but no home without a country.

He was born in Canada. He was 16 when his mother died. (The father's identity is unknown.) He celebrated his 17th birthday and high school graduation in Garden Grove, where he came to live with his grandparents. The law said they could be Guy's guardians but not legally adopt him. A judge refused in July to make him a ward of the court, because he was too old.

Unable to establish permanent residence and gain a green card, Guy, who turned 18 a few weeks ago, faces expulsion from the United States.

"What will you do?" he is asked.

"I try not to think about it," he says.

Actually, it is unfair to say that Guy Taylor has been forgotten by all. Not long ago, for example, a United Parcel Service deliveryman was making his rounds in downtown Los Angeles when he spotted Carl Shusterman.

"Hey, aren't you the lawyer who represented that nice kid they were trying to deport to Canada?" the UPS guy inquired.

"Yes, that's me," Shusterman said.

"Whatever happened to him?"

Susterman still hears this question here and there. This case isn't typical of the immigration cases he usually handles. It touched a nerve.

Guy's mother died in Canada from a drug overdose. His grandmother was 17 when she gave birth there. Here's where it gets complicated: To adopt a grandson, the law stipulates she needed to be a U.S. citizen before giving birth (which she was), needed to live in the U.S. for 10 years before giving birth (which she did), but five of those 10 years had to follow her 14th birthday (which they didn't).

The family has tried everything it can think of, including petitions and appeals to politicians, to keep Guy here.

"Show him your Native American card," Shusterman tells him in his law office.

Guy slides a laminated badge across a conference table. Issued by the U.S. Department of the Interior, Bureau of Indian Affairs, it identifies Guy Douglas Taylor as officially being of "½nd Choctaw" heritage.

Since exemptions are given to Native Americans in immigration matters, Guy's grandmother, Oleta Hansen, who has some Choctaw blood in her, figured it was worth a try. That's how desperate she and her husband, Charles, are to keep their grandson from being sent away. Unfortunately, it wasn't quite enough Choctaw blood.

The best—perhaps last—chance for Guy could be Sen. Dianne Feinstein, who could introduce a private bill to Congress on the boy's behalf. Her office has been receptive, Shusterman says. And such a bill is not without precedent. Earlier this year, Rep. Bill McCollum (R.-Fla.) proposed one on behalf of Robert Anthony Broley, a 32-year-old felon deported to Canada after serving four years in a Florida prison on 13 counts, including forgery and theft.

Shusterman does not believe it a coincidence that Broley's father is the Republican Party treasurer in McCollum's home district.

"How about a young guy right here," Shusterman says of the boy by his side, "who's been in no trouble at all?"

So here sits Guy, in need of a holiday miracle.

A temporary visa was extended one last time, to next summer. He takes classes at Cypress College and wants to join the U.S. Army, but can't without a green card.

"He's a good boy who does his schoolwork and his chores," his grandmother says. "We're all he has left I was born here. My husband was born here. We want our grandson here with us."

They were with him at lunch Tuesday, when that same UPS driver happened by.

"Remember that nice kid you asked me about?" Shusterman said. "This is him."

By Mrs. FEINSTEIN:

S. 2002. A bill for the relief of Tony Lara; to the Committee on the Judiciary.

PRIVATE RELIEF LEGISLATION

Mrs. FEINSTEIN. Mr. President, I am pleased to offer today, legislation to provide lawful permanent residence status to Tony Lara, a remarkable young man from El Salvador who has lived in the United States since he was 10 years old.

Tony's story is particularly compelling. In less than twenty years of this young man's life, Tony has faced one tragic setback after another. However, through his optimism, intelligence, and hard work, he has bravely confronted challenges that most would view as insurmountable. In spite of enormous odds, Tony has become a high school graduate, a California State Wrestling Champion and an inspiration to his community.

An unfortunate chapter in Tony's story is that he faces deportation and separation from his younger sister because at age nineteen, Tony is an orphan. Immigration law prohibits permanent legal residency to minor children under the age of twenty-one without their parents.

Ten years ago, Tony Lara and his younger sister Olga were brought to the United States by their parents who were fleeing the civil war in El Salvador. That same year, Tony's mother was deported back to El Salvador. She tragically died in a drowning accident while trying to reenter the United States. Tony's father turned to drugs,

abandoned his children and was eventually deported in 1994. He has not heard from him since. At age 11, Tony became a surrogate father to his younger sister.

Tony and his sister were taken in by an uncle who had neglected to care for them. Eventually, Tony's neighbors, Philip and Linda Bracken, invited the children to live with them. The Brackens later adopted Olga, who now has permanent residency in this country. The couple lacked the resources, however, to adopt Tony and at age 16, Tony was left without a home.

Unfortunately, the adults to which Tony turned for advice counseled against turning himself in to the Department of Children Services. They feared he could be deported and would never see his sister again. Tony could not bear losing the only family he had left; thus he remained on his own.

In 1996, Tony met his high school's wrestling coach, Terrence Fisher. Mr. Fisher knew little about Tony's circumstances, but he noticed his slight build and extreme sadness. When the coach had discovered Tony was homeless and hungry, he invited him to live with his family. Mr. Fisher also invited Tony to try out for the school's wrestling team. Although he had never wrestled before, Tony was truly a natural.

By his senior year, Tony had worked hard and captured the California state wrestling championship for his age group and weight class. He had also excelled socially and academically. After Tony graduated from high school, he continued to win wrestling championships and has become a role model in his community. He is continuing his education by studying business at West Valley Occupational Center.

Tony has been featured on two television programs. In 1998, he was featured on an NBC news program called "Beating the Odds," which was about young people of great achievement who have overcome enormous obstacles. Last year, Tony was featured on a Univision hour-long special program, which also spoke to Tony's special circumstances.

I can think of no one more deserving of permanent residency in this country.

Mr. President, I ask unanimous consent that the attached bill be entered into the record with this statement.

Mr. President, I also ask unanimous consent that the bill and a letter from Terrence Fisher, high school coach, which illustrates the compelling nature of young man's circumstance, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2002

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

**SECTION 1. PERMANENT RESIDENT STATUS FOR TONY LARA.**

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Im-

migration and Nationality Act, Tony Lara shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Tony Lara enters the United States before the filing deadline specified in subsection (c), he shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status are filed with appropriate fees within 2 years after the date of enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Guy Taylor, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

TERRENCE FISHER,

*Northridge, CA, September 12, 1999.*

Senator DIANNE FEINSTEIN,  
*Hart Senate Building,*  
*Washington, DC.*

DEAR SENATOR FEINSTEIN: I am a United States citizen and reside with my wife and children in Northridge, California. For the past nine years, I have taught music and coached wrestling, football, and track at El Camino High School in Woodland Hills, California. I write to ask your help in sponsoring a private bill to grant Gerardo ("Tony") Lara permanent residency.

Tony is a nineteen year old national of El Salvador who has resided in this country since 1990, and against all odds, has become a high school graduate and California State Wrestling Champion. In 1990, Tony and his sister Olga were brought to the United States by their parents who were fleeing civil war. Tony and Olga were then ten and four years old, respectively.

The same year, Tony's mother was deported back to El Salvador. When she again fled civil war in her country and tried to reenter the United States, she died in a drowning accident. Tony's father turned to drugs, effectively abandoning Tony and Olga in the United States. From 1991 on, Tony became a surrogate father to his baby sister.

Between 1990 and 1996, Tony somehow managed to survive and care for his sister. Tony's father was jailed repeatedly for drugs and in 1994 was finally deported. Tony and Olga were given free housing in their uncle's rented apartment, but the uncle was almost never home. Eventually Tony's neighbors, Philip and Linda Bracken, invited Olga to live with them. Olga's relationship with the Brackens became increasingly close, and they eventually adopted Olga. Because of the adoption, Olga now has permanent residency in this country. The Brackets lacked the resources to adopt Tony along with his sister.

Tony was left on his own. When he had money, he would eat at fast food restaurants. When he did not have money, he would ask his friends for food. Sadly, all adults whom Tony sought help from about

his situation told him that if he turned himself in to the Department of Children Services, he could be deported and would never see his sister again. Tony could not bear losing the only family he had left, and thus remained on his own.

I met Tony in 1996 when he was a student at El Camino Real High School. Tony was a tiny kid, just the size to qualify as a wrestler in the 105-pound division. Though Tony had no wrestling experience, I invited him to try out for the school's wrestling team. Tony had never wrestled before but was a natural. By his senior year, he captured the California state championship for his age group and weight class. I've never coached anyone who works as hard as has Tony.

I initially knew little of Tony's background, but noticed his extreme sadness. When I asked Tony why he was so sad, he confided in me that he was homeless and hungry. I then invited Tony to live with my family. Tony shares a bedroom with my son. Since moving in with our family, Tony has prospered both socially and academically. I am sure that is because for the first time since he was ten, he has had the loving support of a family and adequate food and shelter. Tony graduated high school and continues to win championships. He is continuing his education by studying business at West Valley Occupational Center.

Tony has no legal immigration status. His inability to secure permanent residency cannot be attributed to any lack of effort on Tony's part. Tony has a list of forty professionals (lawyers, teachers and guidance counselors) he sought legal advice from. Time and time again, he was told that if the authorities knew of his immigration status or the fact that had no parents in the United States, he would be separated forever from his baby sister. The tragedy is that we now know that had Tony become a ward of the court before age 16, he could have filed a special immigrant visa petition and obtained legal status. And had suspension of deportation not been eliminated in the 1996 immigration law, Tony would easily have qualified for suspension of deportation.

I am asking for your assistance in sponsoring a private bill on Tony's behalf. I am told that the enactment of a private bill is extremely rare and a real longshot. But Tony's whole life has been a longshot, and I believe that he will overcome the difficulties of securing permanent residency just as he has overcome all the many other obstacles in his life.

In a time where anti-immigrant sentiments still run high in California, it is important to remember that it was not Tony's choice that his parents fled to the United States during a time of civil war, and it was not his choice that his mother drown in a river or that his father turn to drugs. It was Tony's choice to overcome these tragedies, to care for his baby sister, and to succeed as a high school graduate and a state wrestling champion. To recognize these achievements, Tony was featured in an NBC news program called "Beating the Odds."

The United States would undoubtedly benefit from the contributions that Tony will make as a permanent resident in this country, and I can think of no young man more deserving of our country's support. It is hard to imagine Tony now returning to El Salvador. He would suffer not only extreme poverty (Tony has a weak command of Spanish and no ability to write in Spanish) but extreme emotional distress from losing the family support he has finally found at my home. Most importantly, Tony would suffer the loss of contact with his U.S. citizen sister, now age 12. Our family would also suffer if separated from Tony, as he has truly become a member of our family and the community in which we work and live.

I look forward to meeting with you further to discuss my request for your assistance. I am joined in asking for your support from the people listed on the attached pages. I thank you in advance for your consideration of this matter.

Sincerely,

TERRENCE FISCHER.

By Mr. DASCHLE (for Mr. JOHNSON (for himself, Mr. COVERDELL, and Mr. MCCAIN):

S. 2003. A bill to restore health care coverage to retired members of the uniformed services; to the Committee on Veterans' Affairs.

KEEP OUR PROMISE TO AMERICA'S MILITARY RETIREES ACT

Mr. JOHNSON. Mr. President, I am pleased to join Senator PAUL COVERDELL and Senator JOHN MCCAIN today in introducing the Keep Our Promise to America's Military Retirees Act. This legislation honors our nation's commitment to the men and women who served in the military by upholding the promise of health care coverage in return for their selfless dedication.

Last year, the Senate began to address critical recruitment and retention problems currently facing our nation's armed services. The pay table adjustments and retirement reform enacted in the fiscal year 2000 Department of Defense Authorization bill were both long overdue improvements for our active duty military personnel. However, these improvements do not solve our country's difficulty in recruiting and keeping the best and the brightest in the military. In order to maintain a strong military for now and in the future, our country must show that it will honor its commitment to military retirees and veterans as well.

For years, men and women who joined the military were promised lifetime health care coverage for themselves and their dependents. Prior to June 7, 1956, no statutory health care plan existed for military personnel. Even when the Civilian Health and Medical Program for the Uniformed Services (CHAMPUS) was enacted that year, the health care coverage was dependent upon the space available at military treatment facilities. Post-Cold War downsizing, base closures, and the reduction of health care services at military bases have limited the health care options available to military retirees.

In my home state of South Dakota, I have heard from many military retirees who are forced to drive hundreds of miles to receive care. As a final disgrace, military retirees are currently kicked off the military's Tricare health care system when they turn 65. This is a slap in the face to those men and women who have sacrificed their livelihood to keep our country safe from threats at home and abroad.

The Keep Our Promise to America's Military Retirees Act restores adequate health care coverage to all military retirees. For those retirees who entered the armed services before June 7, 1956, when CHAMPUS was created,

my legislation will honor the promise of health care coverage for life. This will be accomplished by allowing military retirees to enroll in the Federal Employees Health Benefits Program (FEHBP), with the United States paying 100 percent of the costs. Military retirees who joined the armed services after space-available care was enacted into law in 1956 will be allowed to enroll in FEHBP or continue to participate in Tricare—even after they turn 65. These military retirees who choose to enroll in FEHBP will pay the same premiums and fees as all other federal employees in the program.

The Keep Our Promise to America's Military Retirees Act has been endorsed by the National Military and Veterans Alliance and its member organizations. Companion legislation in the House of Representatives already has over 220 bipartisan cosponsors thanks to unprecedented grassroots support by military retirees nationwide.

A promise made should be a promise kept. We owe it to our country's military retirees to provide them with the health care they were promised. These men and women stood ready to answer the call to defend our rights, anytime and anywhere. It is now our duty to answer their calls for better health care.

We also owe it to ourselves to help attract and keep qualified men and women in our military by showing potential recruits and active duty personnel that our country honors its commitment to those who serve it. We have a long way to go, but I will continue to work to make sure our country's active duty personnel, military retirees, and veterans receive the benefits they deserve.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2003

*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 "Keep Our Promise to America's Military Retirees Act".

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) No statutory health care program existed for members of the uniformed services who entered service prior to June 7, 1956, and retired after serving a minimum of 20 years or by reason of a service-connected disability.

(2) Recruiters for the uniformed services are agents of the United States government and employed recruiting tactics that allowed members who entered the uniformed services prior to June 7, 1956, to believe they would be entitled to fully-paid lifetime health care upon retirement.

(3) Statutes enacted in 1956 entitled those who entered service on or after June 7, 1956, and retired after serving a minimum of 20 years or by reason of a service-connected disability, to medical and dental care in any facility of the uniformed services, subject to

the availability of space and facilities and the capabilities of the medical and dental staff.

(4) After 4 rounds of base closures between 1988 and 1995 and further drawdowns of remaining military medical treatment facilities, access to "space available" health care in a military medical treatment facility is virtually nonexistent for many military retirees.

(5) The military health care benefit of "space available" services and Medicare is no longer a fair and equitable benefit as compared to benefits for other retired Federal employees.

(6) The failure to provide adequate health care upon retirement is preventing the retired members of the uniformed services from recommending, without reservation, that young men and women make a career of any military service.

(7) The United States should establish health care that is fully paid by the sponsoring agency under the Federal Employees Health Benefits program for members who entered active duty on or prior to June 7, 1956, and who subsequently earned retirement.

(8) The United States should reestablish adequate health care for all retired members of the uniformed services that is at least equivalent to that provided to other retired Federal employees by extending to such retired members of the uniformed services the option of coverage under the Federal Employees Health Benefits program, the Civilian Health and Medical Program of the uniformed services, or the TRICARE Program.

**SEC. 3. COVERAGE OF MILITARY RETIREES UNDER THE FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM.**

(a) **EARNED COVERAGE FOR CERTAIN RETIREES AND DEPENDENTS.**—Chapter 89 of title 5, United States Code, is amended—

(1) in section 8905, by adding at the end the following new subsection:

"(h) For purposes of this section, the term 'employee' includes a retired member of the uniformed services (as defined in section 101(a)(5) of title 10) who began service before June 7, 1956. A surviving widow or widower of such a retired member may also enroll in an approved health benefits plan described by section 8903 or 8903a of this title as an individual."; and

(2) in section 8906(b)—

(A) in paragraph (1), by striking "paragraphs (2) and (3)" and inserting "paragraphs (2) through (5)"; and

(B) by adding at the end the following new paragraph:

"(5) In the case of an employee described in section 8905(h) or the surviving widow or widower of such an employee, the Government contribution for health benefits shall be 100 percent, payable by the department from which the employee retired."

(b) **COVERAGE FOR OTHER RETIREES AND DEPENDENTS.**—(1) Section 1108 of title 10, United States Code, is amended to read as follows:

**"§ 1108. Health care coverage through Federal Employees Health Benefits program**

"(a) **FEHBP OPTION.**—The Secretary of Defense, after consulting with the other administering Secretaries, shall enter into an agreement with the Office of Personnel Management to provide coverage to eligible beneficiaries described in subsection (b) under the health benefits plans offered through the Federal Employees Health Benefits program under chapter 89 of title 5.

"(b) **ELIGIBLE BENEFICIARIES; COVERAGE.**—(1) An eligible beneficiary under this subsection is—

"(A) a member or former member of the uniformed services described in section 1074(b) of this title;

"(B) an individual who is an unremarried former spouse of a member or former member described in section 1072(2)(F) or 1072(2)(G);

"(C) an individual who is—

"(i) a dependent of a deceased member or former member described in section 1076(b) or 1076(a)(2)(B) of this title or of a member who died while on active duty for a period of more than 30 days; and

"(ii) a member of family as defined in section 8901(5) of title 5; or

"(D) an individual who is—

"(i) a dependent of a living member or former member described in section 1076(b)(1) of this title; and

"(ii) a member of family as defined in section 8901(5) of title 5.

"(2) Eligible beneficiaries may enroll in a Federal Employees Health Benefits plan under chapter 89 of title 5 under this section for self-only coverage or for self and family coverage which includes any dependent of the member or former member who is a family member for purposes of such chapter.

"(3) A person eligible for coverage under this subsection shall not be required to satisfy any eligibility criteria specified in chapter 89 of title 5 (except as provided in paragraph (1)(C) or (1)(D)) as a condition for enrollment in health benefits plans offered through the Federal Employees Health Benefits program under this section.

"(4) For purposes of determining whether an individual is a member of family under paragraph (5) of section 8901 of title 5 for purposes of paragraph (1)(C) or (1)(D), a member or former member described in section 1076(b) or 1076(a)(2)(B) of this title shall be deemed to be an employee under such section.

"(5) An eligible beneficiary who is eligible to enroll in the Federal Employees Health Benefits program as an employee under chapter 89 of title 5 is not eligible to enroll in a Federal Employees Health Benefits plan under this section.

"(6) An eligible beneficiary who enrolls in the Federal Employees Health Benefits program under this section shall not be eligible to receive health care under section 1086 or section 1097. Such a beneficiary may continue to receive health care in a military medical treatment facility, in which case the treatment facility shall be reimbursed by the Federal Employees Health Benefits program for health care services or drugs received by the beneficiary.

"(c) **CHANGE OF HEALTH BENEFITS PLAN.**—An eligible beneficiary enrolled in a Federal Employees Health Benefits plan under this section may change health benefits plans and coverage in the same manner as any other Federal Employees Health Benefits program beneficiary may change such plans.

"(d) **GOVERNMENT CONTRIBUTIONS.**—The amount of the Government contribution for an eligible beneficiary who enrolls in a health benefits plan under chapter 89 of title 5 in accordance with this section may not exceed the amount of the Government contribution which would be payable if the electing beneficiary were an employee (as defined for purposes of such chapter) enrolled in the same health benefits plan and level of benefits.

"(e) **SEPARATE RISK POOLS.**—The Director of the Office of Personnel Management shall require health benefits plans under chapter 89 of title 5 to maintain a separate risk pool for purposes of establishing premium rates for eligible beneficiaries who enroll in such a plan in accordance with this section."

(2) The item relating to section 1108 at the beginning of such chapter is amended to read as follows:

"1108. Health care coverage through Federal Employees Health Benefits program."

(3) The amendments made by this subsection shall take effect on January 1, 2001.

**SEC. 4. EXTENSION OF COVERAGE OF CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES.**

Section 1086 of title 10, United States Code, is amended—

(1) in subsection (c), by striking "Except as provided in subsection (d), the", and inserting "The";

(2) by striking subsection (d); and

(3) by redesignating subsections (e) through (h) as subsections (d) through (g), respectively.

**ADDITIONAL COSPONSORS**

S. 146

At the request of Mr. ROBB, his name was added as a cosponsor of S. 146, a bill to amend the Controlled Substances Act with respect to penalties for crimes involving cocaine, and for other purposes.

S. 162

At the request of Mr. BREAU, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 162, a bill to amend the Internal Revenue Code of 1986 to change the determination of the 50,000-barrel refinery limitation on oil depletion deduction from a daily basis to an annual average daily basis.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 398

At the request of Mr. CAMPBELL, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of S. 398, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

S. 484

At the request of Mr. CAMPBELL, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 522

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 522, a bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes.