

YOUNG, Ranking Member OBERSTAR and my other colleagues from the Transportation and Infrastructure Committee for their leadership on this important bill. The President's proposed 2003 Budget cuts federal-aid highway funding in my state of Tennessee by over \$158 million. The loss of these funds will result in the layoffs of thousands of hardworking Tennesseans—approximately 6,000 lost jobs—as the state cuts back on bidding out projects at a time when we should be creating jobs, not eliminating them.

This unprecedented cut will put the brakes on highway improvement projects not just in Tennessee, but throughout the country. After September 11th, we need to ensure adequate mobility for our national defense. The cuts offered by the President won't help our mobility and, in fact, stand to increase congestion and safety hazards for the motoring public. The state aid formula in TEA-21 was meant to establish a floor, not a ceiling, and the President is giving states the minimum at a time when the economy cries out for more investment in our transportation infrastructure.

That is why we must rally to enact the Highway Funding Restoration Act and restore \$4.4 billion for our highways. Of this amount, this measure would restore \$92 million or approximately 58% of Tennessee's lost highway funds. Although I would like to see the entire funding level of \$158 million for Tennessee returned to the budget, I support this compromise to save roads and jobs in Tennessee and across the nation.

I urge my colleagues to join me in supporting the bill before us.

Mr. BLUMENAUER. Mr. Speaker, Federal investment in transportation is critical to moving our nation's people, goods, and economy. Maintaining and meeting our federal commitment to transportation spending is an important first step.

I was proud to serve on the House Transportation and Infrastructure Committee that authored the 1998 Federal surface transportation-spending bill entitled TEA-21 (the Transportation Equity Act for the Twenty-first Century). This legislation provided record levels of guaranteed funding for highways, bridges, transit, and enhancement programs. In addition to funding, it also created a policy framework that emphasizes good planning, with a focus on public participation and environmental goals. All of these factors are critical tools to building more livable communities—where families have choices about how they travel and where they live.

I was greatly concerned when earlier this year, the Bush Administration proposed in its fiscal year 2003 Budget a significant decrease in transportation spending from what Congress approved last year. This cut of \$8.6 billion, or a 27 percent reduction in highway funding, is based on the Revenue Aligned Budget Authority (RABA) provision of TEA-21. The need for infrastructure management, improvement, and new capacity has only increased and this funding is critical to the transportation plans in many communities. In Oregon alone, the impact is a loss of almost \$51 million.

As an original co-sponsor of H.R. 3694, I was proud to join with other members of Congress in sending a strong signal that our federal commitment to transportation infrastructure must be met. This bill would increase fiscal year 2003 highway funding by at least \$4.4 billion above the level requested in the President's Budget.

Some have argued that since highway programs benefited from RABA in previous years, that they must now suffer the negative consequences, too. While this seems a logical argument, there are some important variables that come into play. Perhaps the most glaring is the impact that such a large cut would have on state transportation departments. Many state DOTs are already facing funding constraints while they are also struggling to maintain existing roads and provide solutions to reducing the growing levels of traffic congestion. Second, transportation spending keeps people employed building infrastructure critical to economic growth. Cutting highway spending by 27 percent would lead to significant job loss and threaten our economic recovery. Finally, there is already a cash balance in the Highway Trust Fund of roughly \$20 billion that could be used to help restore the \$4.4 billion proposed in this bill.

In the upcoming year Congress will begin reauthorizing TEA-21. This will be an important opportunity to re-examine federal transportation policies and funding levels, including the RABA provision. I encourage my colleagues today to pass this bill and help restore the much-needed highway funding that will help states meet their transportation needs, help keep the economy growing, and help to build more livable communities.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3694, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. YOUNG of Alaska. 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.

SOCIAL SECURITY BENEFIT ENHANCEMENTS FOR WOMEN ACT OF 2002

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4069) to amend title II of the Social Security Act provide for miscellaneous enhancements in Social Security benefits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4069

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Social Security Benefit Enhancements for Women Act of 2002".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.

TITLE I—BENEFIT ENHANCEMENTS

- Sec. 101. Repeal of 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability.
- Sec. 102. Exemption from two-year waiting period for divorced spouse's benefits upon other spouse's remarriage.
- Sec. 103. Months ending after deceased individual's death disregarded in applying early retirement rules with respect to deceased individual for purposes of limitation on widow's and widower's benefits.

TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

- Sec. 201. Exclusion from gross income for interest on overpayments of income tax by individuals.
- Sec. 202. Deposits made to suspend running of interest on potential underpayments.
- Sec. 203. Partial payment of tax liability in installment agreements.

TITLE I—BENEFIT ENHANCEMENTS

SEC. 101. REPEAL OF 7-YEAR RESTRICTION ON ELIGIBILITY FOR WIDOWS AND WIDOWER'S INSURANCE BENEFITS BASED ON DISABILITY.

(a) WIDOW'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(e) of the Social Security Act (42 U.S.C. 402(e)) is amended—

(A) in paragraph (1)(B)(ii), by striking "which began before the end of the period specified in paragraph (4)";

(B) in paragraph (1)(F)(ii), by striking "(I) in the period specified in paragraph (4) and (II)";

(C) by striking paragraph (4) and by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively; and

(D) in paragraph (4)(A)(ii) (as redesignated), by striking "whichever" and all that follows through "begins" and inserting "the first day of the seventeenth month before the month in which her application is filed".

(2) CONFORMING AMENDMENTS.—

(A) Section 202(e)(1)(F)(i) of such Act (42 U.S.C. 402(e)(1)(F)(i)) is amended by striking "paragraph (5)" and inserting "paragraph (4)".

(B) Section 202(e)(1)(C)(ii)(III) of such Act (42 U.S.C. 402(e)(2)(C)(ii)(III)) is amended by striking "paragraph (8)" and inserting "paragraph (7)".

(C) Section 202(e)(2)(A) of such Act (42 U.S.C. 402(e)(2)(A)) is amended by striking "paragraph (7)" and inserting "paragraph (6)".

(D) Section 226(e)(1)(A)(i) of such Act (42 U.S.C. 426(e)(1)(A)(i)) is amended by striking "202(e)(4)".

(b) WIDOWER'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(f) of such Act (42 U.S.C. 402(f)) is amended—

(A) in paragraph (1)(B)(ii), by striking "which began before the end of the period specified in paragraph (5)";

(B) in paragraph (1)(F)(ii), by striking "(I) in the period specified in paragraph (5) and (II)";

(C) by striking paragraph (5) and by redesignating paragraphs (6) through (9) as paragraphs (5) through (8), respectively; and

(D) in paragraph (5)(A)(ii) (as redesignated), by striking "whichever" and all that follows through "begins" and inserting "the first day of the seventeenth month before the month in which his application is filed".

(2) CONFORMING AMENDMENTS.—

(A) Section 202(f)(1)(F)(i) of such Act (42 U.S.C. 402(f)(1)(F)(i)) is amended by striking "paragraph (6)" and inserting "paragraph (5)".

(B) Section 202(f)(1)(C)(ii)(III) of such Act (42 U.S.C. 402(f)(2)(C)(ii)(III)) is amended by striking “paragraph (8)” and inserting “paragraph (7)”.

(C) Section 226(e)(1)(A)(i) of such Act (as amended by subsection (a)(2)) is further amended by striking “202(f)(1)(B)(ii), and 202(f)(5)” and inserting “and 202(f)(1)(B)(ii)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 2002.

SEC. 102. EXEMPTION FROM TWO-YEAR WAITING PERIOD FOR DIVORCED SPOUSE'S BENEFITS UPON OTHER SPOUSE'S REMARRIAGE.

(a) WIFE'S INSURANCE BENEFITS.—Section 202(b)(5)(A) of the Social Security Act (42 U.S.C. 402(b)(5)(A)) is amended by adding at the end the following new sentence: “The criterion for entitlement under clause (ii) shall be deemed met upon the remarriage of the insured individual to someone other than the applicant during the 2-year period referred to in such clause.”.

(b) HUSBAND'S INSURANCE BENEFITS.—Section 202(c)(5)(A) of such Act (42 U.S.C. 402(c)(5)(A)) is amended by adding at the end the following new sentence: “The criterion for entitlement under clause (ii) shall be deemed met upon the remarriage of the insured individual to someone other than the applicant during the 2-year period referred to in such clause.”.

(c) CONFORMING AMENDMENT TO EXEMPTION OF INSURED INDIVIDUAL'S DIVORCED SPOUSE FROM EARNINGS TEST AS APPLIED TO THE INSURED INDIVIDUAL.—Section 203(b)(2)(B) of such Act (42 U.S.C. 403(b)(2)(B)) is amended by adding at the end the following new sentence: “The requirement under such clause (ii) shall be deemed met upon the remarriage of the individual referred to in paragraph (1) to someone other than the divorced spouse referred to in such clause during the 2-year period referred to in such clause.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 2002.

SEC. 103. MONTHS ENDING AFTER DECEASED INDIVIDUAL'S DEATH DISREGARDED IN APPLYING EARLY RETIREMENT RULES WITH RESPECT TO DECEASED INDIVIDUAL FOR PURPOSES OF LIMITATION ON WIDOW'S AND WIDOWER'S BENEFITS.

(a) WIDOW'S INSURANCE BENEFITS.—Section 202(e)(2)(D)(i) of the Social Security Act (42 U.S.C. 402(e)(2)(D)(i)) is amended by inserting after “applicable,” the following: “except that, in applying paragraph (7) of subsection (q) for purposes of this clause, any month ending with or after the date of the death of such deceased individual shall be deemed to be excluded under such paragraph (in addition to months otherwise excluded under such paragraph).”.

(b) WIDOWER'S INSURANCE BENEFITS.—Section 202(f)(3)(D)(i) of such Act (42 U.S.C. 402(f)(3)(D)(i)) is amended by inserting after “applicable,” the following: “except that, in applying paragraph (7) of subsection (q) for purposes of this clause, any month ending with or after the date of the death of such deceased individual shall be deemed to be excluded under such paragraph (in addition to months otherwise excluded under such paragraph).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 2002.

TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

SEC. 201. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded

from gross income) is amended by inserting after section 139 the following new section:

“SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

“(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

“(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

“(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.”.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 139 the following new item:

“Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received after December 31, 2006.

SEC. 202. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.

(a) IN GENERAL.—Subchapter A of chapter 67 of the Internal Revenue Code of 1986 (relating to interest on underpayments) is amended by adding at the end the following new section:

“SEC. 6603. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.

“(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

“(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

“(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

“(d) PAYMENT OF INTEREST.—

“(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6611(b)(2) shall apply.

“(2) DISPUTABLE TAX.—

“(A) IN GENERAL.—For purposes of this section, the term ‘disputable tax’ means the amount of tax specified at the time of the deposit as the taxpayer's reasonable estimate of the maximum amount of any tax attributable to disputable items.

“(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount

of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

“(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

“(A) DISPUTABLE ITEM.—The term ‘disputable item’ means any item of income, gain, loss, deduction, or credit if the taxpayer—

“(i) has a reasonable basis for its treatment of such item, and

“(ii) reasonably believes that the Secretary also has a reasonable basis for disallowing the taxpayer's treatment of such item.

“(B) 30-DAY LETTER.—The term ‘30-day letter’ means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

“(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

“(e) USE OF DEPOSITS.—

“(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

“(2) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 67 of such Code is amended by adding at the end the following new item:

“Sec. 6603. Deposits made to suspend running of interest on potential underpayments, etc.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84-58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84-58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6603 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6603.

SEC. 203. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—

(1) Section 6159(a) of the Internal Revenue Code of 1986 (relating to authorization of agreements) is amended—

(A) by striking “satisfy liability for payment of” and inserting “make payment on”, and

(B) by inserting “full or partial” after “facilitate”.

(2) Section 6159(c) of such Code (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting “full” before “payment”.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 of such Code is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

“(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. SHAW) and the gentleman from California (Mr. MATSUI) each will control 20 minutes.

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

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

Mr. Speaker, on Mother's Day the Nation honored the love and daily sacrifices of our mothers in raising us and unstintingly giving of themselves both in the workforce and at home. Not just our mothers, but all women play an essential role in advancing our Nation's economic success and the American spirit, which is why it is so important to take the steps we can to enhance the Social Security benefits that are so crucial to women's retirement income security.

Many of the changes in the Social Security program over time were specifically designed to help women, such as the addition of the wives' and widows' benefits in 1939, mothers' benefits in 1950, divorced women's benefits in 1965, and disabled widows' benefits in 1967. By providing spouse and survivor benefits, lifetime inflation-adjusted benefits, and a progressive benefit formula, Social Security helps keep millions of women out of poverty today.

Although we face significant choices ahead in strengthening Social Security's financing for future generations, both Republicans and Democrats agree we must continue to enhance Social Security for women. The Social Security Benefit Enhancements for Women Act is a critical first step both towards increasing women's retirement income security and in forming the building blocks of a bipartisan dialogue on how best to strengthen Social Security for all the American people.

H.R. 4069, as amended, takes a first step towards updating benefits and helping women meet their needs. This legislation will not affect Social Security's long-term financial picture, but it will make meaningful improvements for over 12,000 women when it is implemented.

The Social Security Benefit Enhancements for Women Act increases benefits for certain widows, it allows more disabled widows to qualify for disabled widow benefits, and enables certain divorced spouses to avoid the unnecessary 2-year waiting for the benefits. These enhancements are particularly necessary because elderly and disabled widows and divorced spouses are more likely to live in poverty.

The subcommittee worked with the Social Security Administration to identify these benefit enhancements, and several women and senior organizations agreed these changes are an important start in updating Social Security to improve women's retirement securities. AARP said, "The bill targets improvements for widows and divorced spouses, and it will help ensure that Social Security continues to provide valuable economic support for older

women who rely on Social Security for much of their retirement income." Moreover, these provisions have solid bipartisan support.

Furthermore, this bill continues the subcommittee's traditional process of making sure benefits are not increased within the Social Security System at the expense of other retirees or workers. We insisted on that when we repealed the earnings penalty and enacted the Ticket to Work legislation. According to the Social Security actuaries, this bill succeeds in increasing benefits without affecting the financial picture for the program. That means that mothers and grandmothers can have better benefits but not at the expense of their daughters and their granddaughters.

Some have proposed not meeting this bipartisan tradition, proposing even more expansive increases in women's benefits, but without addressing Social Security's financial challenges. To pay for the benefits, the general income tax receipts are transferred into Social Security in an amount that would be available if we increase the top tax rate. But we have not, and that means some other family worker or business would have to pay the bill sooner or later.

There is more we need to do for women, and we will. The President's bipartisan commission proposed increasing widows' benefits and guarantees that minimum-wage workers do not retire into poverty. My legislation, the Social Security Guarantee Plus Act, saves Social Security for 75 years and beyond; and it includes provisions to increase widows' benefits, reduces the penalty women pay who temporarily leave work to care for young children, expands eligibility for young disabled widows and divorced spouses, and reduces the government pension offset. Other Members of Congress have also introduced plans that directly enhance women's benefits.

Many of our Nation's mothers and seniors depend upon Social Security for much or all of their retirement income. One of the best ways to honor the women of America is to continue our long-standing tradition of enhancing Social Security for women and other vulnerable seniors and sow the seeds of cooperation rather than harvest the chaff of political acrimony. I ask that we all vote in favor of H.R. 4069.

Lastly, Mr. Speaker, I insert for the RECORD a statement that provides additional information about these enhancements for women and how they were developed, as well as letters of support we received from AARP, Independent Women's Forum, National Committee to Preserve Social Security and Medicare, United Seniors Association, Women Impacting Public Policy, and Women's Institute for a Secure Retirement.

**SOCIAL SECURITY BENEFIT ENHANCEMENTS FOR WOMEN ACT OF 2002
PURPOSE AND SUMMARY**

The Social Security Benefit Enhancements for Women Act of 2002 improves fairness and

updates benefit eligibility requirements, resulting in higher benefits and expanded eligibility for certain elderly and disabled widows and divorced spouses, who are among the most likely to live in poverty.

BACKGROUND AND NEED FOR LEGISLATION

Historically, women depend more on Social Security than do men for their retirement income. Women represent 58 percent of all aged Social Security beneficiaries, and approximately 71 percent of beneficiaries age 85 and older. On average, Social Security provides about half of total income for unmarried women (including widows) age 65 and older, and it is the only source of retirement income for 26 percent of unmarried elderly women. Social Security provides a crucial safety net for women's income security—without Social Security over half of elderly women would live in poverty.

There are several aspects of Social Security that are particularly important to women. At birth, women are expected to live almost 6 years longer than men. At age 65, women are expected to live about 3 years longer than men. Social Security protects women by providing lifetime, inflation-adjusted benefits to workers and their survivors, which help protect them from falling into poverty throughout their retirement as assets are spent down, other sources of pension income fail to keep pace with inflation, or after a spouse dies.

In addition to living longer, women tend to earn less than men. In 2000, the median weekly earnings for female full-time wage and salary workers were \$491, or 76% of the \$646 for their male counterparts. Social Security's progressive benefit formula protects women by replacing a higher percentage of earnings for low-wage workers than for high-wage workers.

Another reason women earn less than men over their lifetimes is time spent outside the workforce caring for children or other family members. Of workers first receiving benefits in 1999, women worked a median of 32 years, while men worked a median of 44 years. The difference in time spent in the workforce is projected to narrow in the future, but women are still expected to work fewer years than men on average because of family-care responsibilities. Social Security protects women who have less labor force participation and lower wages than their spouse by paying spousal benefits.

Although vital to women's economic security, some aspects of the Social Security program have not kept pace with changes in women's participation in the workforce and trends in marriage and child-care. For example: two-earner couples receive lower benefits than one-earner couples with the same total earnings and age at retirement; parents who take time out of the workforce to care for a child receive no credit toward retirement benefits for those years; and a person must have been married 10 years to qualify for benefits as a divorced spouse, even though the median length of a marriage ending in divorce is around 7 years. Numerous proposals have been made to update and improve Social Security benefits for women, ranging from minor adjustments to spouse, divorced spouse, and survivor benefits, to credits for years spent caring for young children.

While many proposals to strengthen Social Security for women would reduce Social Security's long-term ability to pay benefits and are best considered as part of comprehensive legislation to strengthen Social Security, there are a number of ways to remedy current inequities in benefits and eligibility criteria with only a negligible effect on Social Security's finances. Once implemented, H.R. 4069 would improve benefits for

over 120,000 Americans according to estimates by the Congressional Budget Office, by improving benefits for divorced spouses and certain elderly and disabled widows.

SUBCOMMITTEE ACTION

The Ways and Means Subcommittee on Social Security held hearings on February 3, 1999, February 28, 2002, and March 6, 2002 devoted to the topic of the need to enhance Social Security benefits for women. In the course of these hearings 31 witnesses provided testimony regarding the importance of maintaining and improving Social Security benefits for women. These hearings included testimony from the Commissioner of Social Security, the General Accounting Office, Members of Congress, and experts on women's issues. In addition, witnesses at hearings on Social Security's long-term financing challenges and options to address those challenges have discussed the unique needs of women and the particular importance of spouse's and survivors benefits, the progressive benefit formula, and lifetime inflation-adjusted benefits.

The Committee on Ways and Means, Subcommittee on Social Security worked with the Social Security Administration to identify provisions that would help improve benefits for women without negatively affecting the Social Security Trust Funds. The provisions included in this bill generated strong bipartisan support. On March 20, 2002 Mr. Shaw, on behalf of himself and Mr. Matsui, Mr. Becerra, Mr. Brady of Texas, Mr. Cardin, Mr. Collins, Mr. Doggett, Ms. Dunn, Mr. Foley, Mr. Hayworth, Mr. Houghton, Mr. Lewis of Kentucky, Mr. McCrery, Mr. McNulty, Mr. Pomeroy, Mr. Portman, Mr. Ramstad, and Mr. Rangel introduced H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002.

These provisions serve both to enhance women's retirement income security and as the first steps toward a bipartisan dialogue on ways to strengthen Social Security for all Americans, and are supported by women's advocacy and senior's organizations, including AARP, Independent Women's Forum, National Committee to Preserve Social Security and Medicare, United Seniors, Women Impacting Public Policy, and Women's Institute for a Secure Retirement.

EXPLANATION OF PROVISIONS AND COMPARISON WITH CURRENT LAW

SECTION 2. REPEAL OF 7-YEAR RESTRICTION ON ELIGIBILITY FOR WIDOW'S AND WIDOWER'S INSURANCE BENEFITS BASED ON DISABILITY

PRESENT LAW

A disabled surviving spouse (including a disabled surviving divorced spouse in some cases) of a deceased insured worker can be paid monthly benefits if the surviving spouse is age 50-59 and becomes disabled before the latest of: Seven years after the month the worker died; seven years after the last month the surviving spouse was previously entitled to benefits on the worker's earnings record as a surviving spouse with child in care; or seven years after the month a previous entitlement to disabled widow(er)s benefits ended because the disability of the widow(er) ended.

EXPLANATION OF PROVISION

This provision would eliminate this time requirement for entitlement as a disabled surviving spouse or disabled surviving divorced spouse.

REASON FOR CHANGE

The current law provision leaves gaps in the protection of some disabled widow(er)s, because the 7-year period may not afford all of them adequate opportunity to qualify for disability benefits based on their own work history. Eliminating the 7-year deadline

would improve the benefit protection for disabled widow(er)s who currently fail to meet criteria for the current 7-year deadline, regardless of whether they qualify for disability benefits based on their own work history. For those widow(er)s who are able to qualify for benefits based on their own work history, it would improve protection by allowing them to get potentially higher survivor benefits.

EFFECTIVE DATE

Effective for benefits for months beginning after November 2002.

SECTION 3. EXEMPTION FROM 2-YEAR WAITING PERIOD FOR DIVORCED SPOUSE'S BENEFITS UPON OTHER SPOUSE'S REMARRIAGE

PRESENT LAW

If a worker has reached age 62 and is eligible to receive Social Security benefits (but has not applied for them), his or her divorced spouse can become entitled to divorced spouse benefits based on the worker's earnings record if the divorced spouse meets all the following conditions: The divorced spouse is age 62 or older; the divorced spouse is not married; the divorced spouse had been married to the worker for at least 10 years before the date the divorce became final; the divorced spouse has filed an application for divorced spouse benefits; the divorced spouse is not entitled to a retired or disabled worker benefit based on a primary insurance amount that equals or exceeds one-half the worker's primary insurance amount; and the divorced spouse has been divorced from the worker for at least two years.

In addition, if the worker is subject to the earnings test, divorced spouse benefits would be commensurately reduced, unless the divorced spouse meets the aforementioned conditions.

EXPLANATION OF PROVISION

Under the provision, if the worker remarries someone other than the divorced spouse, then the duration of divorce condition is deemed to be met as the date of the remarriage.

REASON FOR CHANGE

The 2-year waiting period was included as part of a provision enacted in 1983 that allows divorced spouses to collect benefits as the former spouse of a worker who is eligible for Social Security benefits, but who has not applied for them or is having benefits withheld because of the earnings test. In contrast, a married spouse cannot receive spousal benefits unless the worker is also receiving benefits, and may have spousal benefits reduced if the worker is subject to the earnings test. The 2-year waiting period was included to discourage couples from divorcing in order to circumvent restrictions on spousal benefits. However, the waiting period is not appropriate in cases where the worker remarries someone else.

EFFECTIVE DATE

Effective for benefits for months beginning after November 2002.

SECTION 4. MONTHS ENDING AFTER DECEASED INDIVIDUAL'S DEATH DISREGARDED IN APPLYING EARLY RETIREMENT RULES WITH RESPECT TO DECEASED INDIVIDUAL FOR PURPOSES OF LIMITATION ON WIDOW'S AND WIDOWER'S BENEFITS

PRESENT LAW

Under present law, the benefits of a widow or widower are subject to a limitation if the deceased spouse had become entitled to retired worker benefits before attaining the normal retirement age. This limitation, referred to as the widow(er)'s limit, restricts the widow(er)'s benefit to the benefit amount the deceased worker would have been receiving if still alive (but not less than 82.5 per-

cent of the primary insurance amount). The intent of the widow(er)'s limit is to maintain some degree of reduction in the benefits of the surviving spouse as a result of the deceased worker having become entitled to benefits before attaining the normal retirement age. If the deceased spouse's death occurs before the normal retirement age, no adjustment to the number of reduction months is made in computing the widow(er)'s limit to account for months the worker did not receive benefits due to the worker's death. (However, such an adjustment is made to the widow(er)'s limit to account for months the worker did not receive benefits due to earnings exceeding the exempt amount under the retirement earnings test.)

EXPLANATION OF PROVISION

Under this provision, if the deceased spouse's death occurs after he or she becomes entitled to a retired worker benefit and before he or she attains the normal retirement age, the widow(er) limit would be recomputed at the time the deceased spouse would have reached the normal retirement age. The recomputation of the widow(er) limit would exclude the month of death and all subsequent months in determining the number of months of early retirement reduction applicable for the benefit the deceased worker would be receiving if still alive. This would give the widow(er) a potentially higher benefit based on the deceased worker's earnings history.

REASON FOR CHANGE

In general, widow(er)'s benefits are limited to reflect the longer period of time the worker received benefits because he or she retired before attaining the normal retirement age. However, the widow(er)'s benefits are limited for the rest of his or her life, even, if the deceased spouse collected benefits only for a few months before dying. This results in unequal treatment of widow(er)s whose spouses received benefits for the same amount of time before they attained the normal retirement age, but who retired at different ages. This provision would base the widow(er) limit on the number of months the worker actually received benefits between the age of retirement and the normal retirement age, rather than the number of months between the age of retirement and the normal retirement age, thus equalizing treatment of widow(er)s of workers who collected benefits for the same number of months before the normal retirement age. (Also, this change is consistent with the way that the widow(er)'s limit is now adjusted to exclude months before normal retirement age in which the worker did not receive benefits due to earnings exceeding the exempt amount under the retirement earnings test.)

EFFECTIVE DATE

Effective for benefits for months beginning after November 2002.

AARP,

Washington, DC, April 18, 2002.

Hon. E. CLAY SHAW, Jr.,
Chairman, House Subcommittee on Social Security, Washington, DC.

DEAR CHAIRMAN SHAW: AARP supports H.R. 4069, the Social Security Benefit Enhancements Act of 2002. The bill's targeted improvements for widows and divorced spouses will help ensure that Social Security continues to provide valuable economic support to older women who rely on Social Security for much of their retirement income.

The Association has long championed improved benefits for older women that are consistent with the program's long-term solvency needs. Over a decade ago, in hearings before this subcommittee regarding older

women and Social Security, we testified in favor of eliminating the requirement that widow/ers become disabled within seven years after their spouse died to qualify for disabled widows benefits. We are pleased that the change has been included in H.R. 4069. The proposed readjustment in the benefits of widows whose spouse retires and dies before reaching the age for collecting full benefits and the provision waiving the two-year waiting period for benefits for a divorced spouse whose former mate continues working but remarries are also long overdue.

The Social Security Benefits Enhancement Act will help Social Security continue as the guaranteed floor of income protection for workers and their families. The bill has broad, bipartisan support, and we urge prompt House action.

AARP will urge the Senate to adopt similar legislation to improve women's benefits under the current system. Enactment of this legislation would send a strong message to the American people that Congress can act in a bipartisan fashion to improve the Social Security system.

Sincerely,

WILLIAM D. NOVELLI.

UNITED SENIORS ASSOCIATION—NEW SOCIAL SECURITY LEGISLATION A “REAL WINNER FOR WOMEN”

WASHINGTON, DC.—United Seniors Association Chairman and Chief Executive Charles W. Jarvis wholeheartedly endorsed the Social Security Benefit Enhancements for Women Act, H.R. 4069, recently introduced by Congressman Clay Shaw, the chairman of the House Ways & Means Social Security Subcommittee.

“This bill is a real winner for Senior women. It shows Chairman Clay Shaw’s dynamic leadership in the House on Senior issues,” said Mr. Jarvis. “It will lift unnecessary burdens that women suffer under during their retirement years. It will also help women nationwide without negatively affecting the Social Security Trust Fund and the future financial stability of the Social Security system.”

United Seniors Association member Anna Janis of Colorado testified February 28th before Chairman Shaw’s Subcommittee hearing on “Women and Social Security”. Chairman Shaw’s legislation is the direct result of those successful hearings. H.R. 4069 improves fairness and eligibility requirements for women by: Increasing the unfair benefit limit on widows whose spouses both retire and die before the full retirement age; updating the eligibility requirements for disabled widows to ensure consistency with earnings requirements in current law; eliminating a needless two-year wait for some divorced spouses to receive benefits.

“We’re pleased that United Seniors Association and our Grassroots Leader, Anna Janis, could help in the development of these improvements to Social Security,” continued Mr. Jarvis. “Chairman Shaw has demonstrated his dedication to getting practical help for seniors in his District and around the Nation. H.R. 4069 is clearly a real winner for many senior women who struggle every day now just to make ends meet.”

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC, May 6, 2002.

Hon. CLAY SHAW,
Chairman, Subcommittee on Social Security,
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I wish to express our sup-

port for the three provisions contained in your legislation, H.R. 4069 the Social Security Benefit Enhancements of Women’s Act.

We understand that H.R. 4069 would improve benefits for widows of early retirees who die before reaching the Normal Retirement Age by repealing the current provision that subjects the widow’s benefit to the early retirement penalty.

Your bill would also repeal the 7-year period of eligibility for disabled widows who are at least 50 but not yet 60. Under a current law a widow must be at least 60 years old to collect widows benefits. However if she is at least 50 she can collect benefits as a disabled widow provided that she became disabled within 7 years of her spouse’s death.

Finally H.R. 4069 would eliminate the requirement that a divorce must have been in place for two years for the divorced spouse who is at least 62 to collect full spousal benefits, whether or not the working spouse is collecting benefits or is affected by the earnings limit.

Over 100,000 women will benefit from these three important improvements. We sincerely hope these are the beginning steps in efforts to rectify benefit inequities affecting all women. For those it does help the improvements are most welcome.

We appreciate your leadership on this issue. We urge all members to vote in support of H.R. 4069.

Cordially,

BARBARA KENNELLY,
President and CEO.

WOMEN’S INSTITUTE FOR A SECURE RETIREMENT,
Washington, DC, April 4, 2002.

Hon. E. CLAY SHAW, Chair,
Hon. ROBERT T. MATSUI, Rnk. Mem.,
House of Representatives, Subcommittee on Social Security, Committee on Ways and Means, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVES SHAW AND MATSUI: The Women’s Institute for a Secure Retirement (WISER) is a non-profit organization that seeks to ensure that poverty among older women will be reduced by improving the opportunities for women to secure retirement benefits. WISER works with community based organizations, advocates and policymakers to provide a key link between federal policy and individual women.

We are gratified that you are introducing the Social Security Benefit Enhancements for Women Act of 2002 during this session to improve benefits for elderly women. While the provisions of H.R. 4069 are modest, the 120,000 older women who will become eligible for benefits or receive higher benefits are the women who are the most likely to live in poverty—widows, disabled widows and divorced women.

Poverty among the elderly has greatly declined over the last two decades, but older women living alone are particularly at risk. Today, nearly 60 percent of older women in America are single; 45.3 percent are widowed and 7 percent are divorced. In contrast, only 26 percent of elderly men are unmarried.

We are heartened that the introduction of H.R. 4069 may be the first step toward enhancing Social Security benefits to ensure the long-term economic security of American women. We urge your colleagues to support this bill to improve Social Security benefits for older widows, disabled widows and divorced spouses.

Sincerely,

CINDY HOUNSELL,
Executive Director.

WOMEN IMPACTING PUBLIC POLICY,
Oklahoma City, OK, April 19, 2002.

Hon. E. CLAY SHAW, Jr.,
House of Representatives, Chairman, Subcommittee on Social Security, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHAW: We are writing to inform you that the more than 250,000 members of Women Impacting Public Policy (WIPP) support H.R. 4069, The Social Security Benefit Enhancements for Women Act of 2002.

H.R. 4069 addresses several key issues that have long been of major concern to WIPP members: Increasing the unfair benefit limits on widows whose spouses both retire and die before the full retirement age; updates eligibility requirements for disabled widows to ensure consistency with earnings requirements in current law and; eliminates a needless two-year wait for some divorced spouses to receive benefits.

WIPP member Niesha Wolfe, a CPA based in Clarkesville, Tennessee, provided compelling testimony before your committee in February on these issues and others related to the unfair Social Security benefits women have been subject to for years.

WIPP, a national bi-partisan public policy organization, appreciates your efforts and fully supports H.R. 4069.

Regards,

TERRY NEESE,
President.
BARBARA KASOFF,
Vice President.

INDEPENDENT WOMEN’S FORUM,
Arlington, VA, May 6, 2002.

Hon. E. CLAY SHAW,
Chairman, House Ways and Means Committee, Subcommittee on Social Security, Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SHAW: The Independent Women’s Forum strongly believes in comprehensive reform to strengthen our Social Security system and to make safe the retirement of America’s working women and men.

In February, I had the opportunity to appear before you and the House Subcommittee on Social Security to affirm the need for overall reform and to discuss some current inequities in the system. I specifically pointed out that women are financially disadvantaged under the current Social Security system. Women who interrupt their careers for family obligations, women who earn more than their husbands, and widows of wage earners fall into these disadvantaged categories.

You are attempting to correct inequities toward women through the introduction of H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002. We commend you, Mr. Chairman, for your recognition of these and other problems; and we hope that your leadership will show the way to a newly reformed and significantly strengthened Social Security system.

Sincerely,
NANCY MITCHELL PFOTENHAUER,
President.

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

Mr. MATSUI. Mr. Speaker, I yield myself 5 minutes.

First of all, I would like to congratulate the gentleman from the State of Florida, the chairman of the Subcommittee on Social Security of the Committee on Ways and Means, for bringing forth this bill; and I appreciate the fact that he has taken the opportunity to do so. I think it is a step in the right direction.

Obviously, the bill before us today is a good piece of legislation. It will, in fact, increase benefits for 120,000 additional widows, basically widows in which the other spouse, the spouse that passed away, took early retirement. It deals with widows who have become disabled. It obviously deals with widows that were divorced in terms of shortening the time in which they may be able to collect benefits. So this is a good piece of legislation.

Obviously, we can do more; and I introduced a bill 2 weeks ago that would actually provide greater benefits. Instead of 120,000 widows, our bill would in fact cover and increase benefits for 4.7 million additional widows by guaranteeing these widows a 75 percent benefit of what they previously had when both spouses were alive.

Right now, under the Social Security Act, widows receive only about 50 to 65 percent of what they received when the other spouse was still alive. We all know from studies that when one spouse dies, even though the income goes down, the day-to-day fixed costs, like rent, like house payments, like food, remain very high. In fact, we estimate that the average cost is about 80 percent of what they expended prior, when they were both living.

So when one spouse dies, it does not drop to 50 percent, it only drops down by 20 percent. So 80 percent of the expenditures still exist. Our bill would basically give every widow in America at least 75 percent of what both spouses had before one of the spouses passed away. So this is a guaranteed benefit.

This bill that we would like to offer today as an amendment, as I said, would take care of 4.7 million widows instead of 120,000. Unfortunately, because of the way the situation has been set up, this being a suspension calendar, we cannot offer that amendment.

□ 1630

Mr. Speaker, I did offer it in subcommittee. It failed on a partisan vote. Five Democrats voted for it; seven Republicans voted against it. It was never taken to the full committee, so we could not bring it there for a vote; and now we are left without an opportunity to bring it again for a vote. It is unfortunate.

The bill of the gentleman from Florida (Mr. SHAW) does move us in the right direction. It picks up 120,000 widows and increases their benefits, so we are all going to support it. But by the same token, I wish we would have had an opportunity to vote on the bill that I had introduced.

The bill that I introduced is being supported by the National Council of Women's Organization, an umbrella group of 150 women's organizations, the AFL-CIO, the National Committee to Preserve Social Security and Medicare, and the National Women's Legal Consortium. All of these groups support our legislation.

If I may just conclude, one of the problems that I have, I might make

this observation, the gentleman from Florida (Mr. SHAW) raised his privatization legislation. He says that he has embodied the terms of his legislation in that bill. I have to say that one of the concerns that I have and the reason we should pass the bill that takes care of 4.7 million widows in America today is once we move down the road to privatization after the November election, we are going to be cutting benefits. The gentleman's bill will cost over the next 20 years \$8 trillion in general fund monies going into the Social Security system. We do not have that. We do not have even a trillion dollars in general fund money available. How are we going to come up with \$8 trillion in general fund money? That being the case, there is no question. We are going to be cutting Social Security benefits if we adopt a bill like the gentleman's or adopt one of the three President's bills that he came up with during the commission discussion.

As a result of that, we need to take care of these widows today. We will not take care of them when we do Social Security reform if in fact we move as the President wants to move in the direction of privatization of Social Security. That will not take care of these widows. As a matter of fact, it will result in significant massive benefit cuts.

Mr. Speaker, I include for the RECORD letters in support of my legislation.

NATIONAL COMMITTEE TO PRESERVE
SOCIAL SECURITY AND MEDICARE,
Washington, DC, May 6, 2002.

Hon. ROBERT MATSUI,
Ranking Member, Subcommittee on Social Security, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE MATSUI: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I wish to express our support for the provisions contained in your legislation, The Social Security Widow's Benefits Guarantee Act.

We are pleased that your legislation would increase the current benefit for surviving spouses to 75 percent of the combined benefit received by two spouses when both were living. Under current law, widows are effectively limited to 50-67 percent of what the couple had been receiving jointly. This change would have a dramatic positive impact on benefits for as many as 5 million Americans who are overwhelmingly women. As you know, four out of ten older women rely on Social Security for over 90 percent of their income.

Thank you for your leadership on this issue. We look forward to working with you to advance this legislation in the 107th Congress.

Cordially,

BARBARA KENNELLY,
President and CEO.

NWLC URGES SUPPORT FOR INCREASES IN
WOMEN'S SOCIAL SECURITY BENEFITS

(WASHINGTON, D.C.) The National Women's Law Center praised a bill introduced by Congressman Robert T. Matsui today to improve Social Security benefits for widows and widowers. The proposal, which draws upon NWLC recommendations to Congress, would increase benefits for surviving spouses and reduce poverty among widows, the largest group of poor elderly women.

"The bill introduced by Congressman Matsui would strengthen and improve Social Security for women. These improvements could be funded through savings that would result from freezing just one of the future tax cuts scheduled for the wealthiest Americans. The issue is one of priorities: to help elderly widows or give more tax breaks to millionaires. As Mother's Day approaches, we hope that members of Congress will think about the choices they are making," said Joan Entmacher, NWLC Vice President and Director of Family Economic Security.

Matsui's bill would increase Social Security benefits for surviving spouses to 75 percent of the couple's prior combined benefit. Currently, widows and widowers receive a benefit equal to 100 percent of the late spouse's benefit (if that is higher than their own benefit), which amounts to between 50 and 67 percent of the couple's prior combined benefit. The increase in survivor benefits would be capped to target those most in need, and is estimated to help about four to five million widows and widowers. The bill would finance the improvements with general revenue transfers.

Savings from not implementing future cuts in the top income tax rate would fully pay for these improvements. The top rate affects fewer than one percent of taxpayers, those with average incomes of \$1 million a year. The median income of widows and other non-married women 65 and older is about \$12,000 per year.

In addition to the increase in survivor benefits, the bill includes three much smaller benefit improvements to help certain disabled and elderly widows and divorced spouses. These smaller reforms are also included in a bill introduced in March by Congressmen Clay Shaw and Robert Matsui with bipartisan support.

"Poverty among the elderly is overwhelmingly a women's problem, and a majority of poor elderly women are widows. Increasing Social Security survivor benefits would significantly help this large and economically vulnerable group of women," said Entmacher.

ALLIANCE FOR
RETIRED AMERICANS,
Washington, DC, May 7, 2002.

Hon. ROBERT MATSUI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MATSUI: The Alliance for Retired Americans supports your legislation, the Social Security Widow's Benefit Guarantee Act.

Your legislation will correct the inequities that millions of Americans who have lost their spouses now face under the Social Security system. Nearly 5 million American widows and widowers currently live in poverty. This is a national scandal that must be corrected. By adjusting the Social Security benefit rates that widows and widowers will receive, your legislation will directly improve the quality of life for millions of older Americans.

The Alliance for Retired Americans stands ready to work with you so that this legislation can become law as quickly as possible. Sincerely yours,

EDWARD F. COYLE,
Executive Director.

LEADING WOMEN'S GROUPS SUPPORT THE
"WIDOW'S SOCIAL SECURITY BENEFIT GUARANTEE ACT OF 2002"

[WASHINGTON, DC, May 7, 2001].—The National Council of Women's Organizations (NCWO), the oldest and largest umbrella coalition of the nation's 150 major women's groups, announces its support for legislation

to strengthen Social Security for widows. The important bill is being introduced today by Congressman Robert T. Matsui (D-CA), Ranking Member of the House Ways and Means Social Security Subcommittee. The Matsui bill will improve survivor's benefits (most often for widows who outlive their husbands) by increasing benefits to 75 percent of what the couple had been receiving prior to the spouse's death. Raising this limit from the current 50-67 percent will aid an estimated five million elderly survivors.

"Without Social Security, over half of elderly women would be poor" said Heidi Hartmann, Ph.D., Chair of NCWO's Social Security Task Force. "NCWO has long supported Social Security benefit improvements to ensure that our nation's most vulnerable individuals are secure in their senior years. The Matsui bill is an important first step."

In addition, the bill includes provisions that eliminate the 7-year deadline for a surviving spouse or surviving divorced spouse to qualify for benefits on the basis of disability. It also treats the months the retired worker was deceased prior to the normal retirement age the same as months benefits were withheld or reduced because of the retirement earnings test for purposes of adjusting the limitation on widows and widowers benefits. Finally, it waives the two-year duration of divorce requirements if worker remarries during that time. These provisions will help 120,000 people.

STATEMENT BY AFL-CIO PRESIDENT JOHN J. SWEENEY IN SUPPORT OF THE SOCIAL SECURITY WIDOW'S BENEFIT GUARANTEE ACT OF 2002, MAY 7, 2002

One out of every seven elderly widows in this country lives in poverty, in spite of Social Security. These are women who worked their whole lives supporting their families in paid and unpaid work, raising children and grandchildren and caring for loved ones. Shortchanging widows is not consistent with the fundamental purposes of Social Security, and it is high time we fix the problem.

We strongly support the Social Security Widow's Benefit Guarantee Act introduced by Representative Matsui today. His bill would address the critical needs of these women. Most importantly, it increases the widow benefits under Social Security to 75 percent of what a couple's total benefit is before a husband dies, up to \$1,000 per month. Under current law, some widows get as little as half of the couple's benefit and none get more than two-thirds of the combined benefit. Rep. Matsui's bill addresses this shortfall in Social Security by increasing benefits for approximately 5 million elderly.

Congress could more than pay for these new protections by capping future income tax cuts for the highest income earners. For example, freezing the top federal income tax rate at 38.6 percent would be enough to provide increased benefits for widows. Under the terms of last year's tax cut legislation, the top income tax rate was lowered from 39.6 percent and is scheduled to fall farther to 35 percent by 2006. This part of the Bush tax cut benefits only the wealthiest individuals, affecting just the top 0.6 percent of taxpayers. They make, on average, more than \$1 million a year. That's more than 133 times a poverty-level income for an elderly widow.

With Representative Matsui's bill, Congress has a chance to get its values straight. American voters don't want more tax cuts for millionaires—such as the Republican leadership in the House pushed through last month—and they don't want politicians to gamble with their retirement security—such as the Administration would do by draining trillions of dollars out of Social Security to pay for privatization. Congress should do the

right thing, and support the Social Security Widow's Benefit Guarantee Act.

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

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

Mr. Speaker, the gentleman has a copy of my bill. The gentleman has critiqued my bill. The gentleman has been asked to give constructive comment to my bill. Now what we are talking about is not the bill before this committee, but when we start hearing the word privatization, the gentleman knows full well there are those in this House that will abuse the word privatization. Privatization is simply defined as taking something run by the government and turn it over to the private sector.

The gentleman from California knows full well that my Social Security reform bill leaves the Social Security system totally intact. We take not one dime out of the Social Security trust fund or the payroll taxes.

Mr. Speaker, I would like to say, so there is no misconception here, that the Social Security Administration under two Presidents, a Democrat and a Republican, estimate that by doing nothing, the cost of doing nothing which is the only bill that I have heard coming from the other side to save Social Security, is going to cost \$27 trillion over 75 years. Whereas the Social Security Administration, assuming that we borrow all of the money necessary to make up the shortfall in Social Security under my particular bill, that it will all be paid back and over that 75 years will create a \$1 trillion surplus. Which does the gentleman want? It is time that we work together.

There are those in this body that absolutely shamelessly use the word privatization when we are not going to privatize Social Security. Mr. Speaker, as long as I am chairman of the Subcommittee on Social Security, it is not going to be privatized; but we are desperately looking for some assistance from other side of the aisle. We need constructive engagement.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me this time and thank him for his leadership in bringing this bill to the floor today. I also thank the ranking member for supporting this bill. We recognize this is a first step, and it is a good first step.

I rise in support of H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002. This bill makes commonsense corrections to Social Security law that will benefit widows, disabled widows, and divorced spouses. Social Security has been one of our Nation's greatest success stories, and particularly so for women. Women make up roughly half of America's population, yet they account for more than 60 percent of the Social Security beneficiaries. Three-quarters of the unmar-

ried and widowed elderly women rely on Social Security for more than half of their income. This legislation will help. The annual cost-of-living adjustment often does not amount to a great deal of money per recipient. However, it is often a crucial sum for seniors trying to keep up with escalating costs, particularly medical ones.

Once implemented, this bill will help over 120,000 women. This may not sound like a large number, but the bill is going to touch the lives of more than 275 people in each of our 435 congressional districts. Even if it helps one, that is great. This will help 120,000-plus. Social Security must be strengthened for the future. It must be done in a bipartisan fashion, and passage of legislation of shared concern like this bill is a very good place to start.

Mr. MATSUI. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the bill the gentleman has is a privatization bill. The gentleman can call it anything he wishes, but it is a privatization bill.

Dr. Peter Orszag, a professor at the University of California Berkeley, currently at the Brookings Institute, has studied the gentleman's bill, the DeMint-Army bill and the three proposals presented by the President through his commission; he said all of them are privatization bills.

What the bill of the gentleman from Florida does, it deals with arbitrage. Money is borrowed at 6 percent, and then is lent out at 10 percent. We all know arbitrage is a huge risk, and it could blow up. Once Americans have these privatization accounts, then there is a claw back. When they are ready to retire, they have to give 95 percent of the money that is accumulated to put back into the Social Security Administration. If in fact the arbitrage falls apart, the money will not be there. It is jeopardizing the Social Security system. In addition, it is a private account that is being set up that affects the Social Security benefits. So it is a privatization plan.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I rise in strong support of improving Social Security benefits for women, all women in this country. That is one of the reasons why I support the legislation today of the gentleman from Florida (Mr. SHAW). But we should be clear, this modest improvement in Social Security benefits for women should be considered nothing more than a downpayment of what we must do to help women who for years have worked very hard in and out of the home, in and out of the office, in and out of all of the workplaces of America, the chance to receive their fair share of retirement security.

Mr. Speaker, four out of every 10 women who are retired today rely on Social Security for 90 percent of all of their income. And 75 percent of all

women rely on Social Security for half of all of their income. Clearly Social Security is extremely important for women, more so than it is for men.

While we have done a tremendous job of decreasing poverty among our elderly, over the last 30 years or so we have seen a decrease of some 29 percent of poverty within the senior ranks in our country to something around 8.5 percent today of our seniors in poverty. When we look at widows, we find that their poverty rates are twice as much for the average senior in this country. We must do more.

Mr. Speaker, that is why I stand proudly to support the legislation of the gentleman from California (Mr. MATSUI), H.R. 4671, which would give women, widows, widowers their fair share within Social Security retirement benefits. What the Matsui bill does, which the Shaw bill does not do, it covers in a meaningful way Americans who deserve to have a meaningful opportunity to retire in comfort and security; 5 million people would be affected by the Matsui bill. We have about 120,000 women who would be helped by the Shaw bill. We should do it, but we have millions more who are out there waiting to receive their due. It is time for us to do this.

We cannot do retirement security on the cheap. We cannot continue to say that we will place Social Security first among all our priorities and not do it the right way. We cannot continue to say that we believe men and women should be able to retire in safety and security without doing it the right way. It is time for us to do this. We should pass this legislation. It is not enough. We should have had hearings on the Matsui legislation because, quite honestly, the American people deserve to know that we will protect our men and women in their retirement.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, first of all, let me say I do not know that anybody is not going to support this piece of legislation before us. What I do want to point out is this is a huge issue for a lot of people in and around this country. So often I have women who come to me because generally women live longer, who come to me and say my husband died, prescription drugs are going up. Everything is happening around me; and quite frankly, I cannot live on my Social Security alone. And I am not getting anything from my husband's Social Security.

The fact of the matter is, what concerns me most about this legislation today is there is going to be somebody who writes the story, and somebody is going to believe they are going to get something new or better than what they have gotten. The fact of the matter is, based on what I am seeing here, these are some very technical changes, changes that are not going to affect the same people that I think the gen-

tleman from California (Mr. MATSUI) and others, including myself, have in fact sponsored. We could actually be helping about 5 million elderly widows instead of a small portion.

I might just say it is my understanding that, and it is technical, it would eliminate the 7-year deadline for the onset of the disability in order to be eligible for benefits as a disabled widow or widower. The proposal would allow divorced spouses benefits to be paid before the 2-year period has elapsed if the former spouse has remarried, and the proposal would limit the widow's actual reduction to the number of months the worker usually received in benefits.

That is not the 5 million elderly widows and widowers that need the help. That is a very small amount of folks in this country. I think that is the real debate that we need to be having here and hopefully will happen in this committee. We have two very reasonable Members, but we have not had the opportunity to have the Matsui bill be heard.

Mr. Speaker, we are seeing trends for women. The last 7 years of life, we live longer, we have personal health care needs, we are hearing in the committee about the overpricing of medicines, all of those things that they no longer can pay.

□ 1645

There are also more women in nursing homes. Certainly this would help defray some of their cost. I just think that while we will support this today, what I would encourage and hope is that the committee, the Subcommittee on Social Security, will not leave it just at what I consider to be technical changes but will look at the wide picture, the picture of widows and widowers out there that really do need our assistance. Quite frankly, these are the folks that have been coming to us day in and day out explaining the concerns and needs that they have. I just do not think this is going to do that.

I do want to say that I hope we, in fact, will have an opportunity to discuss this, and certainly with the gentleman from California (Mr. MATSUI) and others, as to the importance of this whole issue on disability and Social Security and widowers' benefits.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. I thank my good friend and colleague from California for yielding me this time.

Mr. Speaker, I rise today in support of H.R. 4069, the Social Security Benefit Enhancements for Women Act. This bill will help more than 120,000 Social Security beneficiaries. We wish it could be more, something like 4.7 million beneficiaries. It will provide enhanced Social Security benefits to women by increasing benefits for certain widows, by permitting more disabled widows to qualify for disabled widow benefits, and by allowing certain

divorced spouses to receive their benefits sooner.

As has been indicated by my good friend from California, the Social Security Benefit Enhancements for Women Act addresses the challenges women, and especially widows, face when it comes to Social Security. Women on average earn less than men throughout their lives and therefore have less to live on during their retirement years. The vast majority of Social Security beneficiaries are women. Women make up some 60 percent of all Social Security recipients over the age of 65 and roughly 72 percent of all beneficiaries over the age of 85. Additionally, women lose an average of 14 years of Social Security earnings because of time out of the workforce spent to raise children or to care for an ailing parent or an ailing spouse. Further, women generally have a higher incidence of part-time employment and therefore have less of an opportunity to save for retirement.

Mr. Speaker, Social Security is the cornerstone of our Nation's retirement system. This is especially true for women. Without these benefits, nearly three-fifths of women over the age of 75 in this country would live in poverty. If we privatized Social Security, we would undermine many of the benefits that women receive through the current system. A plan to privatize Social Security is a plan that will jeopardize women's Social Security benefits and will jeopardize the entire Social Security system.

Women live on average 6 to 8 years longer than men and therefore must make retirement savings stretch over longer periods of time. Women depend considerably upon Social Security's progressive, lifelong, inflation-indexed benefits. There is no plan to privatize Social Security that will safeguard account balances from erosion due to inflation. Privatizing Social Security would be a mistake for all Americans.

Mr. Speaker, the solvency of our Social Security system is at risk. More than 32 million Americans collect benefits from Social Security today.

Mr. Speaker, May is Older Americans Month. It is critically important for us to honor our older Americans and shore up Social Security.

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

Again, Mr. Speaker, I support the gentleman from Florida's legislation. I think it is a good piece of legislation. It will take care of 120,000 additional women and I think that is a step in the right direction. I only wish we had an opportunity to vote on my bill, as a number of speakers on my side of the aisle have indicated they would have liked that opportunity, because we think it is important to deal with this issue today given the fact that there is a lot of uncertainty out there of what might happen in 2003 after the election.

The President's people, Mr. Rove and others, have said that they do not want to bring this issue up this year, they want to bring it up in 2003 after the

election in terms of the whole issue of privatization. The real danger I see there is that once we embark upon that direction we are not going to be able to take care of these 4.7 million widows that my bill would take care of because we are going to be cutting benefits. I do not think there is any question about that.

The President's bill, for example, has three alternatives. One of the alternatives would require \$6 trillion of general fund moneys, which we do not have at this time. In addition, it would have 46 percent cuts in benefits over the next number of years in terms of recipients of Social Security. Each one of his proposals either requires an infusion of general fund moneys or cuts in benefits. The gentleman from Florida's bill is a riverboat gamble essentially.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the Democratic whip.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time and I thank him for his leadership on this very important issue, for calling to our attention the distinction between the bill before us today, which we will all support, and what we could really be doing for widows in our country who are on Social Security.

Social Security is one of America's proudest achievements in social policy. No other program has brought so many people out of poverty, enabling millions to live with dignity. For millions of senior citizens, it is a lifeline. Unfortunately, the lifeline is severed for many when a spouse dies. H.R. 4069 takes a few small steps to improve benefits for widows, but its remedies leave millions of widows behind. The gentleman from California (Mr. MATSUI) has introduced legislation that comprehensively addresses this need. However, the Republican leadership did not follow the regular committee process and Democrats had no opportunity to strengthen the provisions of this bill on the floor today.

Given what the Republican budget does to the Social Security surplus, the small steps forward being proposed today are even less adequate. Both parties promised that protecting Social Security would be the top priority. Yet the Republicans' budget breaks that promise by spending \$1 trillion of the Social Security surplus over the next 5 years. The Republican plan to privatize Social Security would cost another \$1 trillion over the next decade.

Democrats have asked repeatedly for the opportunity to debate the Republican privatization plan and last month on this floor, it does not even seem like it has been last month, it seems like just a couple of weeks ago, every Democrat voted for a motion to say that the Republican proposal to make the tax cuts permanent could not proceed unless the Congressional Budget Office said that those tax cuts would not raid the Social Security Trust Fund. Every Democrat voted for that. Every Republican voted against it. The looming re-

tirement of the baby boom generation means that we cannot irresponsibly push this issue aside for another day.

This debate, like all debates on Social Security, has a disproportionate impact on women, who live 6 to 8 years longer than men on average and constitute 60 percent of Social Security recipients. Women continue to earn less on average than men and are less likely to have an employer-sponsored pension plan. Thus, the benefit structure of Social Security, which partially corrects disparities in income, is particularly important for women. Women are also more likely to work part-time and take time out of the workforce, 14 years on average, to raise their children and to care for ailing parents or spouses. As a result, they have less time to save for retirement.

Social Security must be protected for the elderly women who rely on it for their financial survival, and the concerns of women must be a priority in the ongoing discussion about how to preserve Social Security. That is why, of course, I will vote for what is on the floor today because approximately 120,000, 140,000 women will benefit, but let us not leave the millions of other widows behind whose needs would be addressed by the Matsui legislation.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume. I will sum up by making one other observation. I see the gentleman from Florida has a pay-for in his legislation. His bill will cost \$4 billion over the next 10 years. The interesting thing about the pay-for, however, is that it comes directly out of the Taxpayer Bill of Rights legislation in which he used the same pay-fors to pay for the revenue offsets in the Taxpayer Bill of Rights which passed in the sunset bill about the middle of April.

In addition to that, I understand the bill that is coming up tomorrow, the welfare reform package, they are using the same offsets to pay for that as well. So it will be kind of interesting to see how they really use their pay-fors in order to actually make this bill fully funded.

I might just finally point out that our bill does not take any money out of the Social Security Trust Fund. It comes out of general revenues, the same general revenues that my colleagues on the other side of the aisle would have taken in October of last year when they passed their first GOP stimulus bill, in which 16 of the largest low-taxed corporations in America would have gotten an immediate tax break of \$7.4 billion basically that would have been retroactive 16 years of the alternative minimum tax. Altogether it was \$25 billion in tax reduction for major corporations in America that really do not need it, including \$254 million to Enron and \$1.4 billion to IBM. All of these would have received tax cuts without a pay-for. We would take our pay-for out of the same source that the gentleman would have given major tax cuts to.

I see he paid for his. On the other hand, it is coming from the Taxpayers Bill of Rights or tomorrow's welfare reform package, so I find it somewhat inconsistent in terms of where his pay-for is actually going to come from. We support this bill. We wish we could have had a vote on our bill in the form of an amendment.

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

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

I would like to just comment briefly on the observation that the gentleman just made. There is an old saying that there are two things in life that are certain, one is death and the other is taxes. I think we can add to that the provision that bills are going to languish in the Senate and will not be taken up, so I would guess that these pay-fors are going to be used over and over again in this House until the Senate finally passes something, which the American people really would like to see them do and like to see us work together to do these things.

I would also like to say that this particular bill in the pay-for is a budget function. It does not take any general revenue and put it into the Social Security system as the gentleman from California's bill does.

Mr. Speaker, I would also like to at this time correct a figure that I gave the House earlier. I said that the cost of doing nothing was \$27 trillion. That figure is actually \$25 trillion over 75 years. When I look, and as I see and as I have heard and read from the gentleman from Missouri (Mr. GEPHARDT) and from the gentleman from California (Mr. MATSUI), they do not think that we have to do anything. They do not think we have to forward fund Social Security. Let me just run a couple of statistics by the House. I hate to take this time on this particular bill because it is peripheral to it, but in that all of the benefits that the gentleman from California keeps talking about in his bill are in my Social Security bill or my bill to save Social Security, I think it does have some justification to be discussed and particularly since my Social Security bill has been discussed at length as a privatization bill, which it is clearly not.

When Social Security first came online many, many years ago, there were 40 some workers per retiree. Now we are down to a little over three. Soon it will be a little over two. A pay-as-you-go system has served us well and as long as we had a lot of workers at the bottom and few retirees at the top, it was fine. It worked great.

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But now we know and the actuaries have told us, and now through the Democrat administration and the Republican administration they have advised us that there is a deficit pending in the Social Security System over the next 75 years of \$25 trillion. Mr. Speaker, that is a lot of money. That is

money that can bring down an entire economy.

So I say to my friend from California and other Members that think there is no need to do something, we are going to be faced with a dilemma and we had better start facing it. Do we want to cut benefits by one-third? I doubt it. But that is what we will have to do if we are going to keep the system going as a pay-as-you-go system.

Do we want to increase payroll taxes by 50 percent? I am sure we do not. But that is what we are going to have to do if you are going to maintain benefits and keep it as a pay-as-you-go system.

Or do we want to rack up a deficit of \$25 trillion over the next 75 years? I am not making these figures up. I do not come to this floor unprepared with these figures. It is a question of what the administration has said through the Social Security System, now through a Democrat and a Republican administration.

So I think it is time that we quit the talk about privatization, quit the talk about raiding the trust fund, all of these sorts of things. It is pure nonsense, because we do not raid the trust fund, because there is no money in the trust fund. There are only Treasury Bills, and you cannot raid the Treasury Bills.

I would also say that over the years when the Democrats controlled this House and the Senate and spending was very much in the red, that the Democrats did not raid the Social Security trust fund, because the system just does not work that way. But those are great words to really worry our seniors.

The seniors of this country have paid into a Social Security system as they know it today, and this Congress or no Congress should touch it. We should maintain the system and the integrity of the system as exactly what they have paid into.

However, it is time for us to begin to think ahead. If we do not want to raise payroll taxes, if we do not want to cut benefits, then we had better start planning ahead for the next generation, instead of just the next election. All we have heard about from the other side is the next election. Let us be responsible legislators and get together and save Social Security. Let us be concerned about our grandkids and our kids.

This is tremendously important. I think about every one of my 13 grandkids every time I think about where are we going to leave this country and this great retirement system. These little bitty kids are going to be seniors some day; they are going to be facing the possibility of poverty. They are going to pay into a Social Security system all of their working years.

They deserve better, Mr. Speaker. They deserve a responsible Congress that will go ahead and put all this rhetoric aside and reform Social Security. Unfortunately, I do not think we are going to see that until after this election, because there are some in this

House that would rather have the issue that might change the majority of this House rather than saving Social Security for their kids. That is a sad commentary, Mr. Speaker.

With that, I would like to end on a positive note and urge that all of the Members of this body vote "yes" on H.R. 4069 which is before this House.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would remind all Members that it is not in order to cast reflections on the Senate.

Ms. DELAURO. Mr. Speaker, I rise in support of this legislation, but it is with my extreme disappointment.

Mr. Speaker, five million widows currently experience a drastic reduction of benefits of up to 50 percent after their spouse dies. The poverty rate remains a staggering 15 percent for widows. That is simply wrong. America's seniors should not have to be confronted with a dramatic reduction in their Social Security income at the same time their beloved spouse dies. It should not happen.

That is why we should be debating legislation today that would guarantee Social Security benefits for elderly widows. But we are not.

Instead, we are debating a totally inadequate Republican proposal that would cover only 125,000 widows. The Republicans would leave over four million widows—four out of ten of whom depend on Social Security for 90 percent of their income—with severely cut benefits.

But it is a small step in the right direction. Covering 125,000 widows is better than covering none, which is our only other alternative and which is why I will support this weak bill. But let's not fool ourselves into thinking it is enough. We could do more. Democrats want to do more.

Our substitute, which was not allowed to be considered today, would have helped approximately 4.5 million elderly people—one million of whom now live below the poverty level. It would have addressed this problem in a meaningful way that helps our seniors out of poverty.

Instead, the Republicans are trying to fool the electorate into think they care about this issue by offering something, anything. The fact is that the Republicans find no problem with denying over four million widows Social Security benefits while they look forward to spending \$8 trillion to privatize the system.

Mr. Speaker, we should be doing more.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the legislation we are considering today, H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002.

This bill makes a modest attempt to address current deficiencies in the manner that Social Security compensates some widows.

The fact is that women are more likely than men to be dependent on Social Security for their retirement. Because of the kind of jobs they are more likely to hold, the responsibilities that they face with children and the work interruptions that result from family commitments, women tend to have lower earnings than men, are less likely to have pensions and therefore are more reliant upon Social Security for their retirement.

The bill we are considering today rectifies a few inequities in the system that are faced by certain widows whose benefits are unfairly reduced by the rigidity of the system. However, if the Majority wants to truly begin to address the failings in the system for widows we should be considering Representative MATSUI's more comprehensive legislation today—H.R. 4671, the Social Security Widow's Benefit Guarantee Act.

Representative MATSUI's bill, which I proudly cosponsored, would go much further than the bill on the floor and grant real retirement security for poor seniors by guaranteeing widows a benefit equal to 75 percent of the combined benefits the couple had been receiving prior to the death of the spouse.

Guaranteeing a livable retirement benefit for widows is critical because they tend to be overwhelmingly dependent on Social Security.

As a group, 75 percent of elderly non-married women, including widows, rely on Social Security for half of their income.

In the short-term these women deserve the guarantee Mr. MATSUI's bill would provide. In the long-term, we need to make sure benefits are available as promised and not risk the future of the system by privatizing it.

The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 4069, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SHAW. 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.

PROHIBITING MEMBERS OF ARMED FORCES IN SAUDI ARABIA FROM BEING REQUIRED OR COMPELLED TO WEAR THE ABAYA GARMENT

Mr. RYUN of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4714) to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment, and for other purposes.

The Clerk read as follows:

H.R. 4714

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

SECTION 1. WEAR OF ABAYAS BY MEMBERS OF THE ARMED FORCES IN SAUDI ARABIA.

(a) PROHIBITION RELATING TO WEAR OF ABAYAS.—A member of the Armed Forces may not be required or formally or informally compelled to wear the abaya garment or any part of the abaya garment while in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty.

(b) INSTRUCTION.—(1) The Secretary of Defense shall provide each member of the Armed Forces ordered to a permanent