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No. 17

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 11, 2004.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: With all my heart, I will praise You, Lord, as the House of Representatives is called to order and this Nation is invited to join in prayer for its leaders.

Great are Your works of creation and salvation, Lord. For those who are bound to You in the covenant of love, Your marvelous ways are revealed day by day.

You, O Lord, are gracious and merciful. You provide food and shelter for all those who trust in You. You are faithful to Your promises and strengthen Your people for the task You set before them.

For Your faithful ones, fear of the Lord is the beginning of wisdom. Once embraced, Your goodness and truth enlighten each deed, each decision, and the entire experience of a new day.

Because You are so reliable, we can build on the foundation of Your justice and measure each step with prudence, both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. McNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. McNULTY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 3 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1302

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. QUINN) at 1 o'clock and 2 minutes p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H. Con. Res. 354. Concurrent resolution to correct technical errors in the enrollment of the bill S. 610.

The message also announced that pursuant to section 4355(a)(2) of title 10, United States Code, the Chair, on behalf of the President pro tempore,

appoints the Senator from Alabama (Mr. SESSIONS), from the Armed Services Committee, to the Board of Visitors of the United States Military Academy.

The message also announced that pursuant to section 1501(b)(1)(C), title XV, of Public Law 108-136, the Chair, on behalf of the Majority Leader, appoints the following individual to serve on the Veteran's Disability Benefits Commission:

Vice Admiral Dennis Vincent McGinn.

The message also announced that pursuant to section 710(2)(A)(ii) of Public Law 105-277, the Chair, on behalf of the Majority Leader, appoints the following individual to serve as a member of the Parents Advisory Council on Youth Drug Abuse:

David C. Guth of Tennessee, vice June Martin Milam, term expired.

UNITED AIRLINES UNFAIRLY CUTTING RETIREE HEALTH BENEFITS

(Mr. MICHAUD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHAUD. Mr. Speaker, as co-founder of the House Labor and Working Families Caucus, I come to the floor today to address a serious injustice, United Airlines' plan to further cut the retirees benefits of 1,000 United retirees and their families. This is in spite of an agreement established between the airline and the employees when United entered bankruptcy.

Two thousand five hundred flight attendants chose to retire early in order to preserve their retiree health benefits and agreed to sacrifice up to 30 percent of their well-earned pension. These loyal employees did so as part of a \$1 billion concessionary contract to help their struggling employer. Now United is reneging on that deal.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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This is underhanded, and this is wrong.

I urge our distinguished Speaker of the House, who has a large number of these retirees in his district, and all my colleagues to demonstrate a commitment to our retirees and join in asking the CEO of United Airlines to do the honorable thing and keep his promise to these workers.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 743, SOCIAL SECURITY PROTECTION ACT OF 2003

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 520 ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 520

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 743) to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 520 provides for the consideration of a motion offered by the chairman of the Committee on Ways and Means or his designee to concur in the Senate amendment to H.R. 743. The rule provides for 1 hour of debate in the House on the motion, equally divided and controlled by the chairman and the ranking minority member of the Committee on Ways and Means.

H. Res. 520 provides that the Senate amendment and the motion shall be considered as read. It waives all points of order against consideration of the motion to concur in the Senate amendment, and it provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion.

Mr. Speaker, the purpose of H. Res. 520 is to expedite the final consideration of H.R. 743, the Social Security

Protection Act of 2003. Adopting this rule will allow the chairman of the Committee on Ways and Means to offer a motion to concur in the Senate amendment to the House-passed version of H.R. 743, which, if approved by the House today, will clear this bill for the President's signature. I urge my colleagues to join me in supporting this rule.

Last April, the full House of Representatives approved H.R. 743 with a 396 to 28 vote. The overwhelmingly bipartisan vote on House passage was preceded by the House rejecting the Green amendment. The Green amendment sought to maintain the so-called "last day rule," which is a loophole that a small number of workers in certain States have exploited in the past. To its credit, the underlying legislation before us closes down that loophole. Last December, the U.S. Senate approved its amendment to H.R. 743 by unanimous consent.

Let us be clear: H.R. 743 is non-controversial legislation that has wide bipartisan support in both the House and Senate, and promptly adopting the Senate amendment to H.R. 743 will enable the President to sign this legislation into law this month.

The Committee on Rules approved this rule by voice vote yesterday, and I urge my colleagues to support it so we may proceed with debate and consideration of the underlying, bipartisan bill.

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

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

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

Mr. FROST. Mr. Speaker, my fellow Texas Democrats have joined me here today on an issue of fairness. Will this House be fair to those who stand to lose a Social Security pension that has been fairly paid into and is fairly deserved, or will they vote to drive valuable public servants out of a system that desperately needs them?

Some Members believe that the Texas teachers and other public employees want some sort of special treatment. They do not. Their spouse correctly and completely paid into the Social Security system. And if they were just not teachers, policemen or firefighters, then they would receive their spousal benefit. Is this the message that we want to send, that the Social Security system will treat everyone honestly except those who are most valuable to our society?

Every Member here today supports the underlying bill, the Social Security Protection Act. Its main provisions would deny Supplemental Security Income, SSI, to fugitive felons, make it easier for seniors to get a lawyer for the complicated disability process, and reform the representative payee program so that seniors are not defrauded.

In fact, the House considered all of these reforms during the 107th Congress in a bill that passed the House

unanimously. Unfortunately, that bill, H.R. 4070, was not conferenced before the end of the Congress, and it has returned in this much more controversial form.

I support all the reforms in this bill, Mr. Speaker; and if the bill consisted of just these provisions, we would again pass this bill unanimously. But the same bill that helps protect our seniors from Social Security fraud hurts our teachers, firefighters, police officers and other public servants around the country, including in my home State of Texas. Specifically, section 418 of this bill would prevent those hard-working public servants from protecting their retirement benefits from the harsh impact of the Government Pension Offset.

Mr. Speaker, this issue may appear complicated to some, but it is very clear to the thousands and thousands of dedicated teachers and other public servants who are affected by it. So clear, that both the National Education Association and the American Federation of Teachers are opposed to this bill.

Many teachers in this country have pension plans that are not covered under Social Security, but they have spouses who are working in jobs that do pay into Social Security. Under normal circumstances, a surviving spouse, such as a teacher, would be eligible for spousal or survivor's benefits if their spouse, who paid into Social Security, dies. But under current law, the Government Pension Offset reduces or eliminates the spousal or survivor's benefits for teachers and others who pay into pension plans that are not covered by Social Security.

Fortunately, there is a provision in the law right now that helps some people in this situation. It allows you to protect your retirement by switching jobs at the end of your career. This "last day exemption," as it is called, has helped many teachers in Texas and other States protect the Social Security benefits they deserve and that they now need to retire. However, section 418 of the underlying bill would eliminate this exemption. Instead, it would force teachers, police officers, firefighters, and other public servants to work 5 additional years before receiving full spousal benefits.

Mr. Speaker, that is no way to treat hard-working people who have dedicated their entire lives to serving their communities and this Nation. It hurts real people, especially women and lower-income individuals. That is why I will ask Members to defeat the previous question on this bill today. If we do, then I will do something that 285 of our colleagues have asked this Congress to do, and that is to eliminate the Government Pension Offset.

Our colleague, the gentleman from California (Mr. MCKEON), has a bill, H.R. 594, which 285 of us have cosponsored, which calls for the elimination of the GPO. If we defeat the previous question, then I will attach that bill to H.R. 743 without section 418 and then