

and other groups, in concert with their United States Senator or United States Representative, an opportunity to document the unique customs and cultures that make us Americans. I think of the Local Legacy Project as a patchwork quilt of American communities; no two are exactly alike, but each is a true treasure.

I am very pleased that the First Congressional District in Connecticut will be participating in the Library's Local Legacy Project with four projects of our own: The Legacy of Our Education will feature six historic and influential institutions: American School for the Deaf, Trinity College, University of Connecticut School of Law, University of Hartford, Teaching Hospitals and St. Joseph's College; The Legacy of Our Natural Resources includes the Riverfront Recapture—Connecticut River and Elizabeth Park Rose Garden; The Legacy of Our Proud Heritage includes the First Congressional District Foot Guard, Old State House, Mark Twain House, Harriet Beecher Stowe House, Noah Webster House, Oliver Ellsworth Homestead, Cheney Homestead, Warehouse Point Fire and Drum Corps, and the Eighth Connecticut Regiment Fire and Drum Corps; and The Legacy of the Creative Spirit includes the following organizations: Wadsworth Atheneum, Hartford Stage, Bushnell Memorial Hospital, Hartford Symphony, and Real Art Ways.

I am optimistic that our "creative spirit" will not be limited to our Legacy projects alone. One of the Library's other bicentennial programs includes the exhibition of its unparalleled collection of Thomas Jefferson materials, documents, books, drawings, and prints. I am hopeful that a collection of his works may make their way to Hartford, Connecticut, our state's capital, to be displayed.

While much is taking place in communities across America to preserve our culture, I am pleased to have played a role in the preservation of our legislative culture here in the House of Representatives. As a former high school history teacher, I was heartened by the support I received from Dr. Billington and his staff last year as I worked to obtain passage of my History of the House Awareness and Preservation Act. This bill authorizes the Library of Congress to commission eminent historians to assemble a written history of the House. Presently, the Library is beginning the process by gathering the names of eminent historians.

The largest rare book collection in North America, the largest and most diverse collections of scientific and technical information in the world, and the most comprehensive collection of American music in the world, are just a fraction of the unique documents housed in the Library. In addition, the Library receives 22,000 items each day. How could Thomas Jefferson ever imagine that his personal library of 6,487 books would one day grow to be such a tremendous source of knowledge.

The Library of Congress: an institution that has touched the world, and an institution that has touched history. Congratulations on your bicentennial, and may you continue to make America proud.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 269.

The question was taken.

Mr. EHLERS. 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.

#### GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 269.

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

There was no objection.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 4 o'clock and 14 minutes p.m.), the House stood in recess until approximately 5 p.m.

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#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 o'clock and 2 minutes p.m.

#### SENIOR CITIZENS' FREEDOM TO WORK ACT OF 2000

Mr. SHAW. Madam Speaker, I ask unanimous consent that it be in order at any time today to take from the Speaker's table H.R. 5, with a Senate amendment thereto, and to consider in the House a motion offered by the Chairman of the Committee on Ways and Means, or his designee, that the House concur in the Senate amendment, that the Senate amendment and the motion be considered as read; that the motion be debatable for 1 hour equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means, or their designees; and that the previous question be considered as ordered on the motion to final adoption without intervening motion.

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

There was no objection.

Mr. SHAW. Madam Speaker, pursuant to the unanimous consent request just agreed to, I call up the bill (H.R. 5) to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. SHAW

Mr. SHAW. Madam Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. SHAW moves to concur in the Senate amendment to H.R. 5.

The text of the Senate amendment is as follows:

Senate amendment:

Page 2, line 1, strike out all after "SECTION" over to and including line 3 on page 7 and insert:

#### 1. SHORT TITLE.

*This Act may be cited as the "Senior Citizens' Freedom to Work Act of 2000".*

#### SEC. 2. ELIMINATION OF EARNINGS TEST FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

*Section 203 of the Social Security Act (42 U.S.C. 403) is amended—*

*(1) in subsection (c)(1), by striking "the age of seventy" and inserting "retirement age (as defined in section 216(l))";*

*(2) in paragraphs (1)(A) and (2) of subsection (d), by striking "the age of seventy" each place it appears and inserting "retirement age (as defined in section 216(l))";*

*(3) in subsection (f)(1)(B), by striking "was age seventy or over" and inserting "was at or above retirement age (as defined in section 216(l))";*

*(4) in subsection (f)(3), by striking "age 70" and inserting "retirement age (as defined in section 216(l))";*

*(5) in subsection (h)(1)(A), by striking "age 70" each place it appears and inserting "retirement age (as defined in section 216(l))"; and*

*(6) in subsection (j)—*

*(A) in the heading, by striking "Age Seventy" and inserting "Retirement Age"; and*

*(B) by striking "seventy years of age" and inserting "having attained retirement age (as defined in section 216(l))".*

#### SEC. 3. NONAPPLICATION OF RULES FOR COMPUTATION OF EXEMPT AMOUNT FOR INDIVIDUALS WHO HAVE ATTAINED RETIREMENT AGE.

*(a) IN GENERAL.—Section 203(f)(8) of the Social Security Act (42 U.S.C. 403(f)(8)) is amended by adding at the end the following new subparagraph:*

*"(E) Notwithstanding subparagraph (D), no deductions in benefits shall be made under subsection (b) with respect to the earnings of any individual in any month beginning with the month in which the individual attains retirement age (as defined in section 216(l))."*

*(b) CONFORMING AMENDMENT.—Section 203(f)(9) of the Social Security Act (42 U.S.C. 403(f)(9)) is amended by striking "and (8)(D)," and inserting "(8)(D), and (8)(E)."*

#### SEC. 4. ADDITIONAL CONFORMING AMENDMENTS.

*(a) ELIMINATION OF REDUNDANT REFERENCES TO RETIREMENT AGE.—Section 203 of the Social Security Act (42 U.S.C. 403) is amended—*

*(1) in subsection (c), in the last sentence, by striking "nor shall any deduction" and all that follows and inserting "nor shall any deduction be made under this subsection from any widow's or widower's insurance benefit if the widow, surviving divorced wife, widower, or surviving divorced husband involved became entitled to such benefit prior to attaining age 60."; and*

*(2) in subsection (f)(1), by striking clause (D) and inserting the following: "(D) for which such individual is entitled to widow's or widower's insurance benefits if such individual became so entitled prior to attaining age 60.".*

*(b) CONFORMING AMENDMENT TO PROVISIONS FOR DETERMINING AMOUNT OF INCREASE ON ACCOUNT OF DELAYED RETIREMENT.—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by striking "or suffered deductions under section 203(b) or 203(c) in amounts equal to the amount of such benefit" and inserting "or, if so entitled, did not receive benefits pursuant to a request by such individual that benefits not be paid".*

**SEC. 5. EFFECTIVE DATE.**

The amendments made by this Act shall apply with respect to taxable years ending after December 31, 1999.

The SPEAKER pro tempore. Pursuant to the order of the House today, the gentleman from Florida (Mr. SHAW) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

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

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

## GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I strongly support H.R. 5, legislation to repeal the earnings penalty for hard-working seniors age 65 and over.

Madam Speaker, I am especially pleased that the Senate acted quickly and unanimously in support of this important legislation. The technical changes made in the Senate improve on the legislation passed unanimously by this House, and I urge all Members to once again support this excellent bill.

Due to this quick work, seniors will soon receive all the benefits that they are owed, even if they continue to work after reaching the age of 65. That is their choice. As the name of our legislation suggests, they deserve the freedom to choose to work without losing Social Security benefits.

It is worth noting that many seniors now affected by the earnings limit will receive back payments from months this year that they have lost their Social Security benefits. That will be a welcome relief for many, including some who have lost Social Security benefits for years due to this unfair penalty. Seniors can save this money for their future, use it to help with their grandchildren's college education, or buy prescription drugs. Again, it is their money and it should be their choice.

Madam Speaker, ending the earnings penalty is the right thing to do. It is also an affordable thing to do, as the Social Security Administration's independent actuaries have told us. They agree this legislation will not affect the soundness of the Social Security program and its trust funds.

We still must address Social Security's long-term financial imbalance, but we were very careful to ensure this legislation does not make that task any more difficult than it already is.

I would like to congratulate the gentleman from Texas (Mr. SAM JOHNSON), our colleague, and the gentleman from Minnesota (Mr. PETERSON) who first in-

roduced this legislation at the beginning of this Congress. I also congratulate the gentleman from Texas (Chairman ARCHER) for his years of tireless work in relaxing and now repealing the earnings penalty. He is a personal testament to what hard-working seniors can do. In large part, passing this legislation is a tribute to his tireless devotion to helping our Nation's taxpayers, including the seniors who have spent decades working to support their families, their businesses, and this great country.

Madam Speaker, I urge all Members to support this outstanding legislation. Our hard-working seniors deserve no less. I would also like to pay tribute to the minority side and thank the gentleman from New York (Mr. RANGEL) and the gentleman from California (Mr. MATSUI) for making this really a landmark bipartisan bill and one that every Member of the House can be very proud to support.

Mr. Speaker, since there will be no House-Senate conference, and the Senate manager's amendment to H.R. 5 proceeded without a full committee report being filed by the Finance Committee, I believe a brief explanation is in order of the differences between the legislation before us today and the version of H.R. 5 that was approved by the House on March 1, 2000.

First, some background is needed. Under current law there are two separate senior earnings limits: a stricter limit that affects those who start drawing Social Security benefits before reaching the full retirement age (which is currently age 65) and a more lenient limit affecting seniors who have reached the full retirement age. After reaching age 70, seniors are no longer affected by an earnings limit. The stricter earnings limit is \$10,080 this year, with a 50% benefit offset for earnings above the limit. The more lenient limit is \$17,000, with a 33% benefit offset for earnings above the limit. H.R. 5 repeals the earnings limit for seniors who reach the full retirement age.

The legislation before the House today is slightly modified from the version that passed unanimously on March 1 with respect to the earnings limit for the first months of the calendar year during which a senior reaches the full retirement age. For seniors turning 65 in 2000, the issue is what earnings limit will apply for months prior to their 65th birthday (that is, while they are still 64)? Under the legislation previously approved by the House, the more lenient limit would apply for such months for seniors who turn 65 in 2000; for seniors who reach the full retirement age in future years, the stricter limit would apply during those months. Under the legislation we are considering today, the more lenient limit would apply for such months in all years.

I am pleased that the House is supporting this change today, which has the effect of slightly broadening the relief from the earnings penalty afforded by the version of H.R. 5 the House has already passed. It is worth noting that this change will not affect Social Security's long-run financial soundness, just as the underlying H.R. 5 would not affect program solvency. This change is certainly in keeping with the spirit of H.R. 5, which is designed to help seniors who want or have to work to bet-

ter support themselves and their families. These hardworking seniors deserve to keep the benefits they have paid for, as this legislation provides.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I would like to congratulate the gentleman from Florida (Mr. SHAW) and the gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, for the cooperation that they gave to us in the minority in indicating that this would be a priority piece of legislation. It gave those of us on the Committee on Ways and Means the opportunity to get the support of our Members on this side of the aisle and to demonstrate how cooperation can have both sides of the aisle working a lot more closely.

We hope that this sign of cooperation means that before this year ends, that we will have the opportunity to show that there are plenty of differences between our parties and how we achieve the goals, and we do not challenge each other's intent in terms of what is good for this country, but certainly there should be a lot of things that we can agree upon. I think it would be healthy and it would be the right political thing for us as an institution to bring those things forward, Democrats and Republicans, to show the House, to show the other body, and indeed to show the President and the country that we are a body that can work.

This is a good piece of legislation. It is long overdue. The manner in which it has received overwhelming support is just indicative of what we can do when we put our minds to it.

Madam Speaker, I ask unanimous consent to yield the balance of my time to the distinguished gentleman from California (Mr. MATSUI), ranking member of the Subcommittee on Social Security, and that he may control the time.

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

There was no objection.

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

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

Madam Speaker, first of all, I would like to just reiterate what the gentleman from New York (Mr. RANGEL), ranking member on the Committee on Ways and Means, has said. First of all, I want to commend the gentleman from Texas (Chairman ARCHER) for his bipartisan approach on this legislation. And, of course, the gentleman from New York (Mr. RANGEL) for his leadership on the Democratic side.

I want to pay particular thanks and commendation to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security. I think he did a tremendous job on moving the bill from the subcommittee

to the full committee and the floor of the House.

Obviously, Democrats and Republicans working together made sure that the other body kept their amendments to a minimum. We just appreciate the cooperation and the bipartisan spirit, I think, that both sides of the aisle have had. But I do want to take that moment to make that observation.

Madam Speaker, I would just like to very briefly reiterate some of the things that have been said before. The Senate had two technical amendments to our legislation. Both were very technical in nature and actually improved the basic underlying legislation.

As a result of that, we think that this bill should have, as it had when it left the House, unanimous approval. 422 Members voted for it and no Member voted against it.

This will go a long way in encouraging senior citizens who are so needed when the unemployment rate is under 5 percent, to stay in the workforce. These are people that undoubtedly have years and years of experience and a wealth of knowledge to pass on to their co-workers, and to ensure that they can stay in the workforce and garner the same wages without any penalty is something that the Congress is now about to do in sending this bill to the President.

Certainly, I think it is a major achievement. Obviously, we have a long ways to go in terms of ultimately the comprehensive Social Security reform. And I think the gentleman from Florida and myself and others such as the gentleman from Texas (Mr. STENHOLM) that have been working on comprehensive reform know that that is a task that looms before us. This action, in and of itself, should not deter us from trying to grapple with that very difficult and complex subject. And we know that there is partisan undertones to it. We also know that it is very difficult to deal with. But we are going to have to address that particular issue.

So, again, I urge my colleagues to vote in favor of this conference report so we can send it immediately to the President. And, again, I want to commend all individual Members who have worked on this legislation, including, I might add, I saw him come in, the gentleman from Texas (Mr. SAM JOHNSON), a member of the Committee on Ways and Means, and, of course, the gentleman from Minnesota (Mr. PETERSON) on the Democratic side who were the original two cosponsors of this legislation.

Madam Speaker, I want to congratulate my colleagues for all their hard work on this bill. I am very pleased to be here today to see this bill through another step toward becoming law.

Our vote today signals the end of the Social Security retirement earnings test for people who have reached the normal retirement age. This is a remarkable event because as the title of the bill indicates, we are freeing our seniors from the work limits imposed by current law.

No longer will the most experienced members of our labor force have to experience a

reduction in their Social Security benefits if they choose to work. No longer will seniors have to calculate just how many months and days each year they can work without hitting that earnings limits.

This is good for senior citizens who want to work, good for our workforce which benefits from the experience and knowledge of older workers, and of course good for the economy.

Repealing the retirement earnings test will allow thousands of Social Security recipients to work without a reduction in their benefits. The Social Security Administration estimates that in 1999, 793,000 beneficiaries between the ages of 65 and 69 had some or all of their benefits withheld because of the retirement earnings tests.

By allowing beneficiaries to work without suffering a reduction in benefits, more older workers may decide to remain in, or to return to, the labor force.

Repealing the retirement earnings test will not affect Social Security's finances over the long run and would not change the date by which the Social Security Trust Funds are projected to be exhausted. Repealing the retirement earnings test for beneficiaries above the normal retirement age has a short-run cost, but over the long run, that cost is entirely offset.

Further, repealing the retirement earnings test will make the Social Security program easier and less expensive to administer. The Social Security Administration estimates that savings from the cost of administering the earnings test could be as high as \$100 million.

I am particularly pleased that the only modification to the bill that the Senate accepted was a relatively minor one and one that improves the bill. The amendment adopted by the Senate changes the way in which the bill applies to Social Security beneficiaries during the year in which they reach the normal retirement age and ensures that no one will be worse off under this bill than under current law. I am certain that no Member of the House will have an objection to this change and I look forward to sending this bill quickly to the President for his signature.

I'd like to point out that not a single Member of Congress has voted against this bill, a clear testament to the bipartisan support it has received. When the bill was first considered by the House, it passed 422-0.

When the bill was considered by the Senate, it passed 100-0. I expect the outcome of our vote today to be the same.

Additionally, our support for H.R. 5 sends a clear signal that by working together, Democrats and Republicans, we can accomplish much more than we could by working at odds.

Over the past several weeks, as this bill moved through the Ways and Means Committee, the House floor, and the Senate, Members have set aside their differences so that this bill could proceed and we could achieve a victory for seniors who need to work without penalty. I am proud of our accomplishment.

I am extremely pleased that the Congress has addressed the earnings test in a bipartisan manner, and I remain hopeful that the Congress might address other much-needed Social Security legislation in the same fashion to deal with the shortfall that the system will face in the coming decades.

Again, I want to thank my colleagues again for all their hard work. This is truly an historic day and a big victory for our senior citizens.

Madam Speaker, I reserve the balance of my time.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a respected member of the Committee on Ways and Means.

Mr. ENGLISH. Madam Speaker, I would like to thank the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security, and the gentleman from Texas (Mr. SAM JOHNSON), my distinguished colleague, for their extraordinary efforts as well as my colleagues on the other side of the aisle.

Madam Speaker, right now the Social Security system places a higher tax penalty on working seniors than on billionaires. We have been sending seniors the message that when they hit retirement age, we do not want them anymore. The earnings limit that was created 60 years ago is a relic of Depression era economics that says that seniors should make room for younger workers. But we all know, seniors add more to the workforce and more to the economy than they could ever take away. They add their years of experience and their talents.

H.R. 5 repeals the earnings limit which unfairly punishes seniors who earn more than \$17,000 a year. That is not a lot. This legislation has received virtually unanimous support in the House and Senate, but more importantly, a ground swell of support from our constituents. After all, a 65-year-old who works as a barber or a cashier currently loses \$500 in benefits just because they have earned \$18,500 a year. That is absurd. This arbitrary limit serves as a barrier to many low- and middle-income seniors who need to work in order to improve their quality of life or even to make ends meet.

The Social Security Administration reports that more than 800,000 working seniors between the ages of 65 and 69 lose part or all of their Social Security benefits due to this outdated earnings limit.

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My own State of Pennsylvania ranks sixth with the number of seniors adversely affected by that earnings limit. It is important that Congress protect the dignity of retirement. The time has come for us to unshackle the creative energies of America's seniors.

Today, by supporting this legislation, Congress says to seniors, you may choose to work, choose to remain part of the productive economy, and choose to share your talents, and we will not punish you.

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

Mr. CARDIN. Madam Speaker, let me thank the gentleman from California (Mr. MATSUI) for yielding me this time and for his work on bringing this legislation forward and the gentleman from

Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security.

This is a very important piece of legislation. It will be enacted, I think, very shortly once we complete our action and it is forwarded to the President. It will affect 800,000 seniors who have had their Social Security checks reduced just because they decided to continue to work. That makes no sense at all.

We need more workers in the workforce, not less. In today's economy and with the shrinking workforce that we have of more people retiring and less people working, it makes common economic sense to allow those 65 years of age who want to work to be able to work.

Without this legislation, the marginal tax rate is 33 percent. That is unacceptable. That is why we are changing it. It is interesting that this particular legislation will have no impact on the long-term solvency of the Social Security system, for it is a plus in having people work and contributing to the system.

It also benefits women more than men, because women's work history is not as strong, generally, as men. This will allow women to be able to continue to work without being penalized under the Social Security system.

Madam Speaker, this legislation becomes effective January 1. It is retroactive to the current year, as it should be, so that individuals in this current year will be able to get their full Social Security benefits without the reduction for their work.

As the gentleman from Florida (Mr. SHAW), Chair of the Subcommittee on Social Security, pointed out, we are able to do this even though we cannot bring forward at this point comprehensive Social Security reform. I think we would all like to do that. We know that we need to deal with the Social Security system in a broader context, but we have an agreement on this very important piece of legislation, so we are bringing that forward. We are doing it in a bipartisan way.

Madam Speaker, as the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means, said, we should use this as a model to work together, Democrats and Republicans, to bring other legislation forward.

I think about the need for seniors for prescription drugs. We may not be able to agree on Medicare reform; but we can agree, I would hope, on prescription drugs.

Let us in a bipartisan way bring that forward, which will also help our seniors.

This is a good day for seniors. It is a good day for our Nation. I congratulate all involved.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. SAM JOHNSON), a member of the Committee on Ways and Means and one of the original sponsors of H.R. 5.

Mr. SAM JOHNSON of Texas. Madam Speaker, I thank all on both sides of the aisle for their support.

Today, 800,000 seniors are one step closer to gaining their freedom to work. It sounds unbelievable, does it not? To think that, since 1935, when Social Security was first proposed, we have been penalizing our seniors for working. That is right. Since the inception of the Social Security system, our seniors have lost \$1 in benefits for every \$3 they earn over a set amount.

Currently, as was stated, seniors may only earn \$17,000 before losing their benefits.

But today, thanks to the hard work and dedication of the gentleman from Texas (Chairman ARCHER); Speaker HASTERT; the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security, we find ourselves ready to pass the Senior Citizens' Freedom To Work Act, a bill I introduced last year.

I know that 64,500 seniors in Texas alone, including Tony Santos and his family, whom I spoke of earlier, are going to celebrate their new-found freedom to work.

I fought in both Korea and Vietnam for freedom, and I believe that includes the freedom for our seniors to work without being penalized by the Federal Government.

Our seniors are dedicated, experienced workers who have endured this Depression-era law for far too long. We are in a new century, 60 years past the Great Depression, where laws passed in 1935 are no longer relevant.

This Nation was built by generations of Americans who believed in the free enterprise system. In the words of Thomas Edison, "There is no substitute for hard work." This legislation will make sure that our seniors have the freedom to work, save, and invest in a better America for tomorrow.

Mr. MATSUI. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. STENHOLM), the distinguished ranking Democrat on the Committee on Agriculture, who has been really one of the leaders in the whole Social Security reform issue.

Mr. STENHOLM. Madam Speaker, I thank the gentleman from California for yielding me this time, and I appreciate the leadership of him and the gentleman from Florida (Mr. SHAW) on this effort and other efforts regarding Social Security.

I strongly support repeal of the Social Security earnings limit. In fact, repeal of the Social Security earnings limit has been part of the comprehensive Social Security legislation that the gentleman from Arizona (Mr. KOLBE) and I introduced in the last two Congresses.

However, I do want to take this time to reiterate my disappointment that we are considering legislation to increase Social Security benefits without even discussing the long-term financial challenges facing Social Security. We should have spent the last year working on a comprehensive plan to strengthen Social Security that would restore solvency, reduce unfunded li-

abilities, give workers greater control of their retirement income, improve the safety net, and reward work.

But we, both the President and Congress, have ignored our opportunity to deal with the long-term challenges facing Social Security.

Later this week, the Social Security trustees will issue their annual report which will show that the short-term outlook for Social Security has improved slightly. We cannot afford to let this good news distract us from the problems that remain. While the short-term outlook for the Social Security Trust Fund may be improved, the long-term problems and the pressures facing the rest of the budget may actually be worse.

When the Senate considered this legislation, Senator JUDD GREGG proposed an amendment which would have made a modest step in advancing the discussion about the challenges facing Social Security among policy makers and the public. The Gregg amendment would have required the commissioner of Social Security to provide the public and policy makers with easily understood and readily available information about the financial challenges facing Social Security. The purpose of the amendment was simply to encourage a more honest discussion of the challenges facing Social Security.

Unfortunately, the Senate did not have time to discuss these issues when it considered the earnings bill. However, the Senate Finance Committee chairman did indicate his willingness to work with Senator GREGG on this issue later this year.

I would respectfully encourage the gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, and the gentleman from Florida (Mr. SHAW), chairman of the Subcommittee on Social Security, to conduct hearings on these recommendations so that they may receive the attention they deserve.

More importantly, I encourage all of my colleagues to remember that we still have serious financial problems facing Social Security that must be addressed. So while all Members should vote for the earnings limit repeal today for the reasons we have so eloquently heard made already, we should not forget that we still have much hard work to do in making sure that Social Security remains financially sound for our children and for our grandchildren.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a respected member of the Committee on Ways and Means.

Mr. HAYWORTH. Madam Speaker, I thank the gentleman from Florida, the chairman of the Subcommittee on Social Security from our Committee on Ways and Means, for yielding me this time.

Madam Speaker, I appreciate the gentleman from Texas (Mr. SAM JOHNSON) lamenting a long-term solution to the Social Security challenges that we

face. But I think a word is in order to put this debate and this challenge in context. One of the elemental lessons we learn in civics class is that the President proposes; the Congress disposes.

Sadly, executive leadership has been lacking and, indeed, missing when it comes to a serious, long-term solution of Social Security challenges we face.

Now it is true the gentleman from Texas (Mr. SAM JOHNSON), along with the gentleman from Arizona, have one remedy that they have proposed. The gentleman from Florida (Mr. SHAW), the chairman of the subcommittee, and the gentleman from Texas (Mr. ARCHER), the chairman of the full committee, likewise, have a long-term solution.

But, again, the missing ingredient, sadly, is effective leadership from the administration; and it looks like it will take a verdict of the people on the first Tuesday following the first Monday in November to make that change.

However, Madam Speaker, it is well worth asking the question, what took us so long to correct the injustice that at long last this House will correct tonight? Since the mid-1930s, since the advent of the Social Security program, those seniors who chose to work past retirement age have been penalized to the tune of \$1 out of every \$3 of benefits earned, simply because they chose to work.

Now, with a labor shortage, with so many senior Americans, healthy, willing and able to work, at long last, this House has moved to correct this inequity.

Again, Madam Speaker, I welcome my colleagues on the left who join with us at long last in this bipartisan effort. But, again, Madam Speaker, the question that so many Americans will continue to ask is, why did it take so long? Even as we deal with the responsible question of a long-term remedy for Social Security, the question remains, why did it take the denizens of the left so long to join with us?

Even as we extend the hand of bipartisanship, we welcome now this new-found coalition. We hope that it will result in other moves to restore tax fairness and balance for all Americans. But this important step we take, and we welcome the newcomers to this endeavor with the hand of bipartisanship.

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

Madam Speaker, one of the issues I think that the gentleman from Arizona (Mr. HAYWORTH) raised of why are we doing this now, if we would have done it 3 or 4 years ago, we would have had either taken it out of Defense or perhaps other domestic programs or else increased the deficit. We have a surplus now. As a result of that, we were able to do it without cutting other programs, including the Defense budget.

In addition, I would just add that, over the length of the Social Security program itself, we will not see any lost

revenues because there is a pick up of revenues in terms of the credit that is given.

So the reason we did it is quite simple, we have a surplus. We did not have a surplus before.

Mr. KLECZKA. Madam Speaker, will the gentleman yield?

Mr. MATSUI. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Madam Speaker, the only reason I rise is to ask if the gentleman from California (Mr. MATSUI) would respond to a question.

Mr. MATSUI. Yes, Madam Speaker.

Mr. KLECZKA. Madam Speaker, the gentleman from Arizona (Mr. HAYWORTH), the previous speaker, indicated that there was no initiative coming from this administration on this proposal. I believe the gentleman from California served during the Bush administration and Reagan administration. Does he recall similar legislation coming down from either President Reagan or President Bush asking Congress to repeal the earnings limit?

Mr. MATSUI. Madam Speaker, I think President Reagan did, but I do not know if President Bush did. I am not quite sure.

Mr. KLECZKA. Okay, Madam Speaker.

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

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

Madam Speaker, I think the old adage comes to mind of never ask a question that you do not know the answer to.

Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means.

Mr. ARCHER. Madam Speaker, I thank the gentleman from Florida for yielding me this time.

Madam Speaker, today is a great day for hundreds of thousands of working seniors across this country. It is also a special day for me personally, because it is a culmination of my 27-year effort to repeal the earnings limit.

In fact, I introduced a bill to do so in 1973, and we have taken out of the archives a copy of that bill, H.R. 10148. The reason to repeal the earnings penalty then was the same as it is today, it is simply wrong.

Twenty-seven years is a long time to wait for me. But I am more thrilled that working seniors will not have to wait any longer to be free from this punishing tax.

I also want to thank the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Florida (Mr. SHAW), chairman of the subcommittee on Social Security, for their tireless efforts on this bill.

The Social Security earnings limit is not only wrong, it is unfair, and it is backwards.

□ 1730

The earnings penalty actually cuts Social Security benefits from many

working seniors over the age of 65 and gives them the highest effective tax rate of their entire lives at a time when senior citizens should be realizing lower taxes. It discourages them from working. And why in the world would we want to discourage any American, whether they are 16 or 67, from working?

Clearly, repealing this penalty is the right thing to do. More seniors are choosing to work today past their retirement for many reasons: for their own financial needs, to help their families or their grandchildren through school, or for their own personal fulfillment. The point is Americans are living longer now and older Americans can and do make a great contribution to our society. They should not be punished.

In addition, repealing the earnings penalty will now unleash the productivity of one of the most experienced and talented workforces in this country at a time when our growing economy needs it and will need even more of it in the new century. This is clearly a win-win for everyone, which is why the bill today enjoys widespread bipartisan support.

In summary, repealing the earnings penalty is based on the fundamental principles of fairness and freedom. Seniors can now be free to work without penalty and be treated fairly by a program that they paid into their entire lives.

The victory today goes to the hundreds of thousands of older Americans who do not see retirement as an end but as a new beginning.

Mr. SHAW. Madam Speaker, may I inquire as to how much time remains on either side?

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from Florida (Mr. SHAW) has 17½ minutes remaining, and the gentleman from California (Mr. MATSUI) has 19 minutes remaining.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentlewoman from Washington (Ms. DUNN), a member of the Committee on Ways and Means.

Ms. DUNN. Madam Speaker, I thank the gentleman for yielding me this time, and I rise today in enthusiastic support for H.R. 5, the Senior Citizens' Freedom to Work Act.

It is really a joy to be on the floor and be debating this bill in concert with the minority. It is a great feeling that we all believe this is something that needs to be changed for the fairness of our Nation's valued seniors.

The Social Security earnings penalty is yet another aspect of the Social Security System that just no longer applies to today's society. It is a 60-year old system. It was written in the 1930s, and it just does not work any longer, and that is why we unite today in wanting to change this provision.

Seniors are living longer, healthier lives and we need their strength and their experience in our communities. We need their examples and their institutional memories to provide the example to young new workers who are moving into the job market.

In my State, Washington State, some of our very best workers right now are sitting in rocking chairs because they cannot afford the loss of their Social Security income that would come with their continuing in their jobs. Thirteen thousand seniors in my State are being forced to choose between the jobs that they love or need and losing the retirement income for which they have worked all their lives. This is not only wrong, as our chairman said, but it keeps an intelligent and productive part of the work force at home.

Seniors who are currently retired have been called the greatest generation for the sacrifices they made in defending freedom and building America into the world's only remaining economic and military superpower. It is time that we honor their contributions to America by allowing them to continue to give one of the most precious gifts of all to us: Their work ethic.

Madam Speaker, I urge my colleagues to support this very important bill.

Mr. SHAW. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations.

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

Mr. GILMAN. Madam Speaker, I thank the gentleman for yielding me this time, and I rise today to strongly support the Senate amendments for H.R. 5, the Senior Citizens' Freedom to Work Act.

This modified bill removes earnings limits for working seniors who receive Social Security. For too many years seniors aged 65 to 69, who chose to continue to work, had their Social Security benefits deducted by \$1 for every \$3 earned when their total earnings exceeded \$12,500 annually.

The 104th Congress, with my support, made a needed change, raising the earnings limit to \$30,000 by the year 2002. This year's earnings limit went up to \$17,000. I have long believed that more needed to be done on this issue. Ever since coming to Washington in our 93rd Congress, I have introduced legislation to either raise the earnings limit or eliminate it all together.

The Social Security earnings limit only serves to discourage seniors from working and diminishes their potential impact on society. It is a condescending regulation. It conveys a message that seniors have nothing to contribute and are better off not serving in the workforce. And, of course, that is not true.

It is gratifying the President has voiced his support for eliminating the earnings limit. I commend the Committee on Ways and Means for their attention to this issue; and, likewise, the Senate should be commended for their rapid attention in bringing the measure to the floor, making their legislation retroactive to December 31, 1999, so that those seniors who turn 65 this

year may take full advantage of this bill's benefits.

Accordingly, Madam Speaker, I urge my colleagues to join in supporting this worthy legislation.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Michigan (Mr. CAMP), a member of the Committee on Ways and Means.

Mr. CAMP. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of H.R. 5.

I am proud that today we are moving forward in eliminating the Social Security earnings limit. Today, one of the biggest problems facing our country is not lack of jobs but lack of workers. This is in direct contrast to the 1930s, when the earnings limit was enacted and imposed a tax on working seniors.

H.R. 5 is important to seniors in the State of Michigan, where nearly 653,000 adults age 65 and older depend on Social Security to make up half their total income. At least one in 11 seniors in my State are still working. These seniors have earned their Social Security benefits through a lifetime of contributions, and the government does not have the right to impose a 33 percent tax on them.

The earnings limit is unfair and discriminates against working seniors. No retiree should be penalized for choosing to work. Our proposal would eliminate this tax penalty on earnings and would allow seniors to collect their full Social Security benefits if they choose to work. After all, it is their money.

I am pleased that my colleagues on both sides of the aisle are supporting this legislation. It is time to stop penalizing our seniors with such an unjust tax, and I urge my colleagues to vote "yes" on H.R. 5.

Mr. SHAW. Madam Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. WELLER), a respected member of the Committee on Ways and Means.

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

Mr. WELLER. Madam Speaker, what a great day. We have legislation before us that is all about fairness and it is legislation, I believe, that will pass with overwhelming bipartisan support.

In Illinois there are 800,000 senior citizens between the ages of 65 and 70 who, because of their circumstances, either want to continue working or need to work because their savings and retirement plans did not work out quite the way that they had wanted. But these seniors suffer what is called the Social Security earnings penalty limit. Essentially, their Social Security benefits are taxed away if they continue working. That is just wrong.

This has gone on for far too long. In fact, this was put into place back in the 1930s to discourage senior citizens from working. We are fortunate today to have a pretty good economy. But many times employers who are looking for workers are told by senior citizens who would like to work that if they are

hired and they begin working, they are going to lose their Social Security.

I am sure my colleagues can recall conversations they have had with their neighbors or constituents where that has been a statement that they have heard. In my home State of Illinois, 58,000 senior citizens between the ages of 65 and 70 are currently punished because they are working. They are losing almost one-third of their Social Security benefits if they make more than \$17,000 a year. Essentially, they are being taxed at Donald Trump's rates. That is not right. That is not fair.

Senior citizens today are working longer; they are living longer; and they want to be active longer, but our Tax Code punishes them. That is just wrong. It is an issue of fairness. Just like elimination of the marriage tax penalty, where 25 million married couples pay higher taxes just because they are married. This is a case where, if a senior citizen wishes to continue working, they must pay higher taxes and lose their Social Security benefits.

My colleagues, this legislation passed the House with a unanimous vote, it passed the Senate with a unanimous vote. Let us send this legislation with this little modification to the President. I am pleased the President is going to sign this legislation. It is nice to see a bipartisan effort work around here.

My colleagues, it is all about fairness. Let us vote today to eliminate the Social Security earnings limit. Please vote "aye."

Mr. SHAW. Madam Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. MCCRERY), an esteemed member of the Committee on Ways and Means.

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

Mr. MCCRERY. Madam Speaker, I thank the chairman of the Subcommittee on Social Security for yielding me this time.

As I was listening to speakers here on the floor extol the virtues of this legislation, I was reminded of what I think is an old Chinese proverb that I am going to paraphrase, that victory has many fathers, defeat is an orphan. We are all claiming credit for this bill, which is good for us all to claim credit for something that the Congress is doing and makes sense. It is just common sense not to penalize seniors who make work.

But the gentleman from Texas (Mr. ARCHER) is not the only one who took this as a personal project. When I first came to Congress in the spring of 1988 as a Member of the 100th Congress, I was adopted by my colleagues who were elected in the regular election which constituted the 100th Congress. And in one of our early meetings as a class, the gentleman from Illinois (Mr. HASTERT), who was a member of our class, came up with the idea for a class project. And our class project was to introduce legislation and fight to repeal the earnings limit for seniors, for

Social Security recipients. So we took that upon ourselves to do, and we introduced legislation.

So I rise today to give the gentleman from Illinois (Mr. HASTERT) and the class of the 100th Congress our due credit for pushing this issue for the last 12 years and, finally today, we gain victory here on the House floor.

But surely every member of the Committee on Ways and Means who saw the benefit of finally doing away with this antiquated law deserves credit; and I do not mind at all Democrats, Republicans, everybody in the House coming to the floor and taking credit for doing this.

It is certainly a happy day for seniors in this country, and I think a happy day for the Congress to finally do something that makes a lot of good old-fashioned common sense to all of us in this country but particularly our seniors, our Social Security recipients.

I thank the Chair for yielding and encourage him to keep up the good work.

Mr. MATSUI. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. BISHOP).

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

Madam Speaker, I feel it is a blessing that many people today are able to continue working and leading productive lives when they reach their golden years. That is why I urge my colleagues to support the Senate amendments to this bill.

Productivity helps give meaning to life. For many it helps prolong life.

□ 1745

We should honor our seniors, not deny them what is rightfully theirs. The earnings penalty is a disincentive to work. In today's world, many seniors need the extra income, particularly when burdened with the high cost of prescription drugs and other essential needs. With so many seniors needing every single penny, Madam Speaker, we must help them in any way we can.

It is about time that we reach out and help our mothers, our fathers, and all those who have helped to shape this Nation. Currently, the amount of income withheld from Georgia beneficiaries exceeds \$91.2 million yearly and more than \$4.2 billion is withheld nationally. This measure will not only put money in the pockets of nearly 17,000 Georgians but more than 700,000 seniors nationwide.

Let us send this bill to the President and eliminate this burdensome earnings penalty.

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

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

Madam Speaker, I would again just urge my colleagues to vote for the conference report. Only two changes were made that were technical in nature. Obviously, we want to move this bill on

to the President, who strongly supports this legislation.

Again, I want to commend my colleagues on both sides of the aisle for a job well done and for the bipartisan cooperation I think that we saw on both sides of the aisle. That is why we were able to get 422 votes when the bill left the House. I am sure the vote will be unanimous here.

So, again, I urge a yes vote.  
Madam Speaker, I yield back the balance of my time.

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

Madam Speaker, when I was in my district this last weekend, an older lady was working where we were eating, and she was waiting on tables. I had helped her some years ago with a matter concerning her son, who is very badly retarded on an SSI matter.

I mentioned it to her, and I asked her her age. Her age is a little above 65 but below 70. She is working waiting on tables, very hard work for someone that age, on her feet all day long, never complains. And yet we are taxing her at such an unconscionable rate. I told her that we were going to be passing this and that she would not only no longer be penalized but that she was going to receive back the penalties that she has incurred from the first of this year.

I do not know whether she really believed me or not, but I am going to be very pleased to go home and tell her that indeed we did. And then I will go home again and tell her indeed that the President joined with this Congress and signed this great piece of legislation.

This is a first step, only a first step, towards Social Security reform, but it is one that is purely one of fairness. It is so unfair for us to have continued to penalize older workers just simply because they were between the age of 65 and 70, saying that they could not keep their entire benefit. So many of them had to work. Whether they were waiting on tables, whether they were working in construction, no matter what they were doing, these wonderful people were working, many because they just wanted to work and many because, as the case of Mary, she had to work.

This is very important that we stay together on this legislation. And I also want to compliment the other body. That is something we do not hear very often in this House is compliments for the other body, but they kept this legislation clean.

The President asked for it to be clean. We asked for it to be clean, and they obliged us and they passed a clean bill. So I think this is really a landmark day for this House. We are coming together in complete cooperation with the Democrats in the White House and with the Republicans controlling the legislative branch.

It is a wonderful day, and I would urge all Members to vote yes and make this again a unanimous statement by this House of Representatives showing our commitment to American seniors.

Again, I want to thank the gentleman from California (Mr. MATSUI), the ranking member on the Democratic side, and the gentleman from New York (Mr. RANGEL).

Of course, again, I want to compliment the gentleman from Texas (Mr. ARCHER), who has steadfastly stood for elimination of the earnings penalty for many, many years now, as he demonstrated on the House floor earlier.

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

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the order of the House of today, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida (Mr. SHAW) to concur in the Senate amendment to H.R. 5.

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

Mr. SHAW. Madam 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.

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#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 5 o'clock and 51 minutes p.m.), the House stood in recess until approximately 6 p.m.

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□ 1802

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 2 minutes p.m.

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#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the motion to concur in the Senate amendment to H.R. 5 and on each motion to suspend the rules on which further proceedings were postponed earlier today in the following order:

H.R. 2412, by the yeas and nays;  
House Concurrent Resolution 292, by the yeas and nays;

House Concurrent Resolution 269, by the yeas and nays;

Concurring in Senate amendment to H.R. 5, by the yeas and nays.

The Chair may reduce to 5 minutes the time for any electronic vote after the first such vote in this series. The Chair intends to conduct this series of four votes as one 15-minute vote followed by two 5-minute votes followed in turn by another 15-minute vote.